

**TOWNSHIP OF CEDAR GROVE  
ESSEX COUNTY NEW JERSEY**

**PUBLIC MEETING**

**MINUTES**

**OCTOBER 7, 2019**

**1. ROLL CALL, INVOCATION AND FLAG SALUTE**

Mayor Vargo called the meeting to order at 7:00 p.m.

Present: Councilmen Cicala, Maceri, Tanella, Deputy Mayor Peterson, Mayor Vargo

Also Present: Township Manager Tucci, Township Attorney Semeraro, Township Clerk Stutz

The flag salute was led by Mayor Vargo.

Mayor Vargo made the required announcement concerning the Open Public Meetings Act as follows: Adequate notice of this meeting was duly provided to the Verona-Cedar Grove Times and the Star Ledger on December 28, 2018, filed with the Township Clerk, and posted on the public bulletin board in the Municipal Building Lobby in accordance with the Open Public Meeting Act.

**2. EXTRAORDINARY BUSINESS**

a) Presentation of Proclamation – Domestic Violence Awareness Month

Deputy Mayor Peterson read the proclamation. Deputy Mayor Peterson commented that the resident who was to accept the proclamation was a domestic violence victim, survivor, and activist but was unable to attend the meeting as originally planned.

**3. APPROVAL OF MINUTES**

a) To consider approval of minutes of regular public meeting of September 9, 2019

Councilman Cicala moved approval of the minutes, seconded by Councilman Maceri, and passed by the following vote:

AYE: Councilmen Cicala, Maceri, Tanella, Deputy Mayor Peterson, Mayor Vargo

NO: None

**4. PUBLIC HEARING**

a) To consider adoption of Pending Ordinance #19-845 – Purchase and Lease of Block 250, Lots 37, 81, 101 & 141 from City of Newark

The ordinance was read by title only as follows:

**AN ORDINANCE OF THE TOWNSHIP OF CEDAR GROVE, COUNTY OF  
ESSEX, STATE OF NEW JERSEY AUTHORIZING THE PURCHASE OF  
BLOCK 250, LOTS 37, 81, 101 & 141 FROM THE CITY OF NEWARK AND  
SUBSEQUENT LEASE OF A PORTION OF LOT 141 TO THE CITY OF  
NEWARK PURSUANT TO A USE AND OCCUPANCY AGREEMENT**

Mayor Vargo opened the public hearing on this item. There being no one present wishing to be heard, Mayor Vargo closed the public hearing.

Attorney Visconi reported that the Planning Board reviewed the ordinance as required by statute and recommended adoption.

Councilman Cicala moved that the ordinance be adopted at second reading, published in the Verona-Cedar Grove Times as a passed ordinance to take effect as prescribed by law, seconded by Deputy Mayor Peterson, and passed by the following vote:

AYE: Councilmen Cicala, Maceri, Tanella, Deputy Mayor Peterson, Mayor Vargo

NO: None

- b) To consider adoption of Pending Ordinance #19-847 – Amending Chapter 100 of the Township Code entitled “Brush, Grass and Weeds”

The ordinance was read by title only as follows:

**AN ORDINANCE OF THE TOWNSHIP OF CEDAR GROVE, COUNTY OF ESSEX,  
STATE OF NEW JERSEY AMENDING CHAPTER 100 OF THE TOWNSHIP CODE  
ENTITLED “BRUSH, GRASS AND WEEDS”**

Mayor Vargo opened the public hearing on this item.

Paul Burns; 2 Elm Dr. – Mr. Burns requested clarification of the amendment regarding tree removal/trimming responsibility, which was provided by the Township Manager.

There being no one else present wishing to be heard, Mayor Vargo closed the public hearing.

Deputy Mayor Peterson moved that the ordinance be adopted at second reading, published in the Verona-Cedar Grove Times as a passed ordinance to take effect as prescribed by law, seconded by Councilman Maceri, and passed by the following vote:

AYE: Councilmen Cicala, Maceri, Tanella, Deputy Mayor Peterson, Mayor Vargo

NO: None

- c) To consider adoption of Pending Ordinance #19-848 – Amending Chapter 197 of the Township Code entitled “Property Maintenance”

The ordinance was read by title only as follows:

**AN ORDINANCE OF THE TOWNSHIP OF CEDAR GROVE, COUNTY OF ESSEX,  
STATE OF NEW JERSEY AMENDING CHAPTER 197 OF THE TOWNSHIP CODE  
ENTITLED “PROPERTY MAINTENANCE”**

Mayor Vargo opened the public hearing on this item. There being no one present wishing to be heard, Mayor Vargo closed the public hearing.

Councilman Maceri moved that the ordinance be adopted at second reading, published in the Verona-Cedar Grove Times as a passed ordinance to take effect as prescribed by law, seconded by Deputy Mayor Peterson, and passed by the following vote:

AYE: Councilmen Cicala, Maceri, Tanella, Deputy Mayor Peterson, Mayor Vargo

NO: None

- d) To consider adoption of Pending Ordinance #19-849 – Guaranty Payment on Capital Equipment Lease Revenue Bonds

The ordinance was read by title only as follows:

ORDINANCE AUTHORIZING THE GUARANTY BY THE TOWNSHIP OF CEDAR GROVE, NEW JERSEY OR PAYMENT OF PRINCIPAL AND INTEREST ON THE CAPITAL EQUIPMENT LEASE REVENUE BONDS, SERIES 2019 (CEDAR GROVE BOARD OF EDUCATION PROJECT) OF THE ESSEX COUNTY IMPROVEMENT AUTHORITY

Mayor Vargo opened the public hearing on this item. There being no one present wishing to be heard, Mayor Vargo closed the public hearing.

Councilman Tanella moved that the ordinance be adopted at second reading, published in the Verona-Cedar Grove Times as a passed ordinance to take effect as prescribed by law, seconded by Councilman Cicala, and passed by the following vote:

AYE: Councilmen Cicala, Maceri, Tanella, Deputy Mayor Peterson, Mayor Vargo

NO: None

## **5. MEETING OPEN TO RESIDENTS OF THE TOWNSHIP WISHING TO BE HEARD ON ANY ITEM ON THE AGENDA**

Mayor Vargo opened this portion of the meeting to anyone wishing to be heard on any item on the agenda. There being no one present wishing to be heard, Mayor Vargo closed this portion of the meeting.

## **6. REPORTS OF TOWNSHIP OFFICIALS**

a) Township Manager – The Manager noted a memo from the Recreation Director seeking to present annual RAB awards at the November 4<sup>th</sup> public meeting, to which the governing body agreed. The Manager also noted a block party request for neighborhood movie night, to which the governing body agreed. The Manager also requested to commence efforts to re-establish the Senior Citizens Club under direction and organization of the Recreation Dept., to which the governing body agreed.

b) Township Clerk – The Clerk advised that the Clerk’s Office will be open until 9:00 p.m. on Tuesday, October 15<sup>th</sup> for voter registration purposes for the upcoming November 5<sup>th</sup> General Election.

c) Township Attorney – No report

## d) Other Reports

Councilman Cicala advised that the Board of Education has requested to schedule a Pilot Fund sub-committee meeting.

Councilman Maceri reported that the Master Eric Silverman, who had attended a Council meeting, had been invited and attended the recent Environmental Commission meeting and presented his recycling concerns/suggestions. Councilman Maceri thanked the Township Manager for his efforts to resurrect the Senior Citizens Club. Councilman Maceri requested information concerning Operation Take Back program for prescription medications.

Deputy Mayor Peterson offered to co-ordinate an educational session regarding stigma-free designation, to which the governing body agreed. Deputy Mayor Peterson noted the Township's annual upcoming October 17<sup>th</sup> Breast Cancer Awareness Walk Fundraiser at Panther Park, and noted the recent loss of a Township mother. Deputy Mayor Peterson also thanked the Police Dept. for its fundraising efforts for the family.

At the Mayor's request, the Township Manager re-affirmed NJDOT's two phase Rt. 23 repaving schedule; Phase 1 Bloomfield Ave. (Verona) to Ridge Rd. and Phase 2 Ridge Rd. to Main St.(Little Falls). Mayor Vargo commented on the recent Fearon dedication (9/25) and thanked the Council, and municipal employees for their support and efforts that culminated in 9/25 ceremony. Mayor Vargo provided details of Downtown Advisory Committee-sponsored Craftoberfest scheduled for October 19<sup>th</sup> from 4:00 – 8:00 p.m. at LRP School grounds. Mayor Vargo thanked the Volunteer Fire Dept. for fire safety education at schools.

## 7. CONSENT AGENDA

- a) To consider resolution concerning approval of raffle applications – St. Catherine of Siena HSA

The following resolution had been posted on the bulletin board, and a brief synopsis was given by the Township Clerk:

**WHEREAS**, applications for raffle licenses have been received from:

### APPLICANTS

St. Catherine of Siena HSA  
39 E. Bradford Ave.  
Cedar Grove NJ 07009

St. Catherine of Siena HSA  
339 E. Bradford Ave.  
Cedar Grove NJ 07009

### EVENTS, DATES TIMES & PLACE

Calendar Raffle to be held  
Jan. 2, 16, Feb. 6, 27, March 12, 26, 2020  
at 8:30 am at  
39 E. Bradford Ave., Cedar Grove NJ 07009

On-Premise Merchandise Raffle to be held  
March 13, 2020 at 6:00 – 10:00 p.m.  
39 E. Bradford Ave., Cedar Grove NJ 07009

**WHEREAS**, the fees have been paid, and the applications have been reviewed by the Township Clerk and found acceptable.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Cedar Grove that it does hereby approve said applications.

Councilman Cicala moved adoption of the resolution, seconded by Deputy Mayor Peterson , and passed by the following vote:

AYE: Councilmen Cicala, Tanella, Deputy Mayor Peterson, Mayor Vargo

NO: None

ABSTIN: Councilman Maceri

- b) To consider resolution concerning approval of raffle application – St. Catherine of Siena Church

The following resolution had been posted on the bulletin board, and a brief synopsis was given by the Township Clerk:

**WHEREAS**, an application for raffle license has been received from:

**APPLICANTS**

**EVENTS, DATES TIMES & PLACE**

St. Catherine of Siena Church  
39 E. Bradford Ave.  
Cedar Grove NJ 07042

Off-Premise 50/50 to be held  
March 13, 2020 at 9:00 pm at  
39 E. Bradford Ave., Cedar Grove NJ 07009

**WHEREAS**, the fees have been paid, and the application has been reviewed by the Township Clerk and found acceptable.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Cedar Grove that it does hereby approve said application.

Councilman Cicala moved adoption of the resolution, seconded by Deputy Mayor Peterson , and passed by the following vote:

AYE: Councilmen Cicala, Tanella, Deputy Mayor Peterson, Mayor Vargo

NO: None

ABSTAIN: Councilman Maceri

- c) To consider resolution concerning approval of raffle application – West Essex Foundation for Education, Inc.

The following resolution had been posted on the bulletin board, and a brief synopsis was given by the Township Clerk:

**WHEREAS**, an application for raffle license has been received from:

**APPLICANTS**

**EVENTS, DATES TIMES & PLACE**

West Essex Foundation for Education Inc.  
65 West Greenbrook Rd.  
Cedar Grove NJ 07042

On-Premise merchandise raffle to be held  
April 29, 2020 at 6:30 - 10:30 pm at  
691 Pompton Ave., Cedar Grove NJ 07009

**WHEREAS**, the fees have been paid, and the application has been reviewed by the Township Clerk and found acceptable.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Cedar Grove that it does hereby approve said application.

Deputy Mayor Peterson moved adoption of the resolution, seconded by Councilman Maceri, and passed by the following vote:

AYE: Councilmen Cicala, Maceri, Tanella, Deputy Mayor Peterson, Mayor Vargo  
NO: None

- d) To consider resolution concerning approval of raffle application – Cedar Grove High School APT

The following resolution had been posted on the bulletin board, and a brief synopsis was given by the Township Clerk:

**WHEREAS**, an application for raffle license has been received from:

**APPLICANTS**

**EVENTS, DATES TIMES & PLACE**

Cedar Grove High School APT  
90 Rugby Rd.  
Cedar Grove NJ 07042

On-Premise 50/50 to be held  
December 8, 2019 at 1 to 5:00 pm at  
90 Rugby Rd., Cedar Grove NJ 07009

**WHEREAS**, the fees have been paid, and the application has been reviewed by the Township Clerk and found acceptable.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Cedar Grove that it does hereby approve said application.

Deputy Mayor Peterson moved adoption of the resolution, seconded by Councilman Maceri, and passed by the following vote:

AYE: Councilmen Cicala, Maceri, Tanella, Deputy Mayor Peterson, Mayor Vargo  
NO: None

- e) To consider resolution concerning approval of bingo application – Cedar Grove High School APT

The following resolution had been posted on the bulletin board, and a brief synopsis was given by the Township Clerk:

WHEREAS, an application for bingo license has been received from:

**APPLICANTS**

**EVENTS, DATES TIMES & PLACE**

Cedar Grove High School APT  
90 Rugby Rd.  
Cedar Grove NJ 07042

Bingo to be held  
December 8, 2019 at 1 to 5:00 pm at  
90 Rugby Rd., Cedar Grove NJ 07009

WHEREAS, the fees have been paid, and the application has been reviewed by the Township Clerk and found acceptable.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Cedar Grove that it does hereby approve said application.

Deputy Mayor Peterson moved adoption of the resolution, seconded by Councilman Maceri, and passed by the following vote:

AYE: Councilmen Cicala, Maceri, Tanella, Deputy Mayor Peterson, Mayor Vargo

NO: None

**8. NEW BUSINESS**

- a) To consider resolution concerning stigma-free designation

The following resolution had been posted on the bulletin board, and a brief synopsis was given by the Township Clerk:

WHEREAS, the Township Council of the Township of Cedar Grove supports the designation of *Stigma-Free Communities* in every municipality, and;

WHEREAS, Township Council recognizes that one in four Americans has experienced mental illness, including substance use disorders, in a given year according to the National Institute of Mental Health, and;

WHEREAS, mental health problems are more common than cancer and heart disease combined, affecting children and adults, including more than half of our Iraq and Afghanistan Veterans treated at Veteran’s Administration hospitals, and;

WHEREAS, given the serious nature of this public health problem, we must continue to reach the millions who need help, and;

WHEREAS, the stigma associated with the disease of mental illness is identified as the primary reason individuals fail to seek the help they need to recover from the disease, and;

WHEREAS, *Stigma-Free Communities* aim to inspire public interest and open dialogues about stigma, raise awareness of the disease of mental illness and create a culture wherein residents who have the disease of mental illness feel supported by their community and neighbors and feel free to seek treatment for the disease without fear of stigma and;

**WHEREAS**, promoting awareness that there can be no “health” without mental health will break down barriers and encourage residents of all ages to be mindful of their mental health and ask for help when needed, and;

**WHEREAS**, local resources are available to treat the disease of mental illness so no one resident needs to suffer alone or feel hopeless, and;

**WHEREAS**, establishing *Stigma-Free Communities* will raise awareness of resources and encourage residents to engage in care as soon as the need is identified so recovery can begin, hope is inspired and tragedies are avoided.

**NOW, BE IT RESOLVED** that the Township Council of the Township of Cedar Grove recognizes the community needs and supports designating Cedar Grove as a *Stigma-Free Community*.

Councilman Cicala moved adoption of the resolution, seconded by Councilman Maceri, and passed by the following vote:

AYE: Councilmen Cicala, Maceri, Tanella, Deputy Mayor Peterson, Mayor Vargo

NO: None

- b) To consider resolution concerning waiver of developer agreement requirements – Heller Property Partners LP

The following resolution had been posted on the bulletin board, and a brief synopsis was given by the Township Clerk:

**In the Matter of:**

**Heller Property Partners LP**

**Block 160, Lots 2 & 14**

**551 Pompton Ave. and 30 Bowden Rd.**

**BE IT RESOLVED** by the Township Council of the Township of Cedar Grove that pursuant to Section 38-32.1 of the Code of the Township of Cedar Grove, the governing body does hereby waive the requirements for a developer's agreement, performance guarantee and insurance certificate in connection with the above referenced project.

**BE IT FURTHER RESOLVED** that submission of the 5% post approval escrow required per Chapter 38-26.2 of the Code of the Township of Cedar Grove is also waived.

Councilman Cicala moved adoption of the resolution, seconded by Councilman Tanella, and passed by the following vote:

AYE: Councilmen Cicala, Maceri, Tanella, Deputy Mayor Peterson, Mayor Vargo

NO: None

- c) To consider resolution concerning authorization for execution of letter of representation for bond guaranty

RESOLUTION APPROVING THE FORM AND AUTHORIZING THE EXECUTION AND DELIVERY OF A LETTER OF REPRESENTATION AND A CONTINUING DISCLOSURE AGREEMENT IN CONNECTION WITH THE ISSUANCE AND DELIVERY OF THE ESSEX COUNTY IMPROVEMENT AUTHORITY'S CAPITAL EQUIPMENT POOLED LEASE REVENUE BONDS, SERIES 2019 AND AUTHORIZING AN AUTHORIZED MUNICIPAL REPRESENTATIVE TO DO ALL OTHER THINGS DEEMED NECESSARY OR ADVISABLE IN CONNECTION WITH THE ISSUANCE, SALE AND DELIVERY OF SUCH BONDS

WHEREAS, the Township of Cedar Grove Board of Education (the "Board") desires to lease and permanently finance the cost of acquisition of certain capital equipment (the "Equipment") from The Essex County Improvement Authority (the "Authority"); and

WHEREAS, the Authority will provide for the financing of the cost of the acquisition of the Equipment by the issuance of its Capital Equipment Lease Revenue Bonds, Series 2019 (Cedar Grove Board of Education Project) (the "Bonds") payable from rentals by the Board pursuant to a Lease and Agreement by and between the Board and the Authority (the "Lease"); and

WHEREAS, in order to induce the Authority to issue and deliver the Bonds and its Capital Equipment Pooled Lease Revenue Bonds, Series 2019, there has been prepared and submitted to the Township of Cedar Grove, New Jersey (the "Municipality") a Letter of Representation in the form attached hereto as Exhibit A.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWNSHIP OF CEDAR GROVE, AS FOLLOWS:

- Section 1. That the Letter of Representation, in the form presented to this meeting, be and the same is hereby approved, and any Authorized Municipal Representative (as that term is defined in the Lease) is hereby authorized to, and one of such officers shall execute the Letter of Representation, with such additions, deletions or modifications as such officer shall approve, and to deliver the same to the addressees designated on such Letter of Representation, such approval to be conclusively evidenced by the execution and delivery thereof.
- Section 2. That any Authorized Municipal Representative is hereby authorized and directed to execute and deliver any and all documents and instruments and to do and cause to be done any and all acts and things necessary or proper for carrying out the sale, issuance and delivery of the Bonds, the Authority's Capital Equipment Pooled Lease Revenue Bonds, Series 2019 and all related transactions contemplated by this resolution.
- Section 3. All resolutions or proceedings, or parts thereof, in conflict with the provisions of this resolution are to the extent of such conflict hereby repealed.
- Section 4. This resolution shall become effective immediately.

Deputy Mayor Peterson moved adoption of the resolution, seconded by Councilman Cicala, and passed by the following vote:

AYE: Councilmen Cicala, Maceri, Tanella, Deputy Mayor Peterson, Mayor Vargo

NO: None

**9. APPROVAL OF BILLS**

The Bill Resolution was read by title and amount as follows:

BE IT RESOLVED by the Township Council of the Township of Cedar Grove, County of Essex, New Jersey, that the attached summary of bills having been duly audited and found correct be and they are thereby ordered paid and that warrants be drawn on the Treasurer in the aggregate amount of \$73,613.90

Councilman Cicala moved adoption of the resolution, seconded by Councilman Tanella, and passed by the following vote:

AYE: Councilmen Cicala, Maceri, Tanella, Deputy Mayor Peterson, Mayor Vargo

NO: None

**10. MEETING OPEN TO RESIDENTS OF THE TOWNSHIP WISHING TO BE HEARD ON ANY ITEM ON OR OFF THE AGENDA CONCERNING TOWNSHIP BUSINESS**

Mayor Vargo opened this portion of the meeting to anyone wishing to be heard.

Kate Hartwyk; Essex County Liaison – Ms. Hartwyk announced upcoming County sponsored events during the month October. Ms. Hartwyk also noted that the County has established permanent take-back prescription drug sites within the County. Mayor Vargo inquired the status of graffiti removal on the bikeway trestle over Pompton Ave. Councilman Tanella commended the County for the efficiency of the Hazardous Waste Collection Day.

Paul Burns; 2 Elm Dr. – Mr. Burns expressed concerns regarding the Pompton Ave./Church St. intersection, and Pompton Ave./Grove Ave. intersection.

**11. ADJOURNMENT**

Councilman Cicala moved adjournment of the public council meeting, seconded by Councilman Tanella, and passed by the following vote:

AYE: Councilmen Cicala, Maceri, Tanella, Deputy Mayor Peterson, Mayor Vargo

NO: None

The meeting adjourned at 8:00 p.m.

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ROBBIE VARGO                      MAYOR

ATTEST:

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KATHLEEN R. STUTZ              MUNICIPAL CLERK