

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

PUBLIC MEETING

MINUTES

SEPTEMBER 9, 2019

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 28, 2018, 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 August 12, 2019

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

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

NO: None

3. DISPOSITION OF BID

- a) To consider resolution concerning award of bid for Replacement of Church St. & Elm Rd. Water Main

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

WHEREAS, pursuant to advertising duly made, bids were received for Church Street & Elm Road Water Main Replacement, and were publicly opened by the Township Clerk on July 11, 2019, as follows:

<u>BIDDER</u>	<u>TOTAL BASE BID</u>
Matina & Sons	\$ 229,500.00
Your Way Construction	230,150.40
Colonnelli Brothers Inc.	247,275.00
John Garcia Construction	254,430.30
Regal Utility Services, Inc.	279,870.86

WHEREAS, the Municipal Engineer and Township Attorney have reviewed the bids submitted, and recommend that the award bid to Matina & Son of Hackensack, New Jersey, the apparent low bidder, in the amount of \$ 229,500.00; and

WHEREAS, the funds are available to satisfy our obligations under this contract from Bond Ord. 18-828.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Cedar Grove, that the award of bid be made to Matina & Sons of Hackensack, New Jersey.

BE IT FURTHER RESOLVED that the proper officials be instructed to execute a contract on behalf of the Township

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

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

NO: None

- b) To consider resolution concerning rejection of bid for Community Park Playground Improvements

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

WHEREAS pursuant to advertising duly made, bids were received for Community Park Playground Improvements project and were publicly opened and read by the Township Clerk on August 14, 2019; and

WHEREAS, a sole bid was received from Picerno-Giordano Construction, LLC in the amount of \$261,244.00; and

WHEREAS, the bid submitted substantially exceeds the appropriation for the project.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Cedar Grove that the bid for the Community Park Playground Improvements project be rejected.

BE IT FURTHER RESOLVED that the project be re-bid.

Councilman Cicala 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

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 reported that the closing on the City of Newark property was concluded last week and commended the Council for its decision to purchase the property and dedicate it as open space to preserve it in its natural state. Mr. Tucci confirmed date of Bill Fearon dedication (9/25 at 6:30 Panther Park, rain date 9/26). The Manager noted two block party requests (Ridgewood Acres and Cedar Grove Pkwy), to which the governing body concurred. The Manager provided a list of private and Township-owned vacant properties. Councilman Cicala requested to authorize the Township Manager to put the Township-acquired 53 acres of City of Newark property on the State Green Acres inventory. Mayor Vargo suggested delaying Green Acres designation of all 53 acres pending information related to construction of a community center in the upper portion of Community Park. Following further discussion, Attorney Semeraro was directed to research the concerns and advise accordingly. Attorney Semeraro further recommended obtaining input from the COAH consultant concerning impact of designating the acquired property as open space and immunity from development, to which the governing body agreed.

b) Township Clerk – The Clerk provided information concerning annual board/committee member term expirations, current vacancies and recent letters of interest. There was consensus to schedule interviews for expiring term members and re-advertise current and potential openings.

c) Township Attorney – The Township Attorney noted memo confirming recommendation for award of bid for Church St. and Elm Rd. Water Main Replacement. Attorney Semeraro provided an update regarding the Dogwood Court subdivision detention basin. Attorney Semeraro reported that he had received information that the required Homeowners Association exists, has been collecting fees and has a management company to oversee maintenance issues. Following further discussion there was consensus that Attorney Semeraro continue discussion with the management company regarding detention basin concerns. The governing body concurred with the Manager's suggestion to provide the Township's engineering consultant's report to the management company in lieu of conducting a resident meeting.

d) Other Reports

Councilman Cicala commented on concrete work in progress along Rt. 23 as a result of the Township Manager's recent meeting with the NJDOT Commissioner. Mr. Tucci noted the revised repaving schedule; Bloomfield Ave. to Ridge Rd to commence November 2019, Ridge Rd – Main Ave. in Little Falls to commence April/May 2020 and is to include W. Lindsley Rd. intersection improvement. Councilman Cicala thanked the Township Manager for his guidance and assistance regarding the acquisition of the City of Newark property. Councilman Cicala reminded residents of 9/11 remembrance ceremonies at CGHS and Town Hall Municipal Building, and Essex County Eagle Rock Reservation.

Councilman Tanella requested update on LRP athletic field, status of Hilltop development, and trail refurbishment. The Manager reported that wetlands approval was received by K. Hovnanian for the proposed field. Mr. Tucci stated that earthwork is expected to commence in October with completion in spring of 2020. Regarding the Hilltop development project, the Manager advised that 120 units have been sold to date, 22 are currently occupied, and a lottery for low income affordable

housing units is to take place next month. Mr. Tucci further advised that a resolution for award of contract for professional services for trail improvements will be on the next meeting agenda. The Manager further advised that a tree survey is required to be conducted prior to any improvements.

Councilman Maceri thanked the Manager for meeting with the NJDOT concerning the Route 23 repaving project. Councilman Maceri acknowledged the 100th birthday of resident Al Gallo. Councilman Maceri reported that Eric Silverman, who had recently addressed the governing body with recycling concerns has been invited and is expected to attend the 9/12 Environmental commission meeting.

Deputy Mayor Peterson requested a proclamation to recognize Domestic Violence Response Team to which the governing body agreed.

Mayor Vargo also issued a reminder of the Township's 9/11 remembrance ceremony at the Municipal Building and thank Firefighter Chris Donlon and CGHS senior Frankie Catrone for their participation. Mayor Vargo advised the Downtown Advisory Committee is again sponsoring an Oktoberfest event on Saturday, October 19th from 4:00 – 8:00 p.m. Mayor Vargo noted receipt of an e-mail from a Buena Vista Rd. resident regarding drainage concerns. Mayor Vargo also noted that he had received complaints regarding litter on Little Falls Rd. near the trestle (Little Falls side of trestle).

6. CONSENT AGENDA

- a) To consider resolution concerning approval of raffle application – Cedar Grove Elks Club

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

Cedar Grove Elks Lodge #2237
405 Bowden Rd.
Cedar Grove NJ 07009

Cedar Grove Elks Lodge #2237
405 Bowden Rd.
Cedar Grove NJ 07009

EVENTS, DATES TIMES & PLACE

On-Premise Draw Raffle to be held
October 12, 2019 at 1:00 – 5:00 pm at
405 Bowden Rd., Cedar Grove NJ 07009

Off-Premise 50/50 Raffle to be held
October 12, 2019 at 4:30 pm at
405 Bowden Rd., 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: Councilmen Cicala, Maceri, Tanella, Deputy Mayor Peterson, Mayor Vargo

NO: None

- b) To consider resolution concerning approval of raffle application – War Dog Athletic Club

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

War Dog Athletic Club
 88 Carlson Pkwy.
 Cedar Grove NJ 07042

Non-Draw Wheels to be held
 October 19, 2019 at 4:00 – 8:00 pm at
 520 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 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

NO: None

ABSTAIN: Mayor Vargo

7. NEW BUSINESS

- a) To consider introduction of Pending Ord. #19-845 – Purchase and Lease of Block 250, Lots 37, 81, 101 & 141 from City of Newark

The Clerk read the Ordinance by title only:

AN ORDINANCE OF THE TOWNSHIP OF CEDAR GROVE, COUNTY OF ESSEX, STATE OF NEW JERSEY AUTHORIZING THE PURCHASE OF BLOCK 250, LOTS 37, 81, 101 & 141 FROM THE CITY OF NEWARK AND SUBSEQUENT LEASE OF A PORTION OF LOT 141 TO THE CITY OF NEWARK PURSUANT TO A USE AND OCCUPANCY AGREEMENT

WHEREAS, the Local Lands and Buildings Law (“LLBL”) permits a municipality to purchase lands for public use, including to preserve as open space, via ordinance; and

WHEREAS, the Township of Cedar Grove has identified Block 250, Lots 37, 81, 101 & 141 (the “Property”), part of the Newark Reservoir property, as being important property to preserve as open space within the Township; and

WHEREAS, the Property is currently zoned for single-family residential use; and

WHEREAS, the Township and the City of Newark have agreed to terms for the purchase of the Property as detailed in the Deed attached hereto as **Exhibit A**; and

WHEREAS, the City of Newark utilizes two buildings and a garage on a portion of Lot 141 to conduct water testing and to store equipment related to the Reservoir's operation; and

WHEREAS, pursuant to the LLBL, the Township and the City of Newark have agreed to permit the City of Newark to continue to utilize the improvements on Lot 141 for a period of two (2) years pursuant to the terms of the Use and Occupancy Agreement attached hereto as **Exhibit B**.

NOW THEREFORE BE IT ORDAINED that:

SECTION 1:

The Township Council hereby authorizes the purchase of the Property from the City of Newark pursuant to the terms in **Exhibit A**, or terms substantially similar thereto. The Mayor, Township Manager, Township Clerk, and Township Attorney are authorized to prepare and sign any agreements and other documents to effectuate the purchase.

SECTION 2:

The Township Council hereby authorizes the City of Newark to lease of a portion of Lot 141 pursuant to the terms in **Exhibit B**, or terms substantially similar thereto. The Mayor, Township Manager, Township Clerk, and Township Attorney are authorized to prepare and sign any agreements and other documents to effectuate the lease.

SECTION 3:

After introduction of this ordinance, the Township Clerk shall send a copy of this ordinance to the Township of Cedar Grove Planning Board for its review and comment. The Township shall send a copy of this ordinance upon introduction and adoption to the Essex County Planning Board pursuant to N.J.S.A. 40:55D-31.

SECTION 4:

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 5:

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

SECTION 6:

This Ordinance shall take effect immediately as provided by law.

Councilman Cicala moved that Pending Ordinance #19-845 be passed at first reading, published in the Verona-Cedar Grove Times as a pending ordinance with a public hearing of October 7, 2019, seconded by Councilman Tanella, and passed by the following vote:

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

NO: None

- b) To consider introduction of Pending Ord. #19-847 – Amending Chapter 100 of the Township Code entitled “Brush, Grass and Weeds”

The Clerk read the ordinance by title only:

**AN ORDINANCE OF THE TOWNSHIP OF CEDAR GROVE, COUNTY OF ESSEX,
STATE OF NEW JERSEY AMENDING CHAPTER 100 OF THE TOWNSHIP CODE
ENTITLED “BRUSH, GRASS AND WEEDS”**

BE IT ORDAINED that the Township hereby amends Chapter 197 of the Township Code as follows:

Section 1.

A. §100-4. Definitions. The words “dead or dying trees” are hereby deleted from the definition of Brush, Weeds and Debris.

B. §100-5. Inspections. Paragraph shall be amended to add the words “and Zoning” after Township Health in the first line.

C. §100-6. Notice to remove; service procedure. Paragraph shall be amended to add the words “and Zoning” after Township Health in the first line.

Section 2.

All ordinances of the Township of Cedar Grove which are inconsistent with the provision of this Ordinance are hereby repealed as to the extent of each inconsistency.

Section 3.

Should any section, clause, sentence, phrase or provision of this Ordinance be declared unconstitutional or invalid by a Court of competent jurisdiction, such decision shall not affect the remaining portions of this Ordinance.

Section 4.

This Ordinance shall take effect upon final passage, adoption, and publication in the manner prescribed by law.

Deputy Mayor Peterson moved that Pending Ordinance #19-847 be passed at first reading, published in the Verona-Cedar Grove Times as a pending ordinance with a public hearing of October 7, 2019, seconded by Councilman Cicala, and passed by the following vote:

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

NO: None

- c) To consider introduction of Pending Ord. #19-848 – Amending Chapter 197 of the Township Code entitled “Property Maintenance”

The Clerk read the ordinance by title only:

**AN ORDINANCE OF THE TOWNSHIP OF CEDAR GROVE, COUNTY OF ESSEX,
STATE OF NEW JERSEY AMENDING CHAPTER 197 OF THE TOWNSHIP CODE
ENTITLED “PROPERTY MAINTENANCE”**

BE IT ORDAINED that the Township hereby amends Chapter 197 of the Township Code as follows:

Section 1.

- A. §197-14. Permit; fee. Paragraph B shall be amended to include the following:

Application for container placed in non-residential zone shall be accompanied with a survey or site plan depicting location of container.

- B. §197-14. Permit; fee. Paragraph D shall be amended to read:

There shall be a fee of \$25.00 for each container in a residential zone within the Township. There shall be a fee of \$250.00 for each container for storage or storage trailer in non-residential zones within the Township.

Section 2.

- A. §197-15. Placement of containers. Paragraph A shall be deleted.

- B. §197-15. Placement of containers. Paragraph D shall be revised to read as follows:

The placement of all containers shall not hamper or impede access to the site for any emergency vehicle(s). The placement shall not hamper the operation of any fire protection device(s).

- C. §197-15. New paragraph shall be added after existing Paragraph G as follows:

Containers shall be subject to periodic inspections. Any container containing hazardous and/or flammable material shall be maintained in conjunction with New Jersey Uniform Fire Code and NFPA.

Section 3.

All ordinances of the Township of Cedar Grove which are inconsistent with the provision of this Ordinance are hereby repealed as to the extent of each inconsistency.

Section 4.

Should any section, clause, sentence, phrase or provision of this Ordinance be declared unconstitutional or invalid by a Court of competent jurisdiction, such decision shall not affect the remaining portions of this Ordinance.

Section 5.

This Ordinance shall take effect upon final passage, adoption, and publication in the manner prescribed by law.

Councilman Tanella moved that Pending Ordinance #19-848 be passed at first reading, published in the Verona-Cedar Grove Times as a pending ordinance with a public hearing of October 7, 2019, 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 introduction of Pending Ord. #19-849 – Guaranty Payment on Capital Equipment Lease Revenue Bonds

The clerk read the Ordinance by title only:

ORDINANCE AUTHORIZING THE GUARANTY BY THE TOWNSHIP OF CEDAR GROVE, NEW JERSEY OR PAYMENT OF PRINCIPAL AND INTEREST ON THE CAPITAL EQUIPMENT LEASE REVENUE BONDS, SERIES 2019 (CEDAR GROVE BOARD OF EDUCATION PROJECT) OF THE ESSEX COUNTY IMPROVEMENT AUTHORITY

BE IT ORDAINED by the TOWNSHIP COUNCIL OF THE TOWNSHIP OF CEDAR GROVE, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:

Section 1. Pursuant to Section 80 of the County Improvement Authorities Law, N.J.S.A. 40:37A-44 et. seq., the Township of Cedar Grove, New Jersey (the “Municipality”) is hereby authorized to unconditionally and irrevocably guaranty the punctual payment of the principal of and the interest on the Capital Equipment Lease Revenue Bonds, Series 2019 (Cedar Grove Board of Education Project) (the “Bonds”) of The Essex County Improvement Authority (the “Authority”) Outstanding (as that term is defined in the following described resolution) under the resolution of the Authority entitled “Capital Equipment Lease Revenue Bond Resolution ((Cedar Grove Board of Education Project)” (the “Bond Resolution”) to be adopted in a form approved by counsel to the Municipality. The Authority plans to issue the Bonds to finance the acquisition and subsequent leasing of certain capital equipment to the Board of Education of the Township of Cedar Grove (the “Board”) pursuant to a lease and agreement to be entered into by the Authority and the Board (the “Lease”). Such guaranty shall be given in accordance with the guaranty agreement (the “Guaranty Agreement”) between the Municipality and the Authority in substantially the form submitted to this Board, a copy of which is on file in the office of the Clerk of the Municipality, with such changes as may be approved by counsel to the Municipality. The Mayor is hereby authorized to execute the Guaranty Agreement on behalf of the Municipality in substantially such form as submitted hereto and with such changes as may be approved by the Mayor, and the Clerk of the Municipality is hereby authorized to attest such signature affixing the seal of the Municipality. All representatives, officials and employees of the Municipality are hereby authorized to enforce and to implement the Guaranty Agreement.

Section 2. The following additional matters are hereby determined, declared, recited and state:

- (1) The maximum principal amount of the Bonds of the Authority hereby and hereunder to be guaranteed as to payment of principal and interest shall not exceed the sum of the amount necessary to acquire the Board's equipment as set forth in Schedule A which will be subject to the Lease and to pay the Board's share of the costs of issuance, but in no event shall such principal amount exceed \$200,000.
- (2) The Bonds shall mature within eleven years of the date of issue.
- (3) The Bonds shall remain Outstanding to their respective stated maturity dates and the guaranty authorized herein shall remain effective until all Bonds shall have been paid in full in accordance with their terms notwithstanding the occurrence of any other event.
- (4) The guaranty authorized herein may be made and this ordinance may be adopted notwithstanding any statutory debt or other limitations, including particularly any limitation or requirement under or pursuant to the Local Bond Law, N.J.S.A. 40A:2-1, et. seq., but the principal amount of any Outstanding Bonds shall be included after their issuance in the gross debt of the Municipality for the purpose of determining the indebtedness of the Municipality under or pursuant to the Local Bond law. The principal amount of the Bonds included in the gross debt of the Municipality shall be deducted from the gross debt of the Municipality under and all for all the purposes of the Local Bond Law (a) from and after the time of issuance of the Bonds until the end of the fiscal year beginning next after the acquisition of the equipment to be financed from the proceeds of the Bonds and (b) in any Annual Debt Statement filed pursuant to the Local Bond law as of the end of such fiscal year or any subsequent fiscal year if the revenues or other receipts or moneys of the Authority in such year are sufficient to pay its expenses of operation and maintenance in such year and all amounts payable in such year on account of the principal of and the interest on all such Bonds, all bonds of the Municipality issued as provided under N.J.S.A. 40:37A-79 and all bonds of the Authority issued under the County Improvement Authorities Law.

Section 3. Upon payment of the principal of and the interest due on the Bonds by the Authority or by the defeasance of the Bonds pursuant to the Bond Resolution, the guaranty authorized herein will cease to exist and the gross debt of the Municipality shall be reduced to the extent that such Bonds cease to be Outstanding under the Bond Resolution.

Section 4. This ordinance shall take effect 20 days after the first publication thereof after final adoption in accordance with the County Improvement Authorities Law and the Local Bond Law.

Councilman Maceri moved that Pending Ordinance #19-849 be passed at first reading, published in the Verona-Cedar Grove Times as a pending ordinance with a public hearing of October 7, 2019, seconded by Deputy Mayor Peterson, and passed by the following vote:

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

NO: None

- e) To consider resolution concerning tax reduction granted by Tax Court of New Jersey

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

WHEREAS, the Tax Collector of the Township of Cedar Grove has determined that action is required as a result of 2019 tax reductions granted by the Tax Court of New Jersey;

WHEREAS, the Tax Collector has certified to the foregoing as well as to the amount of the tax cancellations, which are set forth along with the name and address of the taxpayer.

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Cedar Grove that the required tax cancellations and refunds be made:

2019 Tax Reductions Granted by the Tax Court of New Jersey

<u>Block</u>	<u>Lot</u>	<u>Owner & Location</u>	<u>Tax Cancellations and Tax Refund</u>
160	2	Heller Property Partners, LP 551 Pompton Avenue Cedar Grove, NJ 07009	\$6,095.00
312	26	Monique Dorman 9 Dominick Court Cedar Grove, NJ 07009	\$3,603.36

Deputy Mayor Peterson 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

- f) To consider resolution concerning 2019 veteran tax exemption

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. 54:4-3.30, a veteran who has been discharged or released under honorable circumstances and is 100% permanently disabled as a result of a service connected disability declared by the United States Veterans Administration shall be exempt from property taxation; and

WHEREAS, Theodore Jemas of 56 Bruce Court, Block – 222 Lot – 107, has filed a claim with the tax assessor certifying his right of property tax exemption in accordance with N.J.S.A. 54:4-3.31;and

WHEREAS, the claim filed by Theodore Jemas of 56 Bruce Court, Block – 222 Lot – 107 for the property tax exemption has been allowed by the tax assessor; and

WHEREAS, the 2019 property taxes subject to tax exemption totals \$6,366.57.

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Cedar Grove that the required 2019 tax cancellation be made:

<u>Block</u>	<u>Lot</u>	<u>Owner & Location</u>	<u>Tax Cancellation</u>
222	107	Theodore & Joanne Jemas 56 Bruce Court Cedar Grove, NJ 07009	<u>\$6,366.57</u>

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

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

NO: None

- g) To consider resolution concerning purchase from Educational Services Commission of NJ Cooperative

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 Educational Services Commission of New Jersey Cooperative for the acquisition of a Commercial Zero Turn Radius Rotary Ride on Mower, parts and accessories for the Parks Department; and

WHEREAS, the contract amount for the acquisition of a Commercial Zero Turn Radius Rotary Ride on Mower, parts and accessories for the Parks Department will not exceed \$20,137.20; and

WHEREAS, the funds are available to satisfy our obligations under this contract through Bond Ordinance No. 19-841.

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 Educational Services Commission of New Jersey Cooperative for the acquisition of a Commercial Zero Turn Radius Rotary Ride on Mower, parts and accessories for the Parks Department from Storr Tractor Company for an amount not to exceed \$20,137.20.

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

- h) To consider resolution concerning waiver of developer agreement – 77 Union Street LLC

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

In the Matter of:
77 Union Street LLC
Block 120, Lot 61

BE IT RESOLVED by the Township Council of the Township of Cedar Grove that pursuant to Section 38-32.1 of the Code of the Township of Cedar Grove, the governing body does hereby waive the requirements for a developer's agreement, performance guarantee and insurance certificate in connection with the above referenced project.

BE IT FURTHER RESOLVED that submission of the 5% post approval escrow required per Chapter 38-26.2 of the Code of the Township of Cedar Grove is also waived.

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

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

NO: None

ABSTAIN: 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 \$13,702,352.32

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

Kaitlyn Sharp; Essex County Liaison – Ms. Sharp highlighted the upcoming events sponsored by Essex County in September and October. Mayor Vargo reported graffiti on the Essex County Bikeway trestle over Pompton Ave. Mayor Vargo also inquired the status of proposed pedestrian crosswalk on West Bradford Ave.

Charles Dovico; 111 Holly Lane – Mr. Dovico inquired the repaving schedule of county roads within the Township. Mr. Dovico requested clarification of certain tax exempt properties cited in the User Friendly Budget. The Manager offered to meet with Mr. Dovico to address his concerns.

10. ADJOURNMENT

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

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

NO: None

The meeting adjourned at 8:30 p.m.

ROBBIE VARGO MAYOR

ATTEST:

KATHLEEN R. STUTZ MUNICIPAL CLERK