

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

PUBLIC MEETING

MINUTES

JANUARY 11, 2021

1. ROLL CALL, INVOCATION AND FLAG SALUTE

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

Present: Councilmen Cicala*, Maceri, Zichelli, Deputy Mayor Tanella, Mayor Peterson

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

The flag salute was led by Deputy Mayor Tanella.

Deputy Mayor Tanella 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 24, 2020, 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.

The Township Manager introduced and welcomed the Township's new Township Attorney Matthew Giacobbe, Esq. of the firm Cleary Giacobbe Alfieri Jacobs LLC.

Deputy Mayor Tanella noted the presence of Cedar Grove Ambulance & Rescue Squad members invited to attend the meeting by Mayor Peterson to address the governing body. A&RS President Ken Clark thanked Township officials, Township Manager and Police Chief for providing the opportunity for the squad to resume long-time service for residents following a shut-down caused by the COVID pandemic.

Deputy Mayor Tanella also noted another resident present to address the governing body. Deputy Mayor Tanella suggested that the resident be permitted to speak, to which the governing body agreed.

Leonard Splendoria; 19 Rose Terr. – Mr. Splendoria stated that he was appearing on behalf of his son who is currently quarantining prior to return to school. Mr. Splendoria read his son's statement/request for the governing body to approve a resolution in support of fair elections. There was consensus for legal review the resolution prior to further consideration.

2. APPROVAL OF MINUTES

- a) To consider approval of minutes of regular public meeting of December 7, 2020

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

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

NO: None

- b) To consider approval of minutes of special public meeting – December 21, 2020

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

AYE: Councilmen Maceri, Zichelli, Deputy Mayor Tanella, Mayor Peterson

NO: None

ABSTAIN: Councilman Cicala

3. MEETING OPEN TO RESIDENTS OF THE TOWNSHIP WISHING TO BE HEARD ON ANY ITEM ON THE AGENDA

Deputy Mayor Tanella 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, Deputy Mayor Tanella closed this portion of the meeting.

4. REPORTS OF TOWNSHIP OFFICIALS

a) Township Manager – The Township Manager noted receipt of a letter from concerning offer to donate real property to Township. The Manager recommended that the governing body take a physical look at the property and get an opinion from the Township Attorney regarding property donation for discussion at next staff meeting, to which the governing body agreed. The Manager noted the copy of the executed agreement between the Township and A&RS. Mr. Tucci provided proposed budget hearing dates; Feb. 1, 2 and 3 if necessary, at 5:00 p.m. to which the governing body agreed.

b) Township Clerk – The Clerk announced that a municipal election will be held on May 11, 2021 for three expiring term Council positions. The Clerk advised that notice of candidate packet availability will be posted shortly on the Township website. Ms. Stutz further noted that the deadline for candidates to file/submit their nominating petition in the Clerk's Office is sixty-four days prior to the date of the election (March 8, 2021).

c) Township Attorney - No report

d) Other Reports

Councilman Maceri inquired the plan for determining feasibility of a community center raised at a recent council meeting. The Manager outlined an initial process of identifying a suitable location, allocating funds in capital budget for plans/specifications, and obtaining public input. Mr. Tucci commented that a previous governing body had considered the existing pool building in Community Park as potential location. The Manager further commented that he will allocate funds in the capital budget for plans/specifications, and would like to obtain input from the community regarding what should be included in the center.

Councilman Cicala – No report

Councilman Zichelli – The Manager responded to Councilman Zichelli's inquiry concerning acquisition of a new fire truck for South End Fire Company. The Manager advised that there will be a dedication ceremony for both the new South End Fire Company fire truck and fire house. Councilman Zichelli noted desire to resume Clean Sweep program

in late spring. The Manager commented that should the State not provide funding for the program, the Township will conduct a program in some form.

Mayor Peterson thanked the Manager and Police Chief for working to with the A&RS resume services. Mayor Peterson advised that a resident had inquired about the possibility of locating a “Free Little Pantry” in the Township to assist residents with food insecurities. The Manager recommended that the resident contact him directly with specifics of the program to determine it feasibility and advise the governing body accordingly. Mayor Peterson requested an executive session to discuss a personnel matter.

Deputy Mayor Tanella – No report

5. CONSENT AGENDA

- a) To consider resolution concerning interest on delinquent taxes

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

WHEREAS, N.J.S.A. 54:4-67 regulates the due dates for the payment of taxes and authorizes the rate of interest for delinquent payment of taxes, and authorizes a grace period not exceeding ten (10) days;

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Cedar Grove, that the Tax Collector is hereby authorized to allow a period of ten (10) days grace from the quarterly tax due date before charging interest; and

BE IT FURTHER RESOLVED that the rate of interest to be charged for the payment of taxes, assessments, and property maintenance when they become delinquent shall be at the rate of eight percent (8%) per annum on the first \$1,500.00 of the delinquency, eighteen percent (18%) per annum of any amount in excess of \$1,500.00, and an additional six percent (6%) penalty for a delinquency over \$10,000.00 if not paid prior to the end of the calendar year.

BE IT FURTHER RESOLVED that this resolution will take effect January 1, 2021.

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

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

NO: None

- b) To consider resolution concerning 2021 Temporary Budget

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

WHEREAS, pursuant to N.J.S.A. 40A:4-19 the Township of Cedar Grove is authorized to make temporary appropriations sufficient to cover commitments made during the period January 1, 2021 to the date of the adoption of annual budget; and

WHEREAS, the total of such temporary appropriations, pursuant to N.J.S.A. 40A:4-19 shall not exceed twenty-six and one-quarter per centum (26.25) of the total of the 2020 annual budget, less certain appropriations;

NOW, THEREFORE, BE IT RESOLVED by the Township of Cedar Grove, County of Essex, New Jersey, that the following shall constitute the Temporary Budget for the Township of Cedar Grove for fiscal year 2021:

2021 TEMPORARY MUNICIPAL BUDGET

<u>APPROPRIATIONS</u>	<u>ACCOUNT NO.</u>	<u>SALARIES AND WAGES</u>	<u>OTHER EXPENSES</u>
<u>CURRENT FUND</u>			
<u>General Government</u>			
Township Council	1-105	\$ _____	\$2,000.00
Township Manager	1-106	32,600.00	1,000.00
Township Clerk	1-107	22,300.00	6,000.00
Elections	1-110	_____	500.00
Treasurer-Controller	1-115	32,000.00	8,000.00
Assessment of Taxes	1-102	15,900.00	4,500.00
Collection of Taxes	1-130	15,500.00	2,000.00
Legal Services	1-140	_____	25,000.00
Municipal Court	1-145	25,000.00	8,000.00
Municipal Prosecutor	1-150	_____	3,500.00
Public Defender	1-151	_____	1,000.00
Annual Audit	1-154	_____	5,000.00
Engineering Services	1-155	5,000.00	4,000.00
Public Bldgs. & Grounds	1-160	12,000.00	20,000.00
Planning Board	1-165	6,800.00	1,500.00
Zoning Board	1-170	6,800.00	1,500.00
Shade Trees	1-175	_____	2,000.00
Environmental Comm.	1-180	_____	50.00
Historical Society	1-185	_____	100.00
Ins.-Surety Bond Prem.	1-190	_____	2,071.00
Ins.-Group Insurance	1-190	_____	250,943.00
Ins.-Workmans Comp.	1-190	_____	50,000.00
Ins.-Other Premiums	1-190	_____	50,000.00
Ins.-Self Insurance	1-190	_____	100.00
<u>Public Safety</u>			
Fire	1-205	_____	31,000.00
Municipal Alliance Grant	1-1212	500.00	1,000.00
First Aid Organization	1-215	_____	10,000.00
Police	1-210	2,450,797.00	53,000.00
Emergency Mgmt.	1-220	_____	50.00
Inspection of Bldgs.	1-255	22,600.00	4,300.00
Inspection of Plumbing	1-256	2,400.00	100.00
Electric Sub-Code	1-259	4,000.00	1,000.00

<u>APPROPRIATIONS</u>	<u>ACCOUNT NO.</u>	<u>SALARIES AND WAGES</u>	<u>OTHER EXPENSES</u>
<u>Streets & Roads</u>			
Road Repair& Maintenance	1-305	60,000.00	15,000.00
Equip. Repair & Maintenance	1-310	12,000.00	6,000.00
Snow Removal	1-315	17,500.00	42,350.00
Vehicle Maintenance	1-650	_____	20,000.00
Utility Exp. & Bulk Purchases	1-820	_____	60,000.00
<u>Health and Welfare</u>			
Board of Health	1-510	10,400.00	10,000.00
Sr. Citizen Trans.	1-516	4,700.00	2,600.00
Animal Control	1-511	-----	3,600.00
<u>Recreation & Education</u>			
Library	1-601	60,000.00	32,000.00
Parks & Playgrounds	1-605	28,500.00	10,000.00
Recreation	1-615	27,000.00	12,000.00
<u>Miscellaneous</u>			
Contingency	1-701		800.00
<u>Statutory Expenditures</u>			
F.I.C.A.	1-901		62,000.00
<u>Debt Service</u>	1-805	_____	<u>1,000,000.00</u>
TOTAL CURRENT FUND		<u>\$2,874,297.00</u>	<u>\$1,825,564.00</u>
<u>APPROPRIATIONS</u>	<u>ACCOUNT NO.</u>	<u>SALARIES AND WAGES</u>	<u>OTHER EXPENSES</u>
<u>Water Utility Fund</u>			
Operating Appropriations	3-4100	\$215,635.00	\$335,055.00
Statutory Expenditures	3-4220		15,000.00
Debt Service	3-4210	_____	<u>140,000.00</u>
TOTAL WATER UTILITY		<u>\$215,635.00</u>	<u>\$490,055.00</u>
<u>Sewer Utility Fund</u>			
Operating Appropriations	4-5100	\$173,634.00	\$385,309.00
Statutory Expenditures	4-5220		14,500.00
Debt Service	4-5210	_____	<u>250,000.00</u>
TOTAL SEWER UTILITY		<u>\$173,634.00</u>	<u>\$649,809.00</u>

Swimming Pool Utility Fund

Operating Appropriations	5-6100	\$37,054.00	\$67,756.00
Statutory Expenditures	5-6220		4,000.00
Debt Service	5-6210	_____	<u>95,000.00</u>

TOTAL SWIMMING POOL UTILITY \$37,054.00 \$166,756.00

Solid Waste Collection District

Operating Appropriations	9-9950	\$55,016.00	\$436,004.00
Statutory Expenditures	9-9220	_____	<u>1,500.00</u>

TOTAL SOLID WASTE COLL. DISTRICT \$55,016.00 \$437,504.00

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

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

c) To consider resolution concerning 2021 tax sale certificate redemption fee

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

WHEREAS, in accordance with N.J.S.A. 54:5-54 provides that the Tax Collector shall provide to any party entitled to redeem a Tax Sale Certificate two calculations of the amount required for redemption within a calendar year at no cost. For each subsequent calculation requested from the Tax Collector there shall be a fee of \$50.00; and

WHEREAS, in accordance with N.J.S.A. 54:5-97.1 provides that the Tax Collector shall charge a lienholder of a Tax Sale Certificate a fee of \$50.00 for the calculation of the amount due to redeem the Tax Sale Certificate.

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Cedar Grove, that the Tax Collector is hereby authorized to provide to any party entitled to redeem a Tax Sale Certificate two calculations of the amount required for redemption within a calendar year at no cost. For each subsequent calculation requested from the Tax Collector there shall be a fee of \$50.00. The Tax Collector is hereby authorized to charge a lienholder of a Tax Sale Certificate a fee of \$50.00 for the calculation of the amount.

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

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

d) To consider resolution concerning 2021 Petty Cash

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

BE IT RESOLVED that the Township Council of the Township of Cedar Grove hereby authorizes the establishment of a petty cash fund for the following departments in the amounts set forth effective January 1, 2021.

Finance Department	\$120.00
Engineering Department	\$100.00
Police Department	\$100.00
Library	\$100.00
Recreation	\$ 60.00

WHEREAS, a check will be drawn by the Treasurer of the Township of Cedar Grove establishing a petty cash fund, which will not be charged to a budget appropriation, but will create an asset on the Current Fund Balance Sheet known as “Cash-Petty Cash Fund”.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Cedar Grove, Essex County, New Jersey, in accordance with N.J.S.A. 40A:5-21 that petty cash funds be established in the aggregate of \$480.00.

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

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

NO: None

- e) To consider resolution concerning 2021 Cash Management Plan

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

CASH MANAGEMENT PLAN

BE IT RESOLVED by the Township Council of the Township of Cedar Grove, County of Essex, that for the year 2021, the following shall serve as the cash management plan of the Township of Cedar Grove.

1. Cash Management and Investment Objectives

The Township of Cedar Grove objectives in this area are:

- A. Preservation of capital.
- B. Adequate safekeeping of assets.
- C. Maintenance of liquidity to meet operating needs.
- D. Diversification of the Township's portfolio to minimize risks associated with individual investments.
- E. Investment of assets in accordance with State and Federal Laws and regulations.

2. Designation of Official Depositories

- 1. The following Government Unit Depository Protection Act approved banks are authorized depositories for deposit of funds:

PNC Bank	570 Pompton Avenue, Cedar Grove, N.J.
TD Bank	85 Pompton Avenue, Cedar Grove, N.J.
Bank of America	508 Pompton Avenue, Cedar Grove, N.J.
Santander	532 Pompton Avenue, Cedar Grove, N.J.
State of N.J. Cash Mgmt Fund	State Street Bank and Trust P.O. Box 5994, Boston MA 02206-5994
Valley	491 Pompton Avenue, Cedar Grove, N.J.
Investors Bank	310 Pompton Avenue, Cedar Grove, N.J.
Columbia Bank	1027 Pompton Avenue, Cedar Grove, NJ
Chase Bank	664 Pompton Avenue, Cedar Grove, NJ

2. Designated official depositories are required to submit to the Chief Financial Officer, a copy of the Governmental Unit Deposit Protection Act Notification of eligibility, which is filed semi-annually with the Department of Banking each June 30th and December 31st of each year.

3. CASH MANAGEMENT

1. All funds shall be deposited within 48 hours of receipt in accordance with N.J.S.A. 40A:5-15.

2. The Chief Financial Officer shall minimize the possibility of idle cash accumulating in accounts by assuring that the amounts in excess of negotiated compensating balances are kept in interest bearing accounts or promptly swept into the investment portfolio.

3. The method of calculating banking fees and compensating balances shall be reviewed on a monthly basis.

4. Investment decisions shall be guided by the cash flow projections prepared by the Chief Financial Officer.

4. PERMISSIBLE INVESTMENTS

1. Bonds or other obligations of the United States of America or obligations guaranteed the United States of America.

2. Government money market mutual funds.

3. Any federal agency or instrumentality obligation authorized by Congress that matures within 397 days from the date of purchase, and has a fixed rate of interest not dependent on any index or external factors.

4. Bonds or other obligations of the local unit or school districts of which the local unit is a part.

5. Any other obligations with maturities not exceeding 397 days, as permitted by the Division of Investments.

6. Local Government investment pools.

7. New Jersey Cash Management Fund

8. Repurchase agreements of fully collateralized securities.

5. AUTHORITY FOR INVESTMENT MANAGEMENT

1. The Chief Financial Officer is authorized and directed to make investments on behalf of the Township. All investment decisions shall be consistent with this plan and all appropriate regulatory constraints.

6. SAFEKEEPING

1. Securities purchased on behalf of the Township shall be delivered electronically or physically to the Township's custodial bank, which shall maintain custodial and/or safekeeping accounts for such securities on behalf of the Township.

7. AUDIT

1. The Cash Management Plan shall be subject to annual audit conducted pursuant to N.J.S.A. 40A:5-14.

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

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

NO: None

f) To consider resolution concerning renewal of 2021 Amusement Business License

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

WHEREAS, the following businesses have applied for renewal of their Amusement Business Licenses for 2021:

APPLICANT	TRADE NAME	LICENSE FOR
Second Gen Inc.	The Grove	Night Club

WHEREAS, the applications have 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 renew the licenses of the above-named establishments.

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

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

NO: None

g) To consider resolution concerning renewal of 2021 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 entities has applied for renewal of their Amusement Device License for 2021:

APPLICANT

LICENSE FOR

Down Neck LLC

Video Games & Juke Box

WHEREAS, the applications have 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 renew the licenses of the above-named establishments.

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

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

NO: None

6. 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 \$820,941.88

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

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

NO: None

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

Deputy Mayor Tanella opened this portion of the meeting to anyone wishing to be heard. There being no one present wishing to be heard, Deputy Mayor Tanella 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 11, 2021.
2. The general nature of the subject matters to be discussed is personnel.
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 Zichelli moved adoption of the resolution, seconded by Councilman Maceri, and passed by the following vote:

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

NO: None

8. ADJOURNMENT

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

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

NO: None

The meeting adjourned at 7:35 p.m.

KERRY PETERSON MAYOR

ATTEST:

KATHLEEN R. STUTZ MUNICIPAL CLERK