

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

**PUBLIC MEETING**

**MINUTES**

**APRIL 4, 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 Manager Tucci, Attorney Giacobbe, Township Attorney Nabbie, 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. APPROVAL OF MINUTES**

- a) To consider approval of minutes of regular public meeting of March 7, 2022

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

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

NO: None

ABSENT: Councilwoman Peterson

**3. PUBLIC HEARING**

- a) To consider adoption of Pending Ordinance #22-889 – Ordinance Amending Chapter 268 of the township code entitled “Zoning” to allow second principal use in R-8 Zone District within 200 feet of MF-AH Zone district for emergency access/egress

The ordinance was read by title only as follows:

**AMENDING THE ZONING ORDINANCE OF THE TOWNSHIP OF CEDAR  
GROVE, COUNTY OF ESSEX AND STATE OF NEW JERSEY**

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

Deputy Mayor Maceri 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 Councilwoman Skabich, and passed by the following vote:

AYE: Councilwoman Skabich, Deputy Mayor Maceri, Mayor Tanella

NO: None

ABSENT: Councilwoman Peterson

ABSTAIN: Councilman Zichelli

#### **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.

Michael Kraynanski; 32 Old Orchard Ct. – Mr. Kraynanski voiced concern regarding the financial impact of Pending Ordinance #22-890, specifically the addition of a second captain position. Mr. Kraynanski requested the justification for additional captain. The Manager explained that increased and proposed residential development prompted a contract with The Ambrose Group (TAG), an outside agency to conduct an analysis of current Police Department table of organization and staffing levels and provide recommendations. Mr. Tucci addressed Mr. Kraynanski's inquiries regarding date of contract and report. The Manager further explained that the recommendations were based on calls for service data, (17% increase) and need for additional supervision for risk management purposes to minimize litigation potential from lawsuits related to supervision and training. Mr. Tucci also commented that the Township's Joint Insurance Fund reviewed the report and concurred with recommendations related to the pending ordinance. Mr. Kraynanski repeated financial impact concern with the proposed ordinance and commented that 10% of Police Department currently makes over \$200,000. Mr. Tucci stated that no police officer salary is over \$200,000. Mr. Kraynanski questioned the reason for Councilman Zichelli's recusal on 36 Cliffside Drive matters. Councilman Zichelli stated that his recusal is to avoid the appearance of a conflict of interest.

John Vera; 343 Little Falls Rd. – Mr. Vera referred to Ord. 22-889 on the agenda pertaining to Cliffside Drive redevelopment and commented that he has not been provided the opportunity to see drawings or plan changes. Mr. Vera expressed concern regarding the previous existence of a private swim club on the property. There was discussion of the required notification to affected property owners concerning the redevelopment application and the pending ordinance and confirmation that Mr. Vera is an affected property owner who would have received such notice.

Robert O'Toole; 3 Old Orchard Ct. – Mr. O'Toole raised concerns regarding redevelopment of Cliffside Drive property. Attorney Giacobbe explained that the redevelopment project is the result of the Township's constitutional obligation to provide affordable housing which was processed through Court proceedings. Attorney Giacobbe provided a lengthy explanation regarding affordable housing obligations. Mr. Tucci responded to Mr. O'Toole's inquiry concerning the identity of developer. Mr. O'Toole expressed his objections and concerns to the proposed project.

There being no one else 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 Giacobbe provided an explanation of the PILOT program related to the recently developed Hilltop property, the difference in allocation of PILOT funds vs. property taxes, and the Governing Body’s decision to provide a portion of the funds to the Board of Education, though there is no obligation to do so. Attorney Giacobbe stated that the Governing Body and School Board worked collaboratively to determine the distribution amount and explained the methodology employed; per pupil cost to educate a student in the district multiplied by number of students enrolled in the district from the Hilltop development in the 20-21 school year. Attorney Giacobbe noted that the Council relied on data obtained from the Board of Education as to number of Hilltop-generated students enrolled in the district in the 20-21 school year, number of students placed out of district and cost to educate, plus associated transportation costs to determine the monetary amount of \$1.2 million dollars annually. Attorney Giacobbe stated that payment to the Board is to commence 7/1/2022, distributed in quarterly installments for 25 years. Attorney Giacobbe additionally commented that the school district’s enrollment of students has remained static for the past 15 years and enrollment from Hilltop development has not increased the district total student enrollment. Attorney Giacobbe further advised that a shared revenue agreement has been sent to Board of Ed counsel for review and Board execution.

Mayor Tanella acknowledged the presence of Board of Education members and School Superintendent Grosso. Mayor Tanella invited Board members to comment and opened this portion of the meeting for comments or questions on this matter only.

Dawn Daura; President of CG Board of Education – Ms. Daura expressed appreciation of the Township Council’s generosity and commitment to Township students. Ms. Daura commented that the Council’s decision to provide PILOT money will enable the Board of Education to provide a more enriched education for the Township’s students. Ms. Daura further commented that the collaborative relationship between the Council and Board of Ed also serves to benefit the students.

Anthony Grosso; Supt. CG Board of Education – Mr. Grosso also expressed appreciation for the Council’s decision to provide PILOT money to the Board of Education and commended the Council for its commitment to the students of the Township. Mr. Grosso stated that the PILOT money provides the Board of Ed the ability to create and sustain new opportunities for Cedar Grove students. Mr. Grosso further commented that he looks forward to the collaborative relationship between the Council and Board of Ed that has developed and additional opportunities to work together for the benefit of the Township’s students.

There being no one else wishing to be heard, Mayor Tanella closed this portion of the meeting. Attorney Giacobbe left the meeting at 7:45 p.m. Township Attorney Nabbie took her seat on the dais upon Attorney Giacobbe’s departure..

d) Other Reports

Councilwoman Skabich - Councilwoman Skabich reported that she attended the CG Historical Society presentation by Phil and Jean Jaeger at the Library on the history of the Township.

Councilman Zichelli – Councilman Zichelli suggested that the CG Historical Society presentation offers an educational opportunity for Township students. Councilman Zichelli reported that he attended the annual Fire Department Installation dinner. Councilman Zichelli requested an executive session to discuss a personnel matter.

Deputy Mayor Maceri – No report

Mayor Tanella – Mayor Tanella requested an update o status of work performed by Essex County on W. Lindsley Rd. to address stormwater run-off.

**6. NEW BUSINESS**

- a) To consider introduction of Pending Ordinance #22-890 – Amending chapter 55 of the Township Code entitled “Police Department”

The clerk read the Ordinance by title only:

**AN ORDINANCE AMENDING CHAPTER 55 OF THE CODE OF THE TOWNSHIP OF CEDAR GROVE, ENTITLED “POLICE DEPARTMENT.”**

**WHEREAS**, pursuant to N.J.S.A. 40A:14-118, the governing body of a municipality is empowered to create and establish, as an executive and enforcement function of municipal government, a police department; and

**WHEREAS**, ordinances regulating police departments are subject to modification due to changing needs of a municipality and to enhance the efficiency and effectiveness of the operations of a police department; and

**WHEREAS**, the Township Council of the Township of Cedar Grove deems it to be in the best interests of the Township of Cedar Grove and the Township of Cedar Grove Police Department to amend the current ordinances regulating the Township of Cedar Grove Police Department.

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

The Code of the Township of Cedar Grove, Chapter 55 entitled, “POLICE DEPARTMENT,” is hereby amended as follows:

**Section 1.**

Section 55-1(A)(1) is deleted in its entirety with the following provision replacing it:

(A) The Police Department of the Township heretofore established is hereby continued and shall consist of the following personnel:

(1) In order of rank, one Chief of Police, two Captains, four Lieutenants, five Sergeants and 20 police patrol officers. Such appointees, following a satisfactory probationary period as set forth in § 52-23 of the Code of the Township of Cedar Grove, shall then become regular and permanent members of the Police Department as provided in N.J.S.A. 40:47.5.

**Section 2.**

All ordinances of the Township of Cedar Grove which are inconsistent with the provisions of this Ordinance are hereby repealed as to the extent of such 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.

Councilwoman Skabich moved that Pending Ordinance #22-890 be passed at first reading, published in the Verona-Cedar Grove Times as a pending ordinance with a public hearing of May 2, 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 introduction of Pending Ordinance #22-891 – 2022 Salary Grades and Ranges, Wages and Fees of Unrepresented Employees

The clerk read the Ordinance by title only:

**AN ORDINANCE FIXING SALARY GRADES AND RANGES, WAGES AND FEES OF THE OFFICERS AND EMPLOYEES OF THE TOWNSHIP OF CEDAR GROVE FOR FISCAL YEAR 2022.**

BE IT ORDAINED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF CEDAR GROVE AS FOLLOWS:

Section 1. Unless heretofore created and established in the Township of Cedar Grove, the salary grades and ranges, wages and fees of all officers and employees of the Township of Cedar Grove shall be as follows:

**GROUP I - SALARY GRADES**

<u>Grade</u>	<u>Position Classification</u>	<u>Minimum</u>	<u>Maximum</u>
1	Clerical Assistant Building Maintenance Worker	\$35,667.	\$44,751.
3	Assistant to Township Clerk Department Secretary Accounting/Payroll Assistant Recreation Coordinator	39,010.	58,486.
4	Recreation Maintenance Worker	40,964.	59,416.
5	Communications Operator Deputy Court Clerk Health/Welfare/Sr. Transportation Planning/Zoning Coordinator	44,065.	67,505.
8	Assistant Municipal Treasurer Senior Recreation/Pool Coordinator Records Clerk – Police	50,439.	77,891.
9	Administrative Secretary Municipal Court Administrator Tax Collector Coordinator Assistant Recreation Director	56,822.	84,320.
10	Construction Official Dir. of Assessments/Tax Assessor Director of Recreation	68,121.	101,203.
11	Director of Finance/Tax Collector /CMFO	85,593.	167,694.
		<u>MINIMUM</u>	<u>MAXIMUM</u>
L-2	Library Assistant	18,717.	47,540.
L-3	Technical Library Assistant	23,655.	51,411.
L-4	Senior Library Assistant	28,387.	56,682.
L-5	Principal Library Assistant/Adm. Services	31,936.	61,957.
L-6	Supervising Library Assistant	34,302.	69,865.
L-7	Library Specialist	36,667.	75,107.
L-8	Children's Librarian	41,399.	79,091.
L-9	Senior Children's Librarian	44,947.	85,790.
L-10	Supervising Librarian	50,971.	93,697.
L-11	Library Director	66,237.	113,727.

Group II – Fixed Salaries and Fees

Township Clerk	\$ 99,607./year
Township Manager	207,624./year
Municipal Court Judge	43,870./year
Township Attorney	33,016./year – Non-retainer \$175./hr
Electrical Sub-Code Official	23,109./year
Plumbing Sub-Code Official	23,109./year
Prosecutor	387./session
Public Defender	277./session
Planning Board Attorney	223./session
Zoning board Attorney	267./session

Group III – Part-Time Hourly

<u>Position Classification</u>	<u>Minimum</u>	<u>Maximum</u>
Clerk Typist	\$ 15.00	\$ 15.00
Life Guards	11.90	15.00
School Traffic Guards	15.45	17.07
Public Health Nurse		23.31
Public Health Nurse/School Nurse		31.44
Municipal Alliance Coordinator		15.50
Bus Driver	15.45	21.33
Recreation Supervisor	11.90	15.00
Recreation Leader	11.90	15.00
Pool Maintenance Worker	11.90	15.00
Recreation Maintenance Worker	11.90	15.00
Public Workers Helper	11.90	15.00
Shelver-Library	11.90	15.00
Library Aides	15.00	15.00
Technical Library Asst.	15.00	25.85
Administrative/Computer Asst.	16.65	33.14
Library Specialist	18.43	36.33
Senior Library Assistant	15.00	27.40
Principal Library	17.10	29.95
Violations Clerk	16.24	20.71

Section 2. The Township Council shall, by Resolution, and in accordance with labor contracts, fix the salary of each officer and employee within the salary range as set forth in Section 1 of the Ordinance.

Section 3. This Ordinance shall take effect twenty (20) days after the first publication after passage pursuant to law. When adopted, the provisions of Section 1 shall be retroactive to January 1, 2022 and shall be deemed to have taken effect as of that date.

Councilman Zichelli moved that Pending Ordinance #22-891 be passed at first reading, published in the Verona-Cedar Grove Times as a pending ordinance with a public hearing of May 2, 2022, seconded by Deputy Mayor Maceri, and passed by the following vote:

AYE: Councilmember Skabich, Zichelli, Deputy Mayor Maceri, Mayor Tanella  
NO: None  
ABSENT: Councilwoman Peterson

- c) To consider introduction of Pending Bond Ordinance #22-892 – Various General Improvements

The clerk read the Ordinance by title only:

**BOND ORDINANCE AUTHORIZING VARIOUS GENERAL IMPROVEMENTS IN AND FOR THE TOWNSHIP OF CEDAR GROVE, IN THE COUNTY OF ESSEX, NEW JERSEY, APPROPRIATING \$1,725,000 THEREFORE AND AUTHORIZING THE ISSUANCE OF \$1,033,000 BONDS OR NOTES TO FINANCE PART OF THE COST THEREOF.**

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

SECTION 1:

The improvement described in Section 3 of this Bond Ordinance (the “Improvement”) is hereby authorized to be undertaken by the Township of Cedar Grove, in the County of Essex, New Jersey (the “Township”) as a general improvement. For the said Improvement there is hereby appropriated the amount of \$1,725,000. Such sum includes (a) \$290,000 expected to be received as a grant from the Department of Transportation in connection with the improvement described in Section 3(a)(21); (b) \$350,000 expected to be received as a grant from the Department of Transportation in connection with the improvement described in Section 3(a)(28); and (c) the sum of \$52,000 as the down payment (the “Down Payment”) required by the Local Bond Law of the State of New Jersey, constituting Chapter 2 of Title 40A of the New Jersey Statutes, as amended and supplemented (the “Local Bond Law”). The Down Payment is now available by virtue of provision in one or more previously adopted budgets for down payments for capital improvement purposes.

SECTION 2:

In order to finance the additional cost of the Improvements not covered by application of the Down Payment, negotiable bonds of the Township are hereby authorized to be issued in the principal amount of \$1,033,000 pursuant to the provisions of the Local Bond Law (the “Bonds”). In anticipation of the issuance of the Bonds and to temporarily finance said improvements or purposes, negotiable bond anticipation notes of the Township are hereby authorized to be issued in the principal amount not exceeding \$1,033,000 pursuant to the provisions of the Local Bond Law (the “Bond Anticipation Notes” or “Notes”).

SECTION 3:

(a) The Improvements authorized and the purposes for which obligations are to be issued, the estimated cost of each Improvement and the appropriation therefor, the estimated maximum amount of bonds or notes to be issued for each Improvement and the period of usefulness of each Improvement are as follows:

<u>Improvements</u>	<u>Appropriation and Estimated Cost</u>	<u>Estimated Maximum Amount of Bonds or Notes</u>	<u>Period of Usefulness</u>
1) Acquisition of Police Conversion equipment, including all costs, improvements, equipment and/or	\$ 20,000	19,041	5 Years

<u>Improvements</u>	<u>Appropriation and Estimated Cost</u>	<u>Estimated Maximum Amount of Bonds or Notes</u>	<u>Period of Usefulness</u>
appurtenances necessary therefore and/or related thereto.			
2) Road Overlay Program, including all costs, improvements, equipment and/or appurtenances necessary therefore and/or related thereto.	200,000	190,430	10 Years
3) Acquisition of turf management equipment, including all costs, improvements, equipment and/or appurtenances necessary therefore and/or related thereto.	15,000	14,281	15 Years
4) Acquisition of dump truck for the Department of Public Works, including all costs, improvements, equipment and/or appurtenances necessary therefore and/or related thereto.	70,000	66,645	5 Years
5) Copier replacement, including all costs, improvements, equipment and/or appurtenances necessary therefore and/or related thereto.	25,000	23,801	5 Years
6) Acquisition of Fire Department safety equipment, including all costs, improvements, equipment and/or appurtenances necessary therefore and/or related thereto.	8,000	7,616	15 Years
7) Tree Replanting Program, including all costs, improvements, equipment and/or appurtenances necessary therefore and/or related thereto.	40,000	38,082	5 Years
8) Tax Maps upgrade, including all costs, improvements, equipment and/or appurtenances necessary therefore and/or related thereto.	40,000	38,082	5 Years
9) Resurface Tennis Courts, including all costs, improvements, equipment and/or appurtenances necessary therefore and/or related thereto.	32,000	30,466	15 Years
10) Curb and side-walk replacement program, including all costs, improvements, equipment and/or appurtenances necessary therefore and/or related thereto.	12,000	11,424	10 Years

<u>Improvements</u>	<u>Appropriation and Estimated Cost</u>	<u>Estimated Maximum Amount of Bonds or Notes</u>	<u>Period of Usefulness</u>
11) Acquisition of Fire Department rescue tools, including all costs, improvements, equipment and/or appurtenances necessary therefore and/or related thereto.	80,000	76,165	5 Years
12) Acquisition of Fire Department Chief vehicle, including all costs, improvements, equipment and/or appurtenances necessary therefore and/or related thereto.	45,000	42,843	5 Years
13) Acquisition of computer hardware and software, including all costs, improvements, equipment and/or appurtenances necessary therefore and/or related thereto.	12,000	11,424	5 Years
14) Storm Water improvements, including all costs, improvements, equipment and/or appurtenances necessary therefore and/or related thereto.	25,000	23,801	15 Years
15) Peckman River improvements, including all costs, improvements, equipment and/or appurtenances necessary therefore and/or related thereto.	50,000	47,603	15 Years
16) Acquisition of Engineering Department office furniture, including all costs, improvements, equipment and/or appurtenances necessary therefore and/or related thereto.	12,500	11,900	5 Years
17) Acquisition of air compressor for the Department of Public Works, including all costs, improvements, equipment and/or appurtenances necessary therefore and/or related thereto.	9,000	8,568	5 Years
18) Acquisition of Police Department weapons, including all costs, improvements, equipment and/or appurtenances necessary therefore and/or related thereto.	20,000	19,041	5 Years
19) Installation of cameras at the Municipal Building, including all costs, improvements, equipment and/or appurtenances necessary therefore and/or related thereto.	15,000	14,281	5 Years

<u>Improvements</u>	<u>Appropriation and Estimated Cost</u>	<u>Estimated Maximum Amount of Bonds or Notes</u>	<u>Period of Usefulness</u>
20) Police Department common area improvements, including all costs, improvements, equipment and/or appurtenances necessary therefore and/or related thereto.	20,000	19,041	15 Years
21) Anderson Parkway reconstruction, including all costs, improvements, equipment and/or appurtenances necessary therefore and/or related thereto.	325,000	33,322	20 Years
22) Fire Department Headquarters plans and specifications, including all costs, improvements, equipment and/or appurtenances necessary therefore and/or related thereto.	100,000	95,207	15 Years
23) Acquisition of an electric vehicle for the Department of Public Works, including all costs, improvements, equipment and/or appurtenances necessary therefore and/or related thereto.	45,000	42,843	5 Years
24) Morgan Farm retaining wall replacement, including all costs, improvements, equipment and/or appurtenances necessary therefore and/or related thereto.	20,000	19,041	15 Years
25) Acquisition of breathalizers for the Police Department, including all costs, improvements, equipment and/or appurtenances necessary therefore and/or related thereto.	19,500	18,565	5 Years
26) Safe Access to School Study, including all costs, improvements, equipment and/or appurtenances necessary therefore and/or related thereto.	20,000	19,041	5 Years
27) Acquisition of turnout gear for the Fire Department, including all costs, improvements, equipment and/or appurtenances necessary therefore and/or related thereto.	70,000	66,645	5 Years
28) Sweetwood Drive and David Road reconstruction, including all costs, improvements, equipment and/or	375,000	23,801	20 Years

<u>Improvements</u>	<u>Appropriation and Estimated Cost</u>	<u>Estimated Maximum Amount of Bonds or Notes</u>	<u>Period of Usefulness</u>
appurtenances necessary therefore and/or related thereto.			
<b>TOTAL</b>	<b>\$1,725,000</b>	<b>\$1,033,000</b>	

(b) The estimated maximum amount of Bonds or Notes to be issued for the purpose of financing a portion of the cost of the Improvements is \$1,033,000.

(c) The estimated cost of the Improvements is \$1,725,000 which amount represents the initial appropriation made by the Township. The excess of the appropriations made for each of the Improvements over the estimated maximum amount of Bonds or Notes authorized to be issued therefor is the amount of the Down Payment for each purpose.

SECTION 4:

All Bond Anticipation Notes issued hereunder shall mature at such times as may be determined by the chief financial officer of the Township (the “Chief Financial Officer”); provided that no Note shall mature later than one year from its date. The Notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer. The Chief Financial Officer shall determine all matters in connection with Notes issued pursuant to this ordinance, and the signature of the Chief Financial Officer upon the Notes shall be conclusive evidence as to all such determinations. All Notes issued hereunder may be renewed from time to time subject to the provisions of Section 8(a) of the Local Bond Law. The Chief Financial Officer is hereby authorized to sell part or all of the Notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The Chief Financial Officer is directed to report in writing to the Township Council of the Township at the meeting next succeeding the date when any sale or delivery of the Notes pursuant to this ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the Notes sold, the price obtained and the name of the purchaser.

SECTION 5:

The capital budget of the Township is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith. The resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director, Division of Local Government Services, Department of Community Affairs, State of New Jersey is on file with the Township Clerk and is available for public inspection.

SECTION 6:

The following additional matters are hereby determined, declared, recited and stated:

(a) The Improvements described in Section 3 of this bond ordinance are not current expenses, and are capital improvements or properties that the Township may lawfully make or acquire as general improvements, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The average period of usefulness of the Improvements, within the limitations of the Local Bond Law, taking into consideration the respective amounts of all obligations authorized for the several purposes, according to the reasonable life thereof computed from the date of the Bonds authorized by this bond ordinance, is 9.29 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Township Clerk and a complete executed duplicate thereof has been filed in the office of the Director, Division of Local Government Services, Department of Community Affairs, State of New Jersey. Such statement shows that the gross debt of the Township, as defined in the Local Bond Law, is increased by the authorization of the Bonds and Notes provided in this bond ordinance by \$1,033,000 and the obligations authorized herein will be within all debt limitations prescribed by the Local Bond Law.

(d) An aggregate amount not exceeding \$175,000 for items of expense listed in and permitted under Section 20 of the Local Bond Law is included in the estimated cost of the Improvements, as indicated herein.

**SECTION 7:**

Any funds received from time to time by the Township as contributions in aid of financing the purposes described in Section 3 of this Ordinance shall be used for financing said Improvements by application thereof either to direct payment of the cost of said Improvements or to the payment or reduction of the authorization of the obligations of the Township authorized therefor by this Bond Ordinance. Any such funds received may, and all such funds so received which are not required for direct payment of the cost of said Improvements shall, be held and applied by the Township as funds applicable only to the payment of obligations of the Township authorized by this Bond Ordinance.

**SECTION 8:**

The full faith and credit of the Township are hereby pledged to the punctual payment of the principal of and interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Township, and the Township shall be obligated to levy ad valorem taxes upon all the taxable property within the Township for the payment of the obligations and the interest thereon without limitation of rate or amount.

**SECTION 9:**

The Chief Financial Officer of the Township is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Township and to execute such disclosure document on behalf of the Township. The Chief Financial Officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Township pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of obligations of the Township and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Township fails to comply with its undertaking, the Township shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

**SECTION 10:**

This Bond Ordinance constitutes a declaration of official intent under Treasury Regulation Section 1.150-2. The Township reasonably expects to pay expenditures with respect to the Improvements prior to the date that Township incurs debt obligations under this Bond Ordinance. The Township reasonably expects to reimburse such expenditures with the proceeds of debt to be incurred by the Township under this Bond Ordinance. The maximum principal amount of debt expected to be issued for payment of the costs of the Improvements is \$1,033,000.

**SECTION 11:**

This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

Councilman Zichelli moved that Pending Bond Ordinance #22-892 be passed at first reading, published in the Verona-Cedar Grove Times as a pending ordinance with a public hearing of May 2, 2022, 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 introduction of Pending Bond Ordinance #22-893 – Various Water Utility Improvements

The clerk read the Ordinance by title only:

**BOND ORDINANCE AUTHORIZING VARIOUS WATER UTILITY IMPROVEMENTS IN AND FOR THE TOWNSHIP OF CEDAR GROVE, IN THE COUNTY OF ESSEX, NEW JERSEY, APPROPRIATING \$75,000 THEREFORE AND AUTHORIZING THE ISSUANCE OF \$70,000 BONDS OR NOTES TO FINANCE PART OF THE COST THEREOF.**

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

**SECTION 1:**

The improvements described in Section 3 of this bond ordinance (the “Improvements”) are hereby authorized to be undertaken by the Township of Cedar Grove, New Jersey (the “Township”) as general improvements. For the said Improvements there is hereby appropriated the amount of \$75,000, such sum includes the sum of \$5,000 as the down payment (the “Down Payment”) required by the Local Bond Law of the State of New Jersey, constituting Chapter 2 of Title 40A of the New Jersey Statutes, as amended and supplemented (the “Local Bond Law”). The Down is now available by virtue of provision in the currently adopted Water Utility Budget, or in a previously adopted Water Utility Budget, and is currently available for down payment purposes.

**SECTION 2:**

In order to finance the additional cost of the Improvements not covered by application of the Down Payment, negotiable bonds of the Township are hereby authorized to be issued in the principal amount of \$70,000 pursuant to the provisions of the Local Bond Law (the “Bonds”). In anticipation of the issuance of the Bonds and to temporarily finance said improvements or purposes, negotiable bond anticipation notes of the Township are hereby authorized to be issued in the principal amount not exceeding \$70,000 pursuant to the provisions of the Local Bond Law (the “Bond Anticipation Notes” or “Notes”).

**SECTION 3:**

(a) The Improvements authorized and the purposes for which obligations are to be issued, the estimated cost of each Improvement and the appropriation therefor, the estimated maximum amount of bonds or notes to be issued for each Improvement and the period of usefulness of each Improvement are as follows:

<u>Improvements</u>	<u>Appropriation and Estimated Cost</u>	<u>Estimated Maximum Amount of Bonds or Notes</u>	<u>Period of Usefulness</u>
1) Annual System Leak Survey, including all costs, improvements, equipment and/or appurtenances necessary therefore and/or related thereto.	\$15,000	\$14,000	5 Years
2) Water Meter Replacement, including all costs, improvements, equipment and/or appurtenances necessary therefore and/or related thereto.	60,000	56,000	15 Years
<b>TOTAL</b>	<b>\$75,000</b>	<b>\$70,000</b>	

(b) The estimated maximum amount of Bonds or Notes to be issued for the purpose of financing a portion of the cost of the Improvements is \$70,000.

(c) The estimated cost of the Improvements is \$75,000 which amount represents the initial appropriation made by the Township. The excess of the appropriations made for each of the Improvements over the estimated maximum amount of Bonds or Notes authorized to be issued therefor is the amount of the Down Payment for each purpose.

SECTION 4:

All Bond Anticipation Notes issued hereunder shall mature at such times as may be determined by the chief financial officer of the Township (the “Chief Financial Officer”); provided that no Note shall mature later than one year from its date. The Notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer. The Chief Financial Officer shall determine all matters in connection with Notes issued pursuant to this ordinance, and the signature of the Chief Financial Officer upon the Notes shall be conclusive evidence as to all such determinations. All Notes issued hereunder may be renewed from time to time subject to the provisions of Section 8(a) of the Local Bond Law. The Chief Financial Officer is hereby authorized to sell part or all of the Notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The Chief Financial Officer is directed to report in writing to the Township Council of the Township at the meeting next succeeding the date when any sale or delivery of the Notes pursuant to this ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the Notes sold, the price obtained and the name of the purchaser.

SECTION 5:

The capital budget of the Township is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith. The resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director, Division of Local Government Services, Department of Community Affairs, State of New Jersey is on file with the Township Clerk and is available for public inspection.

## SECTION 6:

The following additional matters are hereby determined, declared, recited and stated:

(a) The Improvements described in Section 3 of this bond ordinance are not current expenses, and are capital improvements or properties that the Township may lawfully make or acquire as general improvements, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The average period of usefulness of the Improvements, within the limitations of the Local Bond Law, taking into consideration the respective amounts of all obligations authorized for the several purposes, according to the reasonable life thereof computed from the date of the Bonds authorized by this bond ordinance, is 13.00 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Township Clerk and a complete executed duplicate thereof has been filed in the office of the Director, Division of Local Government Services, Department of Community Affairs, State of New Jersey. Such statement shows that the gross debt of the Township, as defined in the Local Bond Law, is increased by the authorization of the Bonds and Notes provided in this bond ordinance by \$70,000 and the obligations authorized herein will be within all debt limitations prescribed by the Local Bond Law.

(d) An aggregate amount not exceeding \$15,000 for items of expense listed in and permitted under Section 20 of the Local Bond Law is included in the estimated cost of the Improvements, as indicated herein.

## SECTION 7:

Any funds received from time to time by the Township as contributions in aid of financing the purposes described in Section 3 of this Ordinance shall be used for financing said Improvements by application thereof either to direct payment of the cost of said Improvements or to the payment or reduction of the authorization of the obligations of the Township authorized therefor by this Bond Ordinance. Any such funds received may, and all such funds so received which are not required for direct payment of the cost of said Improvements shall, be held and applied by the Township as funds applicable only to the payment of obligations of the Township authorized by this Bond Ordinance.

## SECTION 8:

The full faith and credit of the Township are hereby pledged to the punctual payment of the principal of and interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Township, and the Township shall be obligated to levy ad valorem taxes upon all the taxable property within the Township for the payment of the obligations and the interest thereon without limitation of rate or amount.

## SECTION 9.

The Chief Financial Officer of the Township is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Township and to execute such disclosure document on behalf of the Township. The Chief Financial Officer is further authorized to enter into the appropriate undertaking to provide

secondary market disclosure on behalf of the Township pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the “Rule”) for the benefit of holders and beneficial owners of obligations of the Township and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Township fails to comply with its undertaking, the Township shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

#### SECTION 10:

This Bond Ordinance constitutes a declaration of official intent under Treasury Regulation Section 1.150-2. The Township reasonably expects to pay expenditures with respect to the Improvements prior to the date that Township incurs debt obligations under this Bond Ordinance. The Township reasonably expects to reimburse such expenditures with the proceeds of debt to be incurred by the Township under this Bond Ordinance. The maximum principal amount of debt expected to be issued for payment of the costs of the Improvements is \$70,000.

#### SECTION 11:

This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

Councilwoman Skabich moved that Pending Bond Ordinance #22-893 be passed at first reading, published in the Verona-Cedar Grove Times as a pending ordinance with a public hearing of May 2, 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

- e) To consider introduction of Pending bond Ordinance #22-894 – Various Sewer Utility Improvements

The clerk read the Ordinance by title only:

**BOND ORDINANCE AUTHORIZING VARIOUS SEWER UTILITY IMPROVEMENTS IN AND FOR THE TOWNSHIP OF CEDAR GROVE, IN THE COUNTY OF ESSEX, NEW JERSEY, APPROPRIATING \$225,000 THEREFORE AND AUTHORIZING THE ISSUANCE OF \$214,000 BONDS OR NOTES TO FINANCE PART OF THE COST THEREOF.**

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

#### SECTION 1:

The improvements described in Section 3 of this bond ordinance (the “Improvements”) are hereby authorized to be undertaken by the Township of Cedar Grove, New Jersey (the “Township”) as general improvements. For the said Improvements there is hereby appropriated the amount of \$225,000, such sum includes the sum of \$11,000 as the down payment (the “Down Payment”) required

by the Local Bond Law of the State of New Jersey, constituting Chapter 2 of Title 40A of the New Jersey Statutes, as amended and supplemented (the "Local Bond Law"). The Down is now available by virtue of provision in the currently adopted Sewer Utility Budget, or in a previously adopted Sewer Utility Budget, and is currently available for down payment purposes.

SECTION 2:

In order to finance the additional cost of the Improvements not covered by application of the Down Payment, negotiable bonds of the Township are hereby authorized to be issued in the principal amount of \$214,000 pursuant to the provisions of the Local Bond Law (the "Bonds"). In anticipation of the issuance of the Bonds and to temporarily finance said improvements or purposes, negotiable bond anticipation notes of the Township are hereby authorized to be issued in the principal amount not exceeding \$214,000 pursuant to the provisions of the Local Bond Law (the "Bond Anticipation Notes" or "Notes").

SECTION 3:

(a) The Improvements authorized and the purposes for which obligations are to be issued, the estimated cost of each Improvement and the appropriation therefor, the estimated maximum amount of bonds or notes to be issued for each Improvement and the period of usefulness of each Improvement are as follows:

<u>Improvements</u>	<u>Appropriation and Estimated Cost</u>	<u>Estimated Maximum Amount of Bonds or Notes</u>	<u>Period of Usefulness</u>
1) Two One-Hundred Horse Power Pumps, including all costs, improvements, equipment and/or appurtenances necessary therefore and/or related thereto.	\$175,000	\$166,400	40 Years
2) Greendale Pump Station Generator, including all costs, improvements, equipment and/or appurtenances necessary therefore and/or related thereto.	50,000	47,600	15 Years
<b>TOTAL</b>	<b>\$225,000</b>	<b>\$214,000</b>	

(b) The estimated maximum amount of Bonds or Notes to be issued for the purpose of financing a portion of the cost of the Improvements is \$214,000.

(c) The estimated cost of the Improvements is \$225,000 which amount represents the initial appropriation made by the Township. The excess of the appropriations made for each of the Improvements over the estimated maximum amount of Bonds or Notes authorized to be issued therefor is the amount of the Down Payment for each purpose.

## SECTION 4:

All Bond Anticipation Notes issued hereunder shall mature at such times as may be determined by the chief financial officer of the Township (the "Chief Financial Officer"); provided that no Note shall mature later than one year from its date. The Notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer. The Chief Financial Officer shall determine all matters in connection with Notes issued pursuant to this ordinance, and the signature of the Chief Financial Officer upon the Notes shall be conclusive evidence as to all such determinations. All Notes issued hereunder may be renewed from time to time subject to the provisions of Section 8(a) of the Local Bond Law. The Chief Financial Officer is hereby authorized to sell part or all of the Notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The Chief Financial Officer is directed to report in writing to the Township Council of the Township at the meeting next succeeding the date when any sale or delivery of the Notes pursuant to this ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the Notes sold, the price obtained and the name of the purchaser.

## SECTION 5:

The capital budget of the Township is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith. The resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director, Division of Local Government Services, Department of Community Affairs, State of New Jersey is on file with the Township Clerk and is available for public inspection.

## SECTION 6:

The following additional matters are hereby determined, declared, recited and stated:

(a) The Improvements described in Section 3 of this bond ordinance are not current expenses, and are capital improvements or properties that the Township may lawfully make or acquire as general improvements, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The average period of usefulness of the Improvements, within the limitations of the Local Bond Law, taking into consideration the respective amounts of all obligations authorized for the several purposes, according to the reasonable life thereof computed from the date of the Bonds authorized by this bond ordinance, is 34.44 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Township Clerk and a complete executed duplicate thereof has been filed in the office of the Director, Division of Local Government Services, Department of Community Affairs, State of New Jersey. Such statement shows that the gross debt of the Township, as defined in the Local Bond Law, is increased by the authorization of the Bonds and Notes provided in this bond ordinance by \$214,000 and the obligations authorized herein will be within all debt limitations prescribed by the Local Bond Law.

(d) An aggregate amount not exceeding \$10,000 for items of expense listed in and permitted under Section 20 of the Local Bond Law is included in the estimated cost of the Improvements, as indicated herein.

## SECTION 7:

Any funds received from time to time by the Township as contributions in aid of financing the purposes described in Section 3 of this Ordinance shall be used for financing said Improvements by application thereof either to direct payment of the cost of said Improvements or to the payment or reduction of the authorization of the obligations of the Township authorized therefor by this Bond Ordinance. Any such funds received may, and all such funds so received which are not required for direct payment of the cost of said Improvements shall, be held and applied by the Township as funds applicable only to the payment of obligations of the Township authorized by this Bond Ordinance.

## SECTION 8:

The full faith and credit of the Township are hereby pledged to the punctual payment of the principal of and interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Township, and the Township shall be obligated to levy ad valorem taxes upon all the taxable property within the Township for the payment of the obligations and the interest thereon without limitation of rate or amount.

## SECTION 9:

The Chief Financial Officer of the Township is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Township and to execute such disclosure document on behalf of the Township. The Chief Financial Officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Township pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of obligations of the Township and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Township fails to comply with its undertaking, the Township shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

## SECTION 10:

This Bond Ordinance constitutes a declaration of official intent under Treasury Regulation Section 1.150-2. The Township reasonably expects to pay expenditures with respect to the Improvements prior to the date that Township incurs debt obligations under this Bond Ordinance. The Township reasonably expects to reimburse such expenditures with the proceeds of debt to be incurred by the Township under this Bond Ordinance. The maximum principal amount of debt expected to be issued for payment of the costs of the Improvements is \$214,000.

## SECTION 11:

This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

Councilman Zichelli moved that Pending Bond Ordinance #22-894 be passed at first reading, published in the Verona-Cedar Grove Times as a pending ordinance with a public hearing of May 2, 2022, 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 authorizing transfer/assignment of financial agreement by 36 Cliffside Drive Urban Renewal LLC and designating May 36 cliffside Drive Urban Renewal LLC as redeveloper of property located at Lots 247, 320, 330, 551.1 and 552 in Block 280

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

**A RESOLUTION OF THE TOWNSHIP OF CEDAR GROVE, COUNTY OF ESSEX, NEW JERSEY AUTHORIZING 36 CLIFFSIDE DRIVE URBAN RENEWAL LLC TO TRANSFER OR ASSIGN THE FINANCIAL AGREEMENT REQUIRED BY N.J.S.A. 40A:20-1 TO MAY 36 CLIFFSIDE DRIVE URBAN RENEWAL LLC AND DESIGNATING MAY 36 CLIFFSIDE DRIVE URBAN RENEWAL LLC AS REDEVELOPER OF THE PROPERTY LOCATED AT LOTS 247, 320, 330, 551.1 AND 552 IN BLOCK 280 AND LOCATED IN THE 36 CLIFFSIDE DRIVE REDEVELOPMENT AREA REDEVELOPMENT PLAN.**

**WHEREAS**, by Resolution dated August 9, 2021, the Council of the Township of Cedar Grove (“Township Council”), a public body corporate and politic of the State of New Jersey (the “State”), directed the Township of Cedar Grove’s Planning Board (the “Planning Board”) to investigate whether approximately 23 acres of vacant land in Cedar Grove, New Jersey (Block 280, Lots 247, 320, 330, 551.1, and 552) (the “Redevelopment Area”) constituted an area in need of redevelopment pursuant to N.J.S.A. 40A:12A-5; and

**WHEREAS**, the Planning Board conducted such preliminary investigation and determined that the Redevelopment Area qualified as a non-condemnation area in need of redevelopment pursuant to N.J.S.A. 40A:12A-5(c)(e) and (h); and

**WHEREAS**, by Resolution dated October 4, 2021, revised October 18, 2021, the Township Council designated the Redevelopment Area as an area in need of redevelopment and determined to engage a licensed professional planner to review a Redevelopment Plan for the designated Redevelopment Area; and

**WHEREAS**, the Township Council subsequently referred to the Planning Board a Redevelopment Plan entitled 36 Cliffside Drive Redevelopment Area Redevelopment Plan - Block 280, Lots 247, 320, 330, 551.1 and 552 - 36 Cliffside Drive dated September 30, 2021, prepared by Chelsea L. Gleis, P.P. of Benecke Economics (the “Redevelopment Plan”); and

**WHEREAS**, by Resolution of the Planning Board adopted on October 19, 2021, the Planning Board recommended the adoption of the Redevelopment Plan; and

**WHEREAS**, the Township Council adopted an ordinance approving and adopting the Redevelopment Plan on December 6, 2021 in accordance with the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq., (the “Redevelopment Law”); and

**WHEREAS**, real property located within the Redevelopment Area and which is designated on the Official Tax Map of the Township as Block 280, Lots 247, 320, 330, 551.1 and 552 (the “Project Area”) is presently owned or controlled by 36 Cliffside Drive LLC, which amended its Certificate of Formation and name to 36 Cliffside Drive Urban Renewal LLC, an urban renewal entity to own the Project Area (collectively, “36 Cliffside”); and

**WHEREAS**, the Township Council designated 36 Cliffside Drive, LLC redeveloper (the “Redeveloper”) of the Redevelopment Area and authorized the negotiation of a Redevelopment Agreement by Resolution dated October 18, 2021; and

**WHEREAS**, on September 15, 2020, the Redeveloper obtained Preliminary and Final Major Site Plan approval from the Township Planning Board for the construction of 347 residential units (including 57 affordable housing units) and amenity and recreation space as depicted on the project site plan and supporting documents filed with the Township Planning Board and as described in the Resolution of Approval of the Township Planning Board adopted on September 15, 2020 (the “Project”); and

**WHEREAS**, pursuant to and in accordance with the provisions of the Long-Term Tax Exemption Law, N.J.S.A. 40A:20-1 et seq. (the “Tax Exemption Law”), the Township is authorized to provide for a payment in lieu of taxes (“PILOT”), or tax abatement, within a redevelopment area; and

**WHEREAS**, the Redeveloper submitted an application to the Township for the approval of the Project, as such term is defined herein, as an urban renewal project, as such term is used in the Tax Exemption Law, all in accordance with N.J.S.A. 40A:20-8 (the “PILOT Application”); and

**WHEREAS**, the Tax Exemption Law requires the creation of an urban renewal entity pursuant to the Tax Exemption Law for the purposes of acquiring, owning, holding, developing, maintaining, financing, mortgaging, improving, operating, leasing, managing, using, refinancing, selling, subdividing, or otherwise dealing with the Project Area and the Project; and

**WHEREAS**, the PILOT Application requested a 30-year term for a financial agreement and an annual service charge based annual gross revenues from the Project as set forth in the Financial Agreement; and

**WHEREAS**, the Township Council on December 20, 2021, adopted an Ordinance approving the PILOT Application and authorizing the Mayor to execute a Financial Agreement with the Redeveloper; and

**WHEREAS**, the Redeveloper desires to transfer, convey or sell its interests in the Project to May 36 Cliffside Drive Urban Renewal LLC; and

**WHEREAS**, the Township Council desires to authorize the Redeveloper to transfer and/or assign the Financial Agreement to May 36 Cliffside Drive Urban Renewal LLC, an urban renewal entity to be formed to own, hold, develop, maintain, improve, or otherwise deal with the Project Area, subject only to notice of the closing of the sale between Redeveloper and May 36 Cliffside Drive Urban Renewal LLC; and

**WHEREAS**, the Township Council desires to designate May 36 Cliffside Drive Urban Renewal LLC as redeveloper for the Redevelopment Area, to succeed and in place of 36 Cliffside Drive

Urban Renewal LLC, subject only to notice to the Township of the closing of the sale between Redeveloper and May 36 Cliffside Drive Urban Renewal LLC; and

**NOW, THEREFORE, BE IT ORDAINED AND ENACTED** by the Township Council of the Township of Cedar Grove, County of Essex, New Jersey, as follows:

**Section 1.** The aforementioned recitals are incorporated as though fully set forth at length.

**Section 2.** Township Council authorizes the Redeveloper to transfer and assign the Financial Agreement to May 36 Cliffside Drive Urban Renewal LLC, subject only to notice of the closing of the sale between Redeveloper and May 36 Cliffside Drive Urban Renewal LLC. The Mayor is hereby authorized to execute a Consent to Assignment of the Financial Agreement from 36 Cliffside Drive Urban Renewal Entity LLC.

**Section 3.** The Township Council designates May 36 Cliffside Drive Urban Renewal LLC as redeveloper for the Redevelopment Area identified as Block 280, Lots 247, 320, 330, 551.1, and 552, to succeed and in place of 36 Cliffside Drive Urban Renewal LLC, subject only to notice of the closing of the sale between Redeveloper and May 36 Cliffside Drive Urban Renewal LLC.

**Section 4.** This Resolution shall take effect immediately.

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

AYE: Councilmember Skabich, Deputy Mayor Maceri, Mayor Tanella

NO: None

ABSTAIN: Councilman Zichelli

ABSENT: Councilwoman Peterson

g) To consider resolution concerning appointment of Assistant Finance Director

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

**WHEREAS**, William M. Homa has informed the Township Manager and Township Council of his impending retirement from the Township of Cedar Grove as Finance Director, Chief Finance Officer, and Tax Collector as of July 1, 2022; and

**WHEREAS**, numerous applications were received following advertisement on the NJ League of Municipalities and Government Finance Officers Association website; and

**WHEREAS**, the Township Manager and Finance Director reviewed said applications, interviewed appropriate candidates, and recommended the most suitable candidate for the position of Chief Finance Officer; and

**WHEREAS**, the Township Council conducted an interview with said candidate, Lubna Muneer on March 21, 2022; and

**WHEREAS**, Lubna Muneer holds several State certifications, including that of Chief finance Officer; and

**WHEREAS**, the Township Council deems it in the best interest of the Township to effect a smooth transition in the Finance Department.

**NOW, THEREFORE, BE IT RESOLVED**, that the Township Council of the Township of Cedar Grove hereby authorizes the Township Manager to offer employment to Lubna Muneer as Assistant Finance Director, effective May 1, 2022.

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

h) To consider resolution concerning amendment of 2022 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, 2022 to the date of adoption of the annual budget and no adequate provision has been made in the 2022 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 2022 pursuant to the provisions of Chapter 96, P.L. 1951 (N.J.S.A 40A:4-20) including this resolution total \$9,409,482.00 for the Current Fund Budget, \$1,546,998.00 for the Water Utility Budget, \$1,797,789.00 for the Sewer Utility Budget, \$389,133.00 for the Swimming Pool Utility Budget and \$854,913.00 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>
<b>CURRENT FUND</b>			
<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.
Municipal Court	1-145	45,000.	30,000.
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>Street 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 &amp; 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 &amp; 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	--	1,248,000.
Public Employees Retirement	1-901	---	216,000.
<u>Debt Service</u>	1-805	---	125,000.
 <u>Capital Improvements</u>			
Capital Improvement Fund	1-1115		52,000.
Total Current Fund		<u>\$1,243,000.</u>	<u>\$3,345,000.</u>
 <u>Water Utility Fund</u>			
Operating Appropriations	3-4100	\$240,000.	\$ 500,000.
Statutory Expenditures	3-4220	-----	75,000.
Total Water Utility		<u>\$ 240,000.</u>	<u>\$ 575,000.</u>
 <u>Sewer Utility Fund</u>			
Operating Appropriations	4-5100	\$ 420,000.	\$400,000.
Statutory Expenditures	4-5220	-----	139,000.
Total Sewer Utility		<u>\$ 420,000.</u>	<u>\$539,000.</u>
 <u>Swimming Pool Utility Fund</u>			
Operating Appropriations	5-6100	\$ 150,000.	\$ 20,000.
Statutory Expenditures	5-6220	-----	14,000.
Total Swim Pool Utility		<u>\$150,000.</u>	<u>\$34,000.</u>
 <u>Solid Waste Collection District</u>			
Operating Appropriations	9-9950	\$ 20,000.	\$ 300,000.
Statutory Expenditures	9-9220		3,000.
Total Solid Waste Collection District		<u>\$ 20,000.</u>	<u>\$ 303,000.</u>

2. That said emergency temporary appropriations have been provided for in the 2022 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 Councilwoman Skabich, and passed by the following vote:

AYE: Councilmember Skabich, Zichelli, Deputy Mayor Maceri, Mayor Tanella  
NO: None  
ABSENT: Councilwoman Peterson

- i) To consider resolution concerning amendment of 2022 capital budget

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 desires to amend the 2022 Capital Budget of said municipality by inserting various water utility improvements, various sewer utility improvements and various general improvements.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Cedar Grove as follows:

AMENDMENT  
CAPITAL BUDGET OF THE TOWNSHIP OF CEDAR GROVE  
COUNTY OF ESSEX, NEW JERSEY

PROJECTS SCHEDULE FOR 2022  
METHOD OF FINANCING

<u>Project</u>	<u>Estimated Cost</u>	<u>Debt Authorized</u>	<u>Department of Transportation Grant</u>	<u>Down Payment</u>
Various General Improvements	<u>\$1,725,000.00</u>	<u>\$1,033,000.00</u>	<u>\$640,000.00</u>	<u>\$52,000.00</u>
Various Water Utility Improvements	<u>\$75,000.00</u>	<u>\$70,000.00</u>		<u>\$5,000.00</u>
Various Sewer Utility Improvements	<u>\$225,000.00</u>	<u>\$214,000.00</u>		<u>\$11,000.00</u>

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

AYE: Councilmember Skabich, Zichelli, Deputy Mayor Maceri, Mayor Tanella  
NO: None  
ABSENT: Councilwoman Peterson

- j) To consider resolution concerning approval of raffle application – CG Elks

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**

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

**EVENTS, DATES TIMES & PLACE**

On-Premise 50/50 Raffle to be held  
May 6, 2022 at 5:00 - 7:00 p.m. and  
June 25, 2022 at 10:00 a.m. – 4:30 p.m. at  
405 Bowden 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 Councilwoman Skabich, and passed by the following vote:

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

NO: None

ABSENT: Councilwoman Peterson

**7. 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 \$212,681.96.

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

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

NO: None

ABSENT: Councilwoman Peterson

**8. CONTRACTS AND AGREEMENTS**

- a) To consider resolution concerning execution of shared services agreement for health services with Township of Montclair

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

**RESOLUTION AUTHORIZING EXECUTION OF AN INTERLOCAL AGREEMENT WITH THE TOWNSHIP OF MONTCLAIR FOR THE FURNISHING OF HEALTH SERVICES**

**WHEREAS**, the Township of Cedar Grove desires to enter into an interlocal agreement with the Township of Montclair pursuant to which Montclair will furnish health services of a technical and professional nature to the Township of Cedar Grove, pursuant to N.J.S.A.26:3A-2-1 et seq.; and

**WHEREAS**, the New Jersey Uniform Shared Services and Consolidation Act, N.J.S.A. 40A:65-1 et seq., (the “Act”) encourages municipalities and other local contracting units to enter into interlocal and other agreements for shared services in order to reduce property taxes through the reduction of local expenses; and

**WHEREAS**, the Act provides that municipalities may enter into agreements to provide or receive any service that each municipality is empowered to receive or provide within its own jurisdiction; and

**WHEREAS**, the Township Council has determined that it is in the best interests of the Township to receive health services from the Township of Montclair in exchange for payments to be made by the Township.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Cedar Grove, County of Essex, that the Mayor and Township Manager are hereby authorized to execute an agreement with the Township of Montclair to receive health services from the Township of Montclair.

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 authorizing execution of Redevelopment Agreement – May 36 Cliffside Drive Urban Renewal LLC

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

**RESOLUTION OF THE TOWNSHIP OF CEDAR GROVE, COUNTY OF ESSEX, NEW JERSEY AUTHORIZING AND DIRECTING THE TRANSFER AND EXECUTION OF A REDEVELOPMENT AGREEMENT WITH MAY 36 CLIFFSIDE DRIVE URBAN RENEWAL LLC AS REDEVELOPER OF THE PROPERTY LOCATED AT 36 CLIFFSIDE DRIVE, WHICH PROPERTY IS IDENTIFIED AS BLOCK 280, LOTS 247, 320, 330, 551.1 AND 552, AS SHOWN ON THE OFFICIAL TAX MAP OF THE TOWNSHIP OF CEDAR GROVE, IN ACCORDANCE WITH THE REDEVELOPMENT PLAN (36 Cliffside)**

**WHEREAS**, the Township of Cedar Grove, in the County of Essex, New Jersey (the “**Township**”), a public body corporate and politic of the State of New Jersey (the “**State**”), is authorized pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 to -89 (the “**Redevelopment Law**”), to determine whether certain parcels of land within the Township constitute an area in need of rehabilitation and/or an area in need of redevelopment; and

**WHEREAS**, N.J.S.A. 40A:12A-6 of the Redevelopment Law authorizes the governing body of any municipality, by resolution, to have its Planning Board conduct a preliminary investigation to determine whether an area of the municipality is a non-condemnation “area in need of redevelopment” pursuant to the criteria contained in N.J.S.A. 40A:12A-5; and

**WHEREAS**, on August 9, 2021, the Mayor and Township Council adopted a Resolution authorizing and directing the Planning Board of the Township of Cedar Grove (the “**Planning Board**”) to undertake a preliminary investigation to determine if certain property located at 36 Cliffside Drive, which property is identified as Block 280, Lots 247, 320, 330, 551.1, and 552, as shown on the official Tax Map of the Township (the “**Study Area**”), constituted a non-condemnation “area in need of redevelopment,” in accordance with the Redevelopment Law; and

**WHEREAS**, the Planning Board, after conducting the required investigation and holding a public hearing on September 21, 2021, recommended that the Study Area met the statutory criteria for a non-condemnation area in need of redevelopment; and

**WHEREAS**, on October 4, 2021, the Township Council adopted a Resolution accepting the Planning Board’s recommendation that the Study Area was found to meet the necessary statutory criteria, and designated the entire Study Area as a non-condemnation Area in Need of Redevelopment (the “**Property**”); and

**WHEREAS**, on October 18, 2021, the Township Council adopted a Resolution amending the Resolution adopted on October 4, 2021; and

**WHEREAS**, pursuant to the provisions of N.J.S.A. 40A:12A-7(e)-(f) and N.J.S.A. 40A:12A-15 of the Redevelopment Law, the Township’s staff and/or Planning Board professionals are permitted to prepare a redevelopment plan; and

**WHEREAS**, a redevelopment plan for the Property titled “36 Cliffside Drive Redevelopment Area Redevelopment Plan”, was prepared by Benecke Economics and submitted to the Township Council (the “**Redevelopment Plan**”); and

**WHEREAS**, on October 19, 2021, the Planning Board adopted a Resolution making recommendations regarding the Redevelopment Plan; and

**WHEREAS**, on December 6, 2021, the Township Council adopted the Redevelopment Plan by Ordinance #21-882, in accordance with N.J.S.A. 40A:12A-7(a) of the Redevelopment Law; and

**WHEREAS**, **36 Cliffside Drive LLC** (the “**Entity**”) wishes to develop the Property, identified as Block 280, Lots 247, 320, 330, 551.1, and 552, and use it for the purpose of implementing the Redevelopment Plan; and

**WHEREAS**, on October 18, 2021, by Resolution, the Township Council conditionally designated the 36 Cliffside Drive LLC as the Redeveloper of the Property; and

**WHEREAS**, the Entity and the Township negotiated a redevelopment agreement providing for the development of the Property in accordance with the Redevelopment Plan (the “**Redevelopment Agreement**”); and

**WHEREAS**, on January 24, 2022, by Resolution, the Township Council authorized and directed the execution of the Redevelopment Agreement with 36 Cliffside Drive LLC and recognized 36 Cliffside Drive as the redeveloper for the Project; and

**WHEREAS**, pursuant to the terms of the Redevelopment Agreement, 36 Cliffside Drive LLC, has requested permission to assign and transfer the redeveloper designation and redevelopment agreement from 36 Cliffside Drive LLC to **May 36 Cliffside Drive Urban Renewal LLC** (the “**Redeveloper**”) as redeveloper of the Property; and

**WHEREAS**, the Township Council desires to accept the assignment and transfer of the redeveloper designation and redevelopment agreement and enter into the Redevelopment Agreement with May 36 Cliffside Drive Urban Renewal LLC as the Redeveloper for the redevelopment of the Property, which sets forth the rights and obligations of the respective parties as well as the anticipated time frame for the completion of certain tasks, as provided for and in accordance with the provisions of the Redevelopment Law.

**NOW THEREFORE, BE IT RESOLVED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF CEDAR GROVE, NEW JERSEY AS FOLLOWS:**

**Section 1.** The aforementioned recitals are incorporated herein as though fully set forth at length.

**Section 2.** The Township Council recognizes **May 36 Cliffside Drive Urban Renewal LLC** as the redeveloper (the “Redeveloper”) of the Property identified as Block 280, Lots 247, 320, 330, 551.1, and 552, as shown on the official Tax Map of the Township of Cedar Grove, as provided for and in accordance with the provisions of the Redevelopment Law.

**Section 3.** The Mayor and Clerk are hereby authorized and directed to execute the Redevelopment Agreement, with such revisions as deemed advisable by the Township Attorney, on behalf of the Township of Cedar Grove, acting as the redevelopment entity for the redevelopment of the Property by May 36 Cliffside Drive Urban Renewal LLC subject to further approval by the Township Council.

**Section 4.** This Resolution shall take effect immediately.

Deputy Mayor Maceri 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

ABSTAIN: Councilman Zichelli

ABSENT: Councilwoman Peterson

**9. 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.

Emmett Acocella; 321 Bowden Rd. – Mr. Acocella stated that there are underground springs on the Cliffside Drive property redevelopment site. Mr. Acocella voiced concerns of the possibility of

lawsuits from adjacent property owners resulting from flooding from the proposed development. The Manager explained that any development application must include a stormwater management plan to adequately control run-off which is also subject to review, assessment and approval by DEP and other outside agencies.

**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 4, 2022.
2. The general nature of the subject matters to be discussed is personnel, litigation, and contract negotiation.
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

**10. 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 8:15 p.m.

\_\_\_\_\_  
PETER TANELLA                      MAYOR

ATTEST:

\_\_\_\_\_  
KATHLEEN R. STUTZ              MUNICIPAL CLERK