

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

PUBLIC MEETING

MINUTES

APRIL 5, 2021

1. ROLL CALL, INVOCATION AND FLAG SALUTE

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

Present: Councilmen Maceri, Zichelli, Mayor Peterson

Also Present: Township Manager Tucci, Attorney Nabbi for Township Attorney Giacobbe

Absent: Councilman Cicala, Deputy Mayor Tanella

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. EXTRAORDINARY BUSINESS OF THE TOWNSHIP COUNCIL

- a) Recognition of Cedar Grove High School Girls Basketball Team

3. APPROVAL OF MINUTES

- a) To consider approval of minutes of regular public meeting of March 1, 2021

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

AYE: Councilmen Maceri, Zichelli, Mayor Peterson

NO: None

ABSENT: Councilman Cicala, Deputy Mayor Tanella

4. PUBLIC HEARING

- a) To consider adoption of Pending Ord. #21-869 authorizing lease of Morgan's Farm Property to Cedar Grove Historical Society

The ordinance was read by title only as follows:

**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**

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

Councilman Zichelli 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 Maceri, Zichelli, Mayor Peterson

NO: None

ABSENT: Councilman Cicala, Deputy Mayor Tanella

5. 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.

6. REPORTS OF TOWNSHIP OFFICIALS

a) Township Manager – The Township Manager advised that three (3) outdoor dining permit applications have been received to date from Delmonico's, Elks Club and Cedar Beans. Mr. Tucci reported that 2021 pool season registration has been positive. Mr. Tucci announced that ring cameras have been installed at Panther Park in an effort to decrease on-going vandalism. The Township Manager noted the recent passing of former resident/Mayor/Judge James Troiano. Mr. Tucci reported that the lights and bench installation at the bocci courts should commence later this week.

b) Township Clerk – No report

c) Township Attorney – Attorney Nabbi advised that the draft cannabis opt-out ordinance should be completed for the next meeting.

d) Other Reports

Councilman Maceri noted that April is Autism Awareness month. Councilman Maceri also acknowledged the CGHS softball 2020 season.

Councilman Cicala – No report

Councilman Zichelli reported that the Historical Society wished to pursue a farmland lease for Morgan Farm property. Councilman Zichelli requested an executive session to discuss a personnel issue.

Mayor Peterson noted concern for roadway conditions on Fairview Ave. along the Hilltop development. The Manager advised that the County is waiting for project completion before making necessary roadway repairs.

7. CONSENT AGENDA

- a) To consider resolution concerning appointment of member to Zoning Board

There was consensus to table this item.

- b) To consider resolution concerning appointment of members to Environmental Commission

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, County of Essex, New Jersey, that Mike Abromitis and Tim Heyer be appointed as members of the Environmental Commission to fill vacancies, effective immediately and expiring December 31, 2022 and December 31, 2023 respectively.

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

AYE: Councilmen Maceri, Zichelli, Mayor Peterson

NO: None

ABSENT: Councilman Cicala, Deputy Mayor Tanella

- c) To consider resolution concerning appointment of Member to Municipal Alliance Committee

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, County of Essex, New Jersey, that Charlie Roussell be appointed as a member of the Municipal Alliance Committee to fill a vacancy for an unexpired term, effective immediately and terminating December 31, 2023.

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

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

NO: None

ABSENT: Councilman Cicala, Deputy Mayor Tanella

- d) To consider resolution concerning appointment of member to Recreation Advisory board

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, County of Essex, New Jersey, that Tom Perri be appointed as a member of the Recreation Advisory to fill a vacancy for unexpired term, effective immediately and terminating December 31, 2023.

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

AYE: Councilmen Maceri, Zichelli, Mayor Peterson

NO: None

ABSENT: Councilman Cicala, Deputy Mayor Tanella

- e) 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
339 Pompton Ave.
Cedar Grove NJ 07009

Off-Premise 50/50 Raffle to be held
June 26, 2021 at 7:00 p.m. at
339 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.

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

AYE: Councilmen Maceri, Zichelli, Mayor Peterson

NO: None

ABSENT: Councilman Cicala, Deputy Mayor Tanella

- f) To consider resolution concerning approval of raffle application – Memorial Middle School FSA

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

Memorial Middle School FSA
500 Ridge Rd.
Cedar Grove NJ 07009

Off-Premise Merchandise Raffle to be held
May 27, 2021 at 11:30 a.m. at
500 Ridge 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.

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

AYE: Councilmen Maceri, Zichelli, Mayor Peterson

NO: None

ABSENT: Councilman Cicala, Deputy Mayor Tanella

8. NEW BUSINESS

- a) To consider resolution concerning amendment to 2021 Temporary Budget

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

WHEREAS, an emergent condition has arisen with respect to providing temporary appropriations sufficient to cover commitments made during the period of January 1, 2021 to the date of adoption of the annual budget and no adequate provision has been made in the 2021 temporary appropriations to cover such commitments, and N.J.S.A. 40A: 4-20 provides for the creation of an emergency temporary appropriation for the purpose of covering such commitments; and

WHEREAS, the total emergency temporary resolutions adopted in the year 2021 pursuant to the provisions of Chapter 96, P.L. 1951 (N.J.S.A 40A:4-20) including this resolution total \$9,274,508.00 for the Current Fund Budget, \$1,529,628.00 for the Water Utility Budget, \$1,797,781.00 for the Sewer Utility Budget, \$378,881.00 for the Swimming Pool Utility Budget and \$815,788.00 for the Solid Waste Collection District Budget;

NOW, THEREFORE, BE IT RESOLVED (not less than two-thirds of all of the members thereof affirmatively concurring) that in accordance with the provisions of N.J.S.A. 40A:4-20:

- 1. Emergency temporary appropriations be made as follows:

<u>Appropriations</u>	<u>Account No.</u>	<u>Salaries And Wages</u>	<u>Other Expenses</u>
CURRENT FUND			
<u>General Government</u>			
Township Council	1-105	---	\$ 5,000.
Township Manager	1-106	\$ 60,000.	3,000.
Township Clerk	1-107	40,000.	5,000.
Elections	1-110	---	5,000.
Treasurer-Controller	1-115	50,000.	8,000.
Assessment of Taxes	1-120	35,000.	8,000.
Annual Audit	1-154	---	4,000.
Collection of Taxes	1-130	25,000.	2,000.
Legal Services	1-140	---	55,000.
		Salaries	Other

<u>Appropriations</u>	<u>Account No.</u>	<u>And Wages</u>	<u>Expenses</u>
Municipal Prosecutor	1-150	---	7,000.
Public Defender	1-150	---	2,000.
Engineering Services	1-155	---	---
Bldgs. & Grounds	1-160	10,000.	5,000.
Planning Board	1-165	6,000.	3,000.
Zoning Board	1-170	6,000.	1,000.
Shade Trees	1-175	---	13,000.
Downtown Advisory Comm.	1-186	---	8,000.
Ins. Group Insurance	1-190	---	500,000.
Ins. – Workman’s Comp.	1-190	---	30,000.
Ins. – Other Premiums	1-190	---	30,000.
 <u>Public Safety</u>			
Fire	1-205	---	60,000.
Police	1-210	500,000.	130,000.
Emergency Management	1-220	2,000.	1,000.
Inspection of Buildings	1-255	40,000.	35,000.
Inspection of Plumbing	1-256	6,000.	1,000.
Electrical Inspector	1-259	6,000.	1,000.
 <u>Streets and Roads</u>			
Road Repair & Maint.	1-305	70,000.	2,000.
Equip. Repair & Maint.	1-310	30,000.	4,000.
Snow Removal	1-315	62,000.	130,000.
Vehicle Maintenance	1-650	---	60,000.
 <u>Health & Welfare</u>			
Board of Health	1-510	20,000.	40,000.
Senior Citizen Trans.	1-516	10,000.	10,000.
Animal Control	1-511	---	8,000.
 <u>Recreation & Education</u>			
Library	1-601	80,000.	80,000.
Parks & Playgrounds	1-605	50,000.	5,000.
Celebration Public Events	1-610	---	10,000.
Recreation	1-615	90,000.	60,000.
 <u>Miscellaneous</u>			
Contingency	1-701	---	3,000.
 <u>Utility Expenses</u>			
Utility Expenses and Bulk Purchases	1-820	---	300,000.
 <u>Statutory Expenditures</u>			
Social Security	1-901	---	40,000.
Police & Firemen’s Retirement	1-901	---	1,248,376.
Public Employees Retirement	1-901	---	216,271.

<u>Appropriations</u>	<u>Account No.</u>	<u>Salaries And Wages</u>	<u>Other Expenses</u>
<u>Debt Service</u>	1-805	---	160,000.
<u>Capital Improvements</u>			
Local Access CATV Equip.	1-1156		3,000.
Total Current Fund		<u>\$1,243,000.</u>	<u>\$3,331,647.</u>
<u>Water Utility Fund</u>			
Operating Appropriations	3-4100	<u>\$ 240,000.</u>	\$ 500,000.
Public Employees Retirement	3-4220	---	83,938.
Total Water Utility		<u>\$ 240,000.</u>	<u>\$ 583,938.</u>
<u>Sewer Utility Fund</u>			
Operating Appropriations	4-5100	\$ 420,000.	\$ 400,000.
Public Employees Retirement	4-5220	---	154,338.
Total Sewer Utility		<u>\$ 420,000.</u>	<u>\$ 554,338.</u>
<u>Swimming Pool Utility Fund</u>			
Operating Appropriations	5-6100	\$ 150,000.	\$ 20,000.
Statutory Expenditures	5-6220	---	5,000.
Total Swim Pool Utility		<u>\$ 150,000.</u>	<u>\$ 25,000.</u>
<u>Solid Waste Collection District</u>			
Operating Appropriations	9-9950	\$ 20,000.	\$ 300,000.
Public Employees Retirement	9-9220	---	3,628.
Total Solid Waste Collection District		<u>\$ 20,000.</u>	<u>\$ 303,628.</u>

2. That said emergency temporary appropriations have been provided for in the 2021 municipal budgets of Current Fund, Water, Sewer, Swimming Pool Utility and Solid Waste Collection District Budgets.
3. That one certified copy of this resolution be filed with the Director of Local Government Services

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

AYE: Councilmen Maceri, Zichelli, Mayor Peterson

NO: None

ABSENT: Councilman Cicala, Deputy Mayor Tanella

- b) To consider resolution concerning purchase of backhoe/loader, parts and accessories through Sourcewell

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

WHEREAS, the Township of Cedar Grove utilizes Sourcewell a National Cooperative for the purchase of a Backhoe/Loader, parts and accessories for the Cedar Grove Department of Public Works; and

WHEREAS, the contract amount for the purchase of a Backhoe/Loader, parts and accessories at the Cedar Grove Department of Public Works will not exceed \$128,169.00; and

WHEREAS, the funds are available to satisfy our obligations under this contract through Bond Ordinance No. 20-857.

NOW THEREFORE BE IT RESOLVED by the Township Council of the Township of Cedar Grove authorizes the Township of Cedar Grove to utilize Sourcewell for the purchase of a Backhoe/Loader, parts and accessories for the Cedar Grove Department of Public Works from Foley, Inc. for an amount not to exceed \$128,169.00.

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

AYE: Councilmen Maceri, Zichelli, Mayor Peterson

NO: None

ABSENT: Councilman Cicala, Deputy Mayor Tanella

- c) To consider resolution concerning purchase of dump truck, parts and accessories through Sourcewell

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

WHEREAS, the Township of Cedar Grove utilizes Sourcewell a National Cooperative for the purchase of a Mason Dump Truck, parts and accessories for the Cedar Grove Department of Public Works; and

WHEREAS, the contract amount for the purchase of a Mason Dump Truck, parts and accessories at the Cedar Grove Department of Public Works will not exceed \$73,982.75; and

WHEREAS, the funds are available to satisfy our obligations under this contract through Bond Ordinance No. 20-857.

NOW THEREFORE BE IT RESOLVED by the Township Council of the Township of Cedar Grove authorizes the Township of Cedar Grove to utilize Sourcewell for the purchase of a Mason Dump Truck, parts and accessories for the Cedar Grove Department of Public Works from National Auto Fleet Group for an amount not to exceed \$73,982.75.

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

AYE: Councilmen Maceri, Zichelli, Mayor Peterson

NO: None

ABSENT: Councilman Cicala, Deputy Mayor Tanella

- d) To consider resolution concerning purchase of water meters, data records and radio frequency meter interface units through Morris County Cooperative Pricing Council Contract

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

WHEREAS, the Township of Cedar Grove utilizes the Morris County Cooperative Pricing Council Contract #47 for water meters, data recorders and radio frequency meter interface units; and

WHEREAS, the contract amount for water meters, data recorders and radio frequency meter interface units will not exceed \$38,160.00; and

WHEREAS, the funds are available to satisfy our obligations under this contract through Bond Ordinance No. 20-858.

NOW THEREFORE BE IT RESOLVED by the Township Council of the Township of Cedar Grove authorizes the Township of Cedar Grove to purchase from the Morris County Cooperative Pricing Council Contract #47 for water meters, data recorders and radio frequency meter interface units from RIO Supply Inc. for an amount not to exceed \$38,160.00.

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

AYE: Councilmen Maceri, Zichelli, Mayor Peterson

NO: None

ABSENT: Councilman Cicala, Deputy Mayor Tanella

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 \$499,079.84

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

AYE: Councilmen Maceri, Zichelli, Mayor Peterson

NO: None

ABSENT: Councilman Cicala, Deputy Mayor Tanella

10. 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.

Kate Hartwyk; Essex County Liaison – Ms. Hartwyk advised that the County will be offering the J&J vaccine. Ms. Hartwyk also announced the dates for the County’s Household Hazardous Waste Collection Day and Computer/Electronics Recycling Day at 99 W. Bradford Ave.

There being no one else 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 April 5, 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 Maceri, Zichelli, Mayor Peterson

NO: None

ABSENT: Councilman Cicala, Deputy Mayor Tanella

11. ADJOURNMENT

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

AYE: Councilmen Maceri, Zichelli, Mayor Peterson

NO: None

ABSENT: Councilman Cicala, Deputy Mayor Tanella

The meeting adjourned at 7:50 p.m.

KERRY PETERSON MAYOR

ATTEST:

KATHLEEN R. STUTZ MUNICIPAL CLERK