

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

**PUBLIC MEETING**

**MINUTES**

**JANUARY 10, 2022**

**1. ROLL CALL, INVOCATION AND FLAG SALUTE**

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

Present: Councilmember Skabich, Zichelli, Deputy Mayor Maceri, Mayor Tanella

Also Present: Township Attorney Nabbi, Township Clerk Stutz

Absent: Councilwoman Peterson

The flag salute was led by Mayor Tanella.

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 23, 2021, 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**

a) Ceremonial Administration of Oath to Fire Chief Michael Grasso, Jr.

Mayor Tanella administered the new Fire Chief's oath. Following comments by Mayor Tanella and Councilmembers, Fire Chief Grasso introduced line officers and thanked Township officials for their support.

**3. APPROVAL OF MINUTES**

a) To consider approval of minutes of regular public meeting of December 6, 2021

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

AYE: Councilmember Skabich, Zichelli, Deputy Mayor Maceri, Mayor Tanella

NO: None

ABSENT: Councilwoman Peterson

b) To consider approval of minutes of special public meeting of December 20, 2021

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

AYE: Councilmember Peterson, Skabich, Zichelli, Deputy Mayor Maceri, Mayor Tanella

NO: None

ABSENT: Councilwoman Peterson

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

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, Mayor Tanella closed this portion of the meeting.

**5. REPORTS OF TOWNSHIP OFFICIALS**

- a) Township Manager – No report
- b) Township Clerk – No report
- c) Township Attorney – Attorney Nabbi referred to Agenda Item #9(a) and advised that legal counsel of the redeveloper requested to remove the resolution from the agenda, to which to governing body agreed.
- d) Other Reports

Mayor Tanella congratulated the new Board of Education President and Vice-President (Dawn Daura and Michele Mega).

Deputy Mayor Maceri wished everyone a Happy New Year. Deputy Mayor Maceri also noted the introduction of the ordinance to establish the Verona-Cedar Grove Flood Board.

Councilman Zichelli requested an executive session to discuss a personnel matter. Councilman Zichelli commended Lt. Pumphrey for co-ordinating a recent law enforcement event.

Councilwoman Skabich – No report

**6. CONSENT AGENDA**

- a) To consider resolution concerning 2022 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 2022, 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 Zichelli moved adoption of the resolution, seconded by Councilwoman Skabich, and passed by the following vote:

AYE: Councilmember Skabich, Zichelli, Deputy Mayor Maceri, Mayor Tanella

NO: None

ABSENT: Councilwoman Peterson

b) To consider resolution concerning 2022 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, 2022 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 2021 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 2022:

2022 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	2,572,418.00	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 &amp; 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 &amp; 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>\$2,995,918.00</u>	<u>\$1,825,564.00</u>
<u>Water Utility Fund</u>			
Operating Appropriations	3-4100	\$241,943.00	\$335,055.00
Statutory Expenditures	3-4220		15,000.00
Debt Service	3-4210	_____	<u>140,000.00</u>
TOTAL WATER UTILITY		<u>\$241,943.00</u>	<u>\$490,055.00</u>
<u>Sewer Utility Fund</u>			
Operating Appropriations	4-5100	\$188,980.00	\$385,309.00
Statutory Expenditures	4-5220		14,500.00
Debt Service	4-5210	_____	<u>250,000.00</u>
TOTAL SEWER UTILITY		<u>\$188,980.00</u>	<u>\$649,809.00</u>
<u>Swimming Pool Utility Fund</u>			
Operating Appropriations	5-6100	\$38,377.00	\$67,756.00
Statutory Expenditures	5-6220		4,000.00
Debt Service	5-6210	_____	<u>95,000.00</u>
TOTAL SWIMMING POOL UTILITY		<u>\$38,377.00</u>	<u>\$166,756.00</u>

<u>APPROPRIATIONS</u>	<u>ACCOUNT NO.</u>	<u>SALARIES AND WAGES</u>	<u>OTHER EXPENSES</u>
<u>Solid Waste Collection District</u>			
Operating Appropriations	9-9950	\$94,409.00	\$436,004.00
Statutory Expenditures	9-9220	<u>                    </u>	<u>1,500.00</u>
TOTAL SOLID WASTE COLL. DISTRICT		<u>\$94,409.00</u>	<u>\$437,504.00</u>

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

AYE: Councilmember Skabich, Zichelli, Deputy Mayor Maceri, Mayor Tanella

NO: None

ABSENT: Councilwoman Peterson

c) 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, 2022.

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

AYE: Councilmember Skabich, Zichelli, Deputy Mayor Maceri, Mayor Tanella

NO: None

ABSENT: Councilwoman Peterson

d) To consider resolution concerning 2022 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 due to redeem the Tax Sale Certificate

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

AYE: Councilmember Skabich, Zichelli, Deputy Mayor Maceri, Mayor Tanella

NO: None

ABSENT: Councilwoman Peterson

e) To consider resolution concerning 2022 Petty Cash Funds

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, 2022.

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 Zichelli moved adoption of the resolution, seconded by Councilwoman Skabich, and passed by the following vote:

AYE: Councilmember Skabich, Zichelli, Deputy Mayor Maceri, Mayor Tanella

NO: None

ABSENT: Councilwoman Peterson



f) To consider resolution concerning renewal of 2022 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 entity has applied for renewal of their Amusement Device License for 2022:

**APPLICANT**

**LICENSE FOR**

Down Neck LLC

Video Games & Juke Box

**WHEREAS**, the application has been reviewed, the fee has been paid, and the Fire Prevention Bureau, Code Enforcement Official, the Police Department have all made inspections and certify that the above location complies 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 license of the above-named establishment.

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

AYE: Councilmember Skabich, Zichelli, Deputy Mayor Maceri, Mayor Tanella

NO: None

ABSENT: Councilwoman Peterson

**7. NEW BUSINESS**

a) To consider introduction of Pending Ordinance #22-885 – Establishing Verona-Cedar Grove Flood Control Board

The clerk read the Ordinance by title only:

**Pending Ordinance No. 22-885**

AN ORDINANCE FORMING AND ESTABLISHING THE VERONA-CEDAR GROVE FLOOD CONTROL BOARD.

BE IT ORDAINED by the Township Council of the Township of Cedar Grove, as follows:

**Section 1**

WHEREAS, the Township of Cedar Grove finds and declares that it is in its interest to protect and relieve its residents and the occupants of property within the Township of Cedar Grove from the adverse effects of uncontrolled storm water drainage and the conditions of flooding; as authorized by N.J.S.A. 40A:27-2, as the township has experienced on-going and sever damage from Hurricane Ida and other storms in the past decade;

WHEREAS, the Mayor and Council of the Township of Cedar Grove have taken cognizance of all existing and proposed upstream and downstream developments which may affect, or be affected by, the proposed flood control facility in accordance with N.J.S.A. 40A:27-4;

WHEREAS, before undertaking the construction of any flood control facility, the Mayor and Council are cognizant that notice must be given, by certified mail, to all upstream and downstream municipalities, soil conservation districts and counties, and the Department of Environmental Protection, of any intent to construct one or more flood control facilities pursuant to N.J.S.A. 40A:27-4;

WHEREAS, prior to the construction of any flood control facility, the Township of Cedar Grove recognizes that the Verona-Cedar Grove Flood Control Board must request information from all upstream governmental entities, indicating which proposed developments might alter the flow of water at any proposed flood control facility;

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and Council of the Township of Cedar Grove that, pursuant to the Municipal & County Flood Control Act, N.J.S.A. 40A:27-1, et seq., the Township hereby amends and supplements the Ordinances of the Township of Cedar Grove to include the following new Article entitled “Ordinance to Form and Establish the Verona-Cedar Grove Flood Control Board” (hereinafter, the “Board”):

1. The Mayor and Council conclude that the public health, safety and welfare can best be assured by the establishment of the Board, and its review of the potential acquisition, construction, financing, improvement, maintenance and operation of flood control facilities in cooperation with other local units, as set forth in N.J.S.A. 40A:27-4;

2. The Mayor and Council find that the Board will contribute to the overall management of the surface water of the Passaic River and the Peckman River basins, insofar as those basins impact upon the properties located within the Township;

3. Once the Board is appointed pursuant to the other provisions of this Ordinance, the Board shall make, or cause to be made any necessary surveys, investigations, studies, borings, maps, plans, drawings and estimates of costs and revenues relating to the provision of flood control facilities, provided, however, the Board (or the Township of Cedar Grove on behalf of the Board) first secures or approves the full funding by way of grants for such surveys, investigations and the like;

4. Upon the adoption of such necessary ordinances or resolutions of the Township of Verona, upon passage in advance of a resolution adopted by the Mayor and Council of the Township of Cedar Grove and subject to the approval of the Township of Cedar Grove’s Municipal Attorney as to the form of such contracts, the Township of Cedar Grove or the Board, as the case may be, as contractor, shall enter into a contract with the contracting local units of the Township of Verona, to construct, maintain, improve, acquire, or finance a flood control facility for the use of the two municipalities.

5. In order to effectuate the establishment of the Board, the Township of Cedar Grove authorizes, upon the adoption of requisite like ordinances by the contracting local units of the Township of Verona, the creation of the Board, as set forth below.

6. The “Verona-Cedar Grove Flood Control Board” shall consist of members from the Township of Verona and the Township of Cedar Grove. Each of the members shall be appointed by the governing body for a term of three (3) years, except that upon the creation of the Board, the first, second and third appointed member of each of the member local units will be appointed for three, two, and one year terms, respectively, to effectuate a system of staggered terms. The Chair of the Board shall be elected by the members of the Board each year; however, a member from each of the member local units may serve as Chair only every other year.

7. The “Verona-Cedar Grove Flood Control Board” shall jointly purchase, construct, improve, extend, enlarge or reconstruct flood control facilities on behalf of its member local units subject to the approval of the Council or Governing Body of each of the member local units.

8. The “Verona-Cedar Grove Flood Control Board” shall jointly receive and accept, on behalf of its member local units, from the federal or State government or any agency thereof, grants for the planning, acquisition, purchase, construction, extension, enlargement, reconstruction, improvement or financing of any of these facilities and to receive and accept contributions from any source of either money, property, labor or other things of value to be held, used and applied for the purposes for which these grants and contributions may be made subject to the approval of the Council or Governing Body of each of the member local units.

9. Any budgetary funding provided by the Township of Cedar Grove for the operation of the “Verona-Cedar Grove Flood Control Board” shall be subject to the annual availability and appropriation of sufficient funds.

10. The creation of the Verona-Cedar Grove Flood Control Board shall be subject to and contingent upon each of the member local units satisfying all of the terms and conditions precedent contained in this ordinance. The within Ordinance is only an enabling Ordinance subject to all of the various statutes and contingencies mentioned herein and shall only become fully operative once an interlocal contract is executed among the municipalities and this regional flood board is compliant with the Interlocal Act the Municipal Services Act, “Pay-to-Play Statute,” Acquisition and Construction of Public Improvement Act and other such similar Acts.

11. None of the municipalities herein shall be required, by virtue of this Ordinance, to expend any funds by virtue of this ordinance. It is contemplated by this Ordinance that this is a joint undertaking amongst two (2) municipalities to be separately funded by future grants and other such similar aid and funding as may be hereinafter designated, by separate enactments.

12. This Ordinance being vital to the public health, safety and welfare shall take effect immediately upon final passage and as provided by law.

13. As used in this Ordinance:

- (a) “Contracting local unit” means a municipality which enters into a contract with another municipality for the construction, maintenance, improvement, acquisition, or financing of a flood control facility for its own use;
- (b) “Contractor” means a local unit, which enters into a contract with a contracting local unit to construct, maintain, improve, acquire or finance flood control facilities for the contracting local unit.

- (c) “Cost” as applied to flood control facilities or extensions or additions thereto, means the cost of construction, reconstruction or maintenance, improvement, the cost of all labor, materials, machinery and equipment, the costs of all lands, property, rights and easements acquired, financing charges, interest on bonds issued to finance a facility prior to, during and after acquisition or construction, the cost of plans and specifications, surveys or estimates of costs and of revenues, the cost of engineering and legal services, and all other expenses necessary or incident to determining the feasibility or practicability of the construction, reconstruction, improvement or maintenance of a facility, administrative expenses and such other expenses as may be necessary or incident to the construction, maintenance or acquisition of a facility, and the financing herein authorized. Any obligation or expense incurred by a local unit in connection with any of the foregoing items of cost prior to the issuance of bonds or notes as authorized herein may be reimbursed to the local unit out of the proceeds of bonds issued under the provisions of this chapter;
- (d) “Flood control facilities” means the dams, drainage ways, structures and other real and personal property acquired, constructed, operated, financed, maintained or improved or to be acquired, constructed, operated, financed, maintained or improved by a local unit for the purposes of flood control, including storage reservoirs, dikes, diversions, dams, spillways, levees, revetments, drains, ditches or channel improvements, such as widening, deepening, straightening, clearing, desnagging, sloping, building and filling in, and other plants, structures, boats, conveyances and other real or personal property and rights therein, and appurtenances necessary for the control of flooding, the preservation of stream flow and the management of surface water, including any storm sewers, storm drains, drainage facilities, and detention basins, and the dredging or desnagging of any drainage ways;
- (e) “Local unit” means a municipality or a county;
- (f) “Member local units” means the Township of Cedar Grove and the Township of Verona;
- (g) “Municipal & County Flood Control Act” means N.J.S.A. 40A:27-1, et seq.

## **Section 2**

All Ordinances and parts of Ordinances inconsistent herewith are hereby repealed to the extent of such inconsistency.

## **Section 3**

If any section, paragraph, subdivision or provision of the subsection shall be adjudged invalid, such adjudication shall apply only to the paragraph, subdivision clause or provision so adjudged and the remainder of the subsection shall be deemed valid and effective.

## **Section 4**

This Ordinance shall take effect as prescribed by law.

Deputy Mayor Maceri moved that Pending Ordinance #22-885 be passed at first reading, published in the Verona-Cedar Grove Times as a pending ordinance with a public hearing of February 7, 2022, seconded by Councilman Zichelli, and passed by the following vote:

AYE: Councilmember Skabich, Zichelli, Deputy Mayor Maceri, Mayor Tanella

NO: None

ABSENT: Councilwoman Peterson

- b) To consider resolution concerning purchase of water meters through State 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 \$90,000.03; and

**WHEREAS**, the funds are available to satisfy our obligations under this contract through Bond Ordinance No. 21-873.

**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 \$90,000.03.

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

AYE: Councilmember Peterson, Skabich, Zichelli, Deputy Mayor Maceri, Mayor Tanella

NO: None

ABSENT: Councilwoman Peterson

- c) To consider resolution concerning purchase of firefighter clothing and equipment through State 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 has availed itself of the right to purchase firefighter protective clothing, equipment and accessories entered into on behalf of the State of New Jersey by the Division of Purchase and Property in the Department of Treasury pursuant to N.J.S.A. 40A:11-12; and

**WHEREAS**, it is desirable from time to time to purchase firefighter protective clothing, equipment and accessories under contracts entered into on behalf of the State by the said Division without the necessity of advertising for bids, or in cases where no bids have been received; and

**WHEREAS**, it is desirable to purchase firefighter protective clothing, equipment and accessories under such contracts enter into on behalf of the State of New Jersey by said Division during the year 2022;

**WHEREAS**, funds for the purchase of the firefighter protective clothing, equipment and accessories are available in the Bond Ordinance #21-872.

**NOW, THEREFORE, BE IT RESOLVED**, by the Township Council of the Township of Cedar Grove, that the purchase of the firefighter protective clothing, equipment and accessories be awarded to New Jersey Fire Equipment Co., through State Contract No. T0790.

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

AYE: Councilmember Peterson, Skabich, Zichelli, Deputy Mayor Maceri, Mayor Tanella

NO: None

ABSENT: Councilwoman Peterson

## **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 \$841,541.66.

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

AYE: Councilmember Peterson, Skabich, Zichelli, Deputy Mayor Maceri, Mayor Tanella

NO: None

ABSENT: Councilwoman Peterson

## **9. CONTRACTS & AGREEMENTS**

- a) To consider and approve Redevelopment Agreement and resolution authorizing execution of Redevelopment Agreement – 36 Cliffside Drive Urban Renewal, LLC

There was consensus to remove from agenda.

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

Mayor Tanella opened this portion of the meeting to anyone wishing to be heard. There being no one present wishing to be heard, 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 10, 2022.
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 Councilwoman Skabich, and passed by the following vote:

AYE: Councilmember Skabich, Zichelli, Deputy Mayor Maceri, Mayor Tanella

NO: None

ABSENT: Councilwoman Peterson

**11. ADJOURNMENT**

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

AYE: Councilmember Skabich, Zichelli, Deputy Mayor Maceri, Mayor Tanella

NO: None

ABSENT: Councilwoman Peterson

The meeting adjourned at 7:20 p.m.

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PETER TANELLA                      MAYOR

ATTEST:

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KATHLEEN R. STUTZ              MUNICIPAL CLERK