

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

**PUBLIC MEETING**

**MINUTES**

**JUNE 1, 2020**

**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 26, 2019, 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. APPROVAL OF MINUTES**

- a) To consider approval of minutes of regular public meeting of May 4, 2020

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

AYE: Councilmen Cicala, Maceri, Tanella, Mayor Vargo

NO: None

ABSTAIN: Deputy Mayor Peterson

ABSENT: None

- b) To consider approval of minutes of special public meeting of May 18, 2020

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

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

NO: None

**3. PUBLIC HEARING**

- a) To consider adoption of Pending Ordinance #20-860 – Ordinance to Exceed the Municipal Budget Appropriation Limits and to Establish a Cap Bank

The ordinance was read by title only as follows:

**ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION  
LIMITS AND TO ESTABLISH A CAP BANK  
(N.J.S.A. 40A: 4-45.14)**

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 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 Councilman Maceri, and passed by the following vote:

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

NO: None

#### **4. 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.

#### **5. REPORTS OF TOWNSHIP OFFICIALS**

a) Township Manager - The Manager provided a COVID update and stated that no new cases/deaths had been reported. Mr. Tucci also reported late breaking news that the Governor announced that the State will move to Stage 2 of re-opening, which provided for outdoor dining, non-essential retail businesses, and daycare/childcare businesses to re-open, all with social distance requirements in place. Mr. Tucci also noted that there will be additional business/activity openings on June 22<sup>nd</sup> subject to a sustained flattening of the COVID positive test curve. The Manager suggested consideration of a conducting grand opening at Panther Park by local restaurants to promote outdoor dining. The Manager also advised that group sports are permitted to resume as of June 22<sup>nd</sup>, permits for park use will be issued as of that date. Mr. Tucci further advised the sports camps are anticipated to commence as of July 6<sup>th</sup>. The Manager reported that an application has been submitted in accordance with the CARES Act for pandemic-related costs incurred. The Township Manager noted a letter of resignation from the current Historical Society president. The Manager requested an executive session to discuss non-represented employee salary increases.

b) Township Clerk – The Township Clerk announced that the Governor issued an executive order that the July 7<sup>th</sup> Primary Election be conducted as a vote by mail election. The Clerk advised that active designated party voters will receive corresponding party ballot by mail from the County Clerk's Office, and unaffiliated and inactive voters will be mailed vote-by-mail applications from the County Clerk's Office. The Clerk provided appointment/re-appointment information for preparation of the annual reorganization meeting agenda.

c) Township Attorney – The Township Attorney requested an executive session to discuss Historical Society lease agreement renewal. The Manager also noted a proposed tax appeal settlement, to which the governing body concurred.

d) Other Reports

Councilman Maceri noted the resolution on the agenda pertaining to Electric Vehicle Incentive Grant. The Manager clarified that the grant was for the recently installed electric charging stations. The Manager responded to Councilman Maceri's request for an update on the status of Rt. 23 repaving project. Mr. Tucci advised that NJDOT anticipates paving to commence within two weeks. Mr. Tucci commented that there have been initial discussion with NJDOT representatives regarding repaving in the downtown business district with minimal impact on the local businesses. The Manager also noted one of the most important outcomes of the Rt. 23 paving project is the W. Lindsley Rd./Pompton Ave. intersection improvements.

Councilman Cicala – No report

Councilman Tanella confirmed that the Township's annual Clean Sweep Day was cancelled.

Deputy Mayor Peterson noted the resignation of School Superintendent Fetherman, commended his participation in Township events, and thanked him for his service to Cedar Grove.

Mayor Vargo expressed concern regarding excessive activity at Devil's Hole and relevant safety issues. The Manager advised that the Police Department is aware of the activity and the Township is undertaking measures to curtail/discourage swimming.

## 6. NEW BUSINESS

- a) To consider resolution concerning adoption of 2020 Essex County Hazard Mitigation Plan Update

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

**RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF CEDAR GROVE  
AUTHORIZING THE ADOPTION OF THE  
2020 ESSEX COUNTY, NEW JERSEY HAZARD MITIGATION PLAN UPDATE**

**WHEREAS**, all jurisdictions within Essex County have exposure to hazards that increase the risk to life, property, environment, and the County and local economy; and

**WHEREAS**; pro-active mitigation of known hazards before a disaster event can reduce or eliminate long-term risk to life and property; and

**WHEREAS**, The Disaster Mitigation Act of 2000 (Public Law 106-390) established new requirements for pre and post disaster hazard mitigation programs; and

**WHEREAS**; a coalition of Essex County municipalities with like planning objectives has been formed to pool resources and create consistent mitigation strategies within Essex County; and

**WHEREAS**, the coalition has completed a planning process that engages the public, assesses the risk and vulnerability to the impacts of natural hazards, develops a mitigation strategy consistent with a set of uniform goals and objectives, and creates a plan for implementing, evaluating and revising this strategy;

**NOW, THEREFORE, BE IT RESOLVED** that the Township of Cedar Grove:

- 1) Adopts in its entirety, the 2020 Essex County Hazard Mitigation Plan Update (the “Plan”) as the jurisdiction’s Hazard Mitigation Plan and resolves to execute the actions identified in the Plan that pertain to this jurisdiction.
- 2) Will use the adopted and approved portions of the Plan to guide pre- and post-disaster mitigation of the hazards identified.
- 3) Will coordinate the strategies identified in the Plan with other planning programs and mechanisms under its jurisdictional authority.
- 4) Will continue its support of the Mitigation Planning Committee as described within the Plan.
- 5) Will help to promote and support the mitigation successes of all participants in this Plan.
- 6) Will incorporate mitigation planning as an integral component of government and partner operations.
- 7) Will provide an update of the Plan in conjunction with the County no less than every five years.

Councilman Cicala moved adoption of the resolution, 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 resolution concerning submission of Clean Fleet Electric Vehicle Incentive Grant Program application

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

**GRANT AGREEMENT  
BETWEEN**

**CEDAR GROVE TOWNSHIP  
AND  
THE STATE OF NEW JERSEY  
BY AND FOR  
THE BOARD OF PUBLIC UTILITIES**

**GRANT IDENTIFIER: \_\_\_\_\_**

**RESOLUTION**

**WHEREAS**, the governing body of Township of Cedar Grove desires to further the public interest by obtaining a grant from the State of New Jersey in the amount of \$5,500 to fund the following project: Clean Fleet Electric Vehicle Incentive Grant Program.

**NOW THEREFORE BE IT RESOLVED** that the governing body resolves that Alex Palumbo or the successor to the office of Municipal Engineer is authorized (a) to make application for such a

grant, (b) if awarded, to execute a grant agreement with the State for a grant in an amount not less than \$5,500 and not more than \$5,500, and (c) to execute any amendments thereto.

Councilman Maceri 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 estimated tax bills

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

**WHEREAS**, the Essex County Board of Taxation is unable to certify tax rates for the year 2020 in a timely manner; and

**WHEREAS**, without a 2020 certified tax rate the Tax Collector of the Township of Cedar Grove will be unable to issue 2020 tax bills on a timely basis; and

**NOW, THEREFORE, BE IT RESOLVED**, by the Township Council of the Township of Cedar Grove, as follows:

1. The Tax Collector of the Township of Cedar Grove is hereby authorized and directed to prepare and issue estimated tax bills for the Township of Cedar Grove for the third installment of 2020 taxes. The Tax Collector shall proceed and take such actions as are permitted and required by Chapter 72, Public Laws of 1994 and N.J.S.A. 54:4-66.2 and 54:4-66.3.
2. The total estimated tax levy for 2020 is \$55,330,751.76. The estimated tax rate for 2020 is \$2.495.

Councilman Cicala moved adoption of the resolution, 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 resolution concerning removal of certain “No Stopping of Standing” zones

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

**WHEREAS**, the New Jersey Department of Transportation (NJDOT) requests the Township of Cedar Grove to pass a resolution in support of removal of Sections II and III of the “No Stopping or Standing” zones established by NJDOT Traffic Regulation Order RP-77-8 as follows:

In the Township of Cedar Grove  
Route NJ 23  
No Stopping or Standing

## A. Along the northbound side of Route 23

1. From the Verona Borough-Cedar Grove Township corporate line to the center line of East Bradford Avenue.
2. From a point 230 feet north of the center line of Cedar Street to the center line of Bowden Road.
3. From the center line of Peckmantown Road to the Little Falls Township-Cedar Grove Township corporate line.

## B. Along the southbound side of Route 23

1. From the Little Falls Township-Cedar Grove Township corporate line to the center line of center line of Brunswick Road.
2. From a point 650 feet south of the center line of Grove Avenue to a point 850 feet south of the center line of Grove Avenue.
3. From the center line of Church Street to a point 300 feet south of the center line of Church Street.
4. From the center line of West Bradford Avenue to a point 100 feet south of the center line of West Bradford Avenue.
5. From the center line of Sweetwood Drive to the Verona Borough-Cedar Grove Township corporate line.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Township of Cedar Grove, County of Essex, State of New Jersey, that the Township of Cedar Grove is in support and approves the removal of the above listed “No Stopping or Standing” zones and authorize NJ DOT to proceed with rescinding Sections II and III of the Traffic Regulation Order RP-77-8; and

**BE IT FURTHER RESOLVED** that the Township of Cedar Grove concurs that any approved traffic regulations in conflict with or inconsistent with the provisions of this resolution be rescinded upon approval of the Traffic Regulation Order.

**BE IT FURTHER RESOLVED** that a certified copy of the resolution shall be forwarded to NJDOT by the Municipal Clerk as requested.

Deputy Mayor Peterson 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

## 7. 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 \$335,610.50

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

## **8. CONTRACTS AND AGREEMENTS**

- a) To consider resolution authorizing execution of Reimbursement Agreement for CARES Act

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

**BE IT RESOLVED** by the Township Council of the Township of Cedar Grove that it does hereby authorize execution of a Reimbursement Agreement between the County and Township of Cedar Grove for Coronavirus Aid Relief and Economic Security (CARES) Act funds.

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

## **9. 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.

Joel Thompson, Pastor, Chapel on the Hill; 560 Ridge Road – Pastor Thomason requested an update on when religious services may resume. Mayor Vargo advised that the Governor's executive order permits outdoor gatherings to be conducted with social distance guidelines in place.

There being no one else 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 June 1, 2020.

2. The general nature of the subject matters to be discussed is non-represented employee salary increases and attorney/client communications and lease negotiation with Historical Society.
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.

Councilman Tanella 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

**10. ADJOURNMENT**

Deputy Mayor Peterson 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 7:55 p.m.

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KERRY PETERSON      MAYOR

ATTEST:

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KATHLEEN R. STUTZ      MUNICIPAL CLERK