

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

PUBLIC MEETING

MINUTES

MARCH 1, 2021

1. ROLL CALL, INVOCATION AND FLAG SALUTE

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

Present: Councilmen Cicala, Maceri, Zichelli, Mayor Peterson

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

The flag salute was led by Mayor Peterson.

Mayor Peterson 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.

2. APPROVAL OF MINUTES

- a) To consider approval of minutes of regular public meeting of January 11, 2021

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

AYE: Councilmen Cicala, Maceri, Zichelli, Mayor Peterson

NO: None

ABSENT: Deputy Mayor Tanella

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

Mayor Peterson 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 Peterson closed this portion of the meeting.

4. REPORTS OF TOWNSHIP OFFICIALS

- a) Township Manager – The Township Manager reported that he had recently met with County Executive DiVincenzo at the County Executive’s request. Mr. Tucci advised that the County intends to construct a public works building on undeveloped County-owned property, adjacent to Zephyr Ridge. Mr. Tucci further explained that as a County agency, Planning Board/Zoning Board approval is not required.

- b) Township Clerk – No report

- c) Township Attorney – No report
- d) Other Reports

Councilman Maceri noted the Police Department commendation of Officer Passafume for action taken that resulted in apprehension of an individual for burglary, theft and criminal mischief related to two burglaries at 597 Pompton Ave.

Councilman Cicala – No report

Councilman Zichelli reported that the Downtown Advisory Committee extended an invitation to the Township's social media co-ordinator (M. Landolfi) to attend its 3/16 meeting regarding social media posting for the Committee.

Mayor Peterson reported receipt of complaints from residents on Union and Garrett Streets concerning on street parking issues. The Manager reported that the issues were circumstantial, related to a nearby construction project and inclement weather. Mr. Tucci further advised that the issues had already been addressed with the property owner of the construction project. The Mayor thanked the Manager for the Township's partnership in establishing a little free pantry. The Manager advised that installation is scheduled for March 2, weather permitting. Mayor Peterson requested an executive session to discuss contract negotiations.

5. NEW BUSINESS

- a) To consider introduction of Pending Ordinance #21-869 Authorizing Lease of Morgan Farm to Cedar Grove Historical Society

The clerk read the Ordinance by title only:

**AN ORDINANCE OF THE TOWNSHIP OF CEDAR GROVE, COUNTY OF
ESSEX, STATE OF NEW JERSEY LEASING MORGAN'S FARM TO THE CEDAR
GROVE HISTORICAL SOCIETY**

WHEREAS, it has been determined that certain real property owned by the Township of Cedar Grove known as Morgan's Farm, 903 Pompton Avenue, Cedar Grove, is not needed for public use; and

WHEREAS, the real property owned by the Township of Cedar Grove known as Morgan's Farm, may be rented to a nonprofit corporation or association for a public purpose, pursuant to N.J.S.A. 40A:12-14(c); and

WHEREAS, pursuant to N.J.S.A. 40A 12-14(c), the Township Council is authorized to enter into a lease with the Cedar Grove Historical Society, a 509(a)(2) non-profit organization; and

WHEREAS, the Property is subject to deed restrictions pursuant to the Green Acres Program, N.J.A.C. 7:36, et seq. and requires approval of the lease by the New Jersey Department of Environmental Protection; and

WHEREAS, the Property has been designated as a historic site in accordance with the New Jersey Register of Historic Places Act, N.J.S.A. 13:1B-15.128, *et seq.*, and N.J.A.C. 7:4, *et seq.*; and

WHEREAS, the Township Council of the Township of Cedar Grove believes that the Cedar Grove Historical Society is the non-profit best suited to utilize and maintain the Property; and

WHEREAS, the Township Council of the Township of Cedar Grove feels that the terms and conditions of the Lease are in the best interests of the Township and of Morgan's Farm and shall benefit the residents of the Township of Cedar Grove and the State of New Jersey by preserving the local history of Morgan's Farm and the Township of Cedar Grove.

BE IT ORDAINED by the Township Council of the Township of Cedar Grove, County of Essex, State of New Jersey, as follows:

SECTION 1.

The Township Council does hereby authorize execution of a Lease Agreement between the Cedar Grove Historical Society and the Township of Cedar Grove upon the approval of the New Jersey Department of Environmental Protection.

SECTION 2.

The Mayor and Township Clerk are authorized to execute said Lease Agreement and obtain any and all other approvals necessary to effectuate this transaction.

SECTION 3.

The lease term shall be for five (5) years.

SECTION 4:

The Township of Cedar Grove shall be responsible for enforcement of the conditions of the lease.

SECTION 5:

The Cedar Grove Historical Society shall annually submit a report to the Township of Cedar Grove setting out the use to which the leasehold was put during each year, the activities of the lessee undertaken in furtherance of the public purpose for which the leasehold was granted; the approximate value or cost, if any, of such activities in furtherance of such purpose; and an affirmation of the continued tax-exempt status of the nonprofit corporation pursuant to both State and federal law.

SECTION 6:

The Township Clerk shall publish this Ordinance in accordance with law.

SECTION 7:

Any ordinances or parts thereof in conflict with the provisions of this Ordinance are hereby repealed as to their inconsistencies only.

SECTION 8:

Each section of this ordinance is an independent section, and the holding of any section or part thereof to be unconstitutional, void or ineffective for any cause shall not be deemed to affect the validity or constitutionality of any other sections or parts thereof.

SECTION 9:

This Ordinance shall take effect immediately upon final passage and publication as provided by law.

Councilman Zichelli moved that Pending Ordinance #21-869 be passed at first reading, published in the Verona-Cedar Grove Times as a pending ordinance with a public hearing of April 5, 2021, seconded by Councilman Cicala, and passed by the following vote:

AYE: Councilmen Cicala, Maceri, Zichelli, Mayor Peterson

NO: None

ABSENT: Deputy Mayor Tanella

- b) To consider resolution concerning approval of raffle application – 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, an application for raffle license has been received from:

APPLICANTS

EVENTS, DATES TIMES & PLACE

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

Off-Premise Merchandise Raffle to be held
March 31, 2021 at 8:30 a.m. 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 Maceri moved adoption of the resolution, seconded by Councilman Cicala, and passed by the following vote:

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

NO: None

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

Mayor Peterson opened this portion of the meeting to anyone wishing to be heard. There being no one present wishing to be heard, Mayor Peterson 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 March 1, 2021.
2. The general nature of the subject matters to be discussed is contract negotiations.
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, Mayor Peterson

NO: None

ABSENT: Deputy Mayor Tanella

7. 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, Mayor Peterson

NO: None

The meeting adjourned at 7:25 p.m.

ATTEST:

KERRY PETERSON MAYOR

KATHLEEN R. STUTZ MUNICIPAL CLERK