

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

**COUNCIL STAFF MEETING**

**MINUTES**

**JANUARY 27, 2020**

**1. ROLL CALL – OPEN PUBLIC MEETING STATEMENT BY MAYOR**

Mayor Vargo called the meeting to order at 7:00 p.m. and 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, filed with the Township Clerk, and posted on the public bulletin board in the Municipal Building's lobby in accordance with the Open Public Meetings Act.

Present: Councilmember Cicala, Maceri, Deputy Mayor Peterson, Mayor Vargo

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

Absent: Councilman Tanella

**2. APPROVAL OF MINUTES**

a) Executive Session – December 16, 2019 - Interview

Councilman Maceri moved approval and release of the minutes as presented, seconded by Deputy Mayor Peterson, and passed by the following vote:

AYE: Councilman Cicala, Maceri, Deputy Mayor Peterson, Mayor Vargo

NO: None

ABSENT: Councilman Tanella

b) Staff Meeting – December 16, 2019

Deputy Mayor Peterson moved approval of the minutes as presented, seconded by Councilman Maceri, and passed by the following vote:

AYE: Councilman Cicala, Maceri, Deputy Mayor Peterson, Mayor Vargo

NO: None

ABSENT: Councilman Tanella

c) Executive Session – December 16, 2019

Deputy Mayor Peterson moved approval of the minutes as presented, seconded by Councilman Cicala, and passed by the following vote:

AYE: Councilman Cicala, Maceri, Deputy Mayor Peterson, Mayor Vargo

NO: None

ABSENT: Councilman Tanella

d) Executive Session – January 13, 2020

Councilman Maceri moved approval of the minutes as presented, seconded by Deputy Mayor Peterson, and passed by the following vote:

AYE: Councilman Cicala, Maceri, Deputy Mayor Peterson, Mayor Vargo

NO: None

ABSENT: Councilman Tanella

3. **TOWNSHIP MANAGER** – The Township Manager noted receipt of the annual Historical Society Financial report for informational purposes. The Manager requested an executive session to discuss salary negotiations with Cedar Grove Employees Association. The Manager noted a proposed development plan for CG Garden Center property for informational purposes.
4. **TOWNSHIP ATTORNEY** – Attorney Semeraro noted receipt of a capital improvement assessment application for the Meadowbrook Gardens property that is currently being reviewed for legal compliance and analysis. Attorney Semeraro noted that the application requires a meeting of the Rent Control Board, which is the governing body, to conduct a hearing and render decision. Attorney Semeraro also noted receipt of the Planning Board’s report concerning pending affordable housing and development fee ordinances.
5. **TOWNSHIP CLERK** – The Clerk noted receipt of a letter of interest for membership on the Library Board of Trustees. Following discussion of current vacancies, the Clerk was directed to advertise the Library Board and Environmental Commission vacancies. The Clerk also noted the Recreation Director recommendation for renewal of pool concession for 2020 season.

## 6. COUNCIL REPORTS

Councilman Cicala inquired status of tennis court upgrade. Councilman Cicala also requested an update on the development of athletic field behind LRP. Councilman Cicala commented that the pilot sub-committee is trying co-ordinate a date for a meeting.

Councilman Maceri initiated discussion of a facebook for the Environmental Commission.

Deputy Mayor Peterson – No report

Mayor Vargo requested that the Township Council receive general description of Planning Board/Zoning Board applications. Mayor Vargo requested an update on the status of the new South End Fire House. There was consensus to schedule joint opening ceremony (Township & Fire Dept.). Mayor Vargo advised that the Downtown Advisory Committee is planning activities for 2020 to promote improvement to downtown business area. Mayor Vargo also requested update of Rt. 23 repaving schedule. The Manager advised that no new information or schedule change has been received from the State.

## 7. NEW BUSINESS

- a) To consider resolution concerning municipal consent for use of right-of-way – Cross River Fiber LLC

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

**WHEREAS**, Cross River Fiber LLC (“Cross River Fiber”), seeks to place its telecommunication facilities aerially on existing utility poles or in an underground conduit in the Public Right-of-Way within the Township of Cedar Grove for the purpose of owning, constructing, installing, operating, repairing and maintaining a telecommunications system; and

**WHEREAS**, Cross River Fiber was approved by the New Jersey Board of Public Utilities to provide local exchange and interexchange telecommunications services throughout the State; and

**WHEREAS**, N.J.S.A. 48:3-29 requires Cross River Fiber to obtain the consent of the Township of Cedar Grove for the joint use of any existing utility poles; and

**WHEREAS**, N.J.S.A. 54:30A-124(a) provides that a municipality may not impose any fees, taxes, levies or assessments in the nature of a local franchise, right of way, or gross receipts fee, tax, levy or assessment against telecommunications companies but that a municipality may impose reasonable fees for actual services made by any municipal, regional or county governmental agency; and

**WHEREAS**, it is in the best interests of the Township of Cedar Grove and its citizens to grant consent to Cross River Fiber; and

**WHEREAS**, the consent granted is for the non-exclusive use of the Public Right-of-Ways for the purpose of owning, constructing, installing, operating, repairing and maintaining a telecommunications system subject to the terms and conditions of the attached Use Agreement with Cross River Fiber.

**NOW, THEREFORE BE IT RESOLVED** by the Township Council of the Township of Cedar Grove that the Township of Cedar Grove is hereby authorized to grant Cross River Fiber a non-exclusive use of the Public Right-of-Ways for the purpose of owning, constructing, installing, operating, repairing and maintaining a telecommunications system; and

**BE IT FURTHER RESOLVED**, that the Mayor and Clerk are hereby authorized to execute any and all documents necessary to effectuate this resolution.

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

AYE: Councilmember Cicala, Maceri, Deputy Mayor Peterson, Mayor Vargo

NO: None

ABSENT: Councilman Tanella

- b) To consider resolution concerning submission of strategic plan for 2020 Municipal Alliance Grant

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

**WHEREAS**, the Governor's Council on Alcoholism and Drug Abuse established the Municipal Alliances for prevention of Alcoholism and Drug Abuse in 1989 to educate residents, local government and law enforcement officials, schools, nonprofit organizations, the faith community, parents, youth and other allies in efforts to prevent alcoholism and drug abuse in communities throughout New Jersey.

**WHEREAS**, the Township Council of the Township of Cedar Grove, County of Essex, State of New Jersey recognizes that the abuse of alcohol and drugs is a serious problem in our society amongst persons of all ages; and therefore has an established Municipal Alliance Committee; and

**WHEREAS**, the Township Council further recognizes that it is incumbent upon not only public

officials but upon the entire community to take action to prevent such abuses in our community; and

**WHEREAS**, the Township Council has applied for funding to the Governor’s Council on Alcoholism and Drug Abuse through the County of Essex;

**NOW, THEREFORE, BE IT RESOLVED** by the Township of Cedar Grove, County of Essex, State of New Jersey, hereby recognizes the following:

1. The Township Council does hereby authorize submission of a strategic plan for the Cedar Grove Municipal Alliance grant for fiscal year 2020 in the amount of:

DEDR	17,763.25
Cash Match	4,440.81
In-Kind	13,332.44

2. The Township Council acknowledges the terms and conditions for administering the Municipal Alliance grant, including the administrative compliance and audit requirements.

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

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

NO: None

ABSENT: Councilman Tanella

- c) To consider resolution concerning approval of raffle application – Parent Faculty Assoc. of Mount St. Dominic Academy

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**

**EVENTS, DATES TIMES & PLACE**

Parent Faculty Assoc. of Mount St.  
Dominic Academy  
3 Ryerson Ave.  
Caldwell NJ 07006

On-premise 50/50 Raffle to be held  
March 26, 2020 6:00 – 10:00 p.m. at  
691 Pompton Ave., Cedar Grove NJ 07009

Parent Faculty Assoc. of Mount St.  
Dominic Academy  
3 Ryerson Ave.  
Caldwell NJ 07006

On-premise Merchandise Raffle to be held  
March 26, 2020 6:00 – 10:00 p.m. at  
691 Pompton 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 Councilman Maceri, and passed by the following vote:

AYE: Councilmember Cicala, Maceri, Deputy Mayor Peterson, Mayor Vargo

NO: None

ABSENT: Councilman Tanella

- d) To consider resolution concerning approval of raffle application – Wayne Council PTO

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**

**EVENTS, DATES TIMES & PLACE**

Wayne Council PTO  
3 Ryerson Ave.  
Caldwell NJ 07006.

On-premise 50/50 Raffle to be held  
March 3, 2020 5:30 – 10:00 p.m. at  
691 Pompton Ave., Cedar Grove NJ 07009

Wayne Council PTO  
3 Ryerson Ave.  
Caldwell NJ 07006.

On-premise Merchandise Raffle to be held  
March 3, 2020 5:30 – 10:00 p.m. at  
691 Pompton 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 Councilman Maceri, and passed by the following vote:

AYE: Councilmember Cicala, Maceri, Deputy Mayor Peterson, Mayor Vargo

NO: None

ABSENT: Councilman Tanella

- e) To consider resolution concerning renewal of 2020 Amusement Device License

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

**WHEREAS**, the following entity has applied for approval of a Amusement Device License for 2020:

**APPLICANT**

Al Lombardi  
Lombardi's Bar & Restaurant

**LICENSE FOR**

Video Games & Jukebox

**WHEREAS**, the application has been reviewed, the fees have been paid, and the Fire Prevention Bureau, Code Enforcement Official, the Police Department have all made inspections and certify that the above locations comply with local ordinances;

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Cedar Grove that the Township Clerk be directed to approve the license of the above-named establishment.

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

AYE: Councilmember Cicala, Maceri, Deputy Mayor Peterson, Mayor Vargo

NO: None

ABSENT: Councilman Tanella

## **8. 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 \$ 3,012,710.68.

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

AYE: Councilmember Cicala, Maceri, Deputy Mayor Peterson, Mayor Vargo

NO: None

ABSENT: Councilman Tanella

## **9. PUBLIC COMMENT**

Charles Dovico; 111 Holly Lane – Mr. Dovico inquired the impact of the Lindsley Road/Mountain Ave. intersection modification on the Rt. 23 repaving schedule. The Township Manager advised that the State has not notified the Township of any changes to the schedule as yet. Mr. Dovico noted a recent article in the Star Ledger regarding shared service agreements. Mr. Dovico inquired about the availability of the Township's Fair Share Plan.

There being no one else present wishing to be heard, Mayor Vargo closed this portion of the meeting.

## **AUTHORIZATION TO GO INTO EXECUTIVE SESSION**

WHEREAS, Section 8 of the Open Public Meetings' Act (N.J.S.A.10:4-12 (b) (1-9) permits the exclusion of the public from a Meeting of the Mayor and Council in certain circumstances; and

WHEREAS, the Mayor and Council of the Township of Cedar Grove are of the opinion that such circumstances exist.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Township of Cedar Grove, County of Essex, State of New Jersey that:

1. The public shall be excluded from discussion of any action on the Executive Session of the Meeting of the Mayor and Council of January 27, 2020.
2. The general nature of the subject matter to be discussed is DPW salary negotiations with Cedar Grove Employee Association.
3. It is anticipated at this time that the above stated subject matter will be made public as soon thereafter as it is deemed in the public interest to do so.
4. This Resolution shall take effect immediately.

## **10. ADJOURNMENT**

There being nothing further to discuss, the staff council meeting adjourned at 7:45 p.m. by acclaim.