

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

PUBLIC MEETING

MINUTES

AUGUST 15, 2022

1. ROLL CALL, INVOCATION AND FLAG SALUTE

Mayor Maceri called the meeting to order at 7:00 PM.

Present: Councilmember Peterson, Skabich, Deputy Mayor Zichelli, Mayor Maceri
Also Present: Acting Township Manager Palumbo, Township Attorney Nabbie, Township Clerk Stutz
Absent: Councilman Tanella

The flag salute was led by Mayor Maceri.

Mayor Maceri 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. EXECUTIVE SESSION

Mayor Maceri requested an Executive Session to discuss pending litigation.

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 August 15, 2022.
2. The general nature of the subject matters to be discussed is pending litigation.
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.

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

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

Council went into Executive Session at 7:02 PM and returned at 7:05 PM.

3. APPROVAL OF MINUTES

- a) To consider approval of minutes of Annual Reorganization Meeting of July 1, 2022.

Deputy Mayor Zichelli moved for the approval of the minutes, seconded by Councilwoman Peterson and passed by the following vote:

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

- b) To consider approval of minutes of Regular Public Meeting of July 11, 2022.

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

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

4. PUBLIC HEARING

- a) To consider adoption of Pending Bond Ordinance #22-897 – Acquisition of Real Property

The ordinance was read by title only as follows:

BOND ORDINANCE AUTHORIZING THE ACQUISITION OF REAL PROPERTY IN AND FOR THE TOWNSHIP OF CEDAR GROVE, IN THE COUNTY OF ESSEX, NEW JERSEY APPROPRIATING \$1,000,000 THEREFORE AND AUTHORIZING THE ISSUANCE OF \$952,000 BONDS OR NOTES TO FINANCE PART OF THE COST THEREOF.

Mayor Maceri opened the public hearing on this item.

There being no one present wishing to be heard, Mayor Maceri closed the public hearing.

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

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

Mayor Maceri 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 Maceri closed this portion of the meeting.

6. AWARD OF BID

- a) To consider resolution awarding bid for Loading, Transportation and Disposal of Leaves.

Mayor Maceri removed the resolution to award bid from the agenda and requested it be placed on the September 12, 2022 Public Meeting Agenda.

7. REPORTS OF TOWNSHIP OFFICIALS

- a) Acting Township Manager – The Acting Manager reported he received an email from the NJDEP regarding stormwater grant funding. Mr. Palumbo reported the Township appropriated a \$25,000 stormwater grant in its 2022 Capital Budget available to eligible applicants in response to damage caused by Hurricane Ida in September 2021. Mr. Palumbo reported the Township received seven (7) applications and he recommended the \$25,000.00 stormwater grant be awarded to two residents who received the brunt force of the hurricane. Mr. Palumbo recommended a \$21,500 grant be awarded to Mr. Jennings of 100 W. Lindsley Rd. and a \$3,500 grant to Mr. Souza of 94 W. Lindsley Rd. Mr. Palumbo also requested an executive session to discuss contract negotiations.

After conferring with Members of Council, Mayor Maceri reported the Council unanimously agreed with Mr. Palumbo's recommendation.

- b) Township Clerk – The Clerk noted that she was retiring as of January 1, 2023. The Clerk thanked her colleagues and the Governing Body for the surprise retirement party held in her honor. The Clerk expressed her gratitude to the Township Manager who encouraged her to apply for the Township Clerk position and to the Township Councils who appointed and reappointed her. The Clerk reported she had the utmost respect for all of the Governing Bodies she served.

Mayor Maceri shared the Governing Body was lucky to have Mrs. Stutz serve the Township, residents and Governing Body. He commended her for the tremendous job of

serving the residents all of these years. He expressed his appreciation for working side by side with her for the past three years. He wished her a great retirement and thanked her for her service. He shared that he looked forward to seeing her in the public. Mrs. Stutz said it was an honor and a privilege to serve the Governing Body.

Deputy Mayor Zichelli shared that Mrs. Stutz was the backbone of the Municipal Council. He felt the Council could not serve the way they did without her. He expressed his appreciation to her for everything she did for the Township. He wished her the best in her retirement. He shared that he hoped Mrs. Stutz would join them in the public and keep an eye on them.

Councilwoman Skabich shared she was fortunate because she would see Mrs. Stutz in the neighborhood. She thanked Mrs. Stutz for all she did to acclimate her to her position on Council and for taking her time to give the Governing Body everything they needed to successfully do their job. She wished Mrs. Stutz all the best in her retirement.

Councilwoman Peterson expressed how hard working she felt Mrs. Stutz was. She concurred with her colleagues regarding Mrs. Stutz being the backbone of the building, Council and the Township. She wished Mrs. Stutz a well-deserved retirement. She shared she would miss Mrs. Stutz sitting in the Clerk chair. She thanked Mrs. Stutz for her service.

- c) Township Attorney – Attorney Nabbie requested an executive session to discuss litigation and pending litigation.
- d) Other Reports

Councilwoman Peterson – No report

Councilwoman Skabich – No report

Deputy Mayor Zichelli – Deputy Mayor Zichelli announced the Annual Historical Society's Pumpkin and Apple Sale was scheduled for October. He explained the Historical Society sought new members. He commented that the Municipal Alliance would team up with the Historical Society during the Pumpkin Sale. He requested an executive session to discuss a personnel matter.

Mayor Maceri – Mayor Maceri reported National Night Out, in partnership with the Township of Verona, was a great success. He acknowledged and commended everyone who volunteered and thanked everyone who participated. He requested an executive session to discuss a personnel matter.

8. CONSENT AGENDA

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

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

WHEREAS, applications for raffle licenses have been received from:

APPLICANTS

EVENTS, DATES TIMES & PLACE

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

On-Premise 50/50 Raffle to be held
November 6, 2022 at 10:00 a.m. – 6:00 p.m. at
405 Bowden Rd., Cedar Grove NJ 07009

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

On-Premise Merchandise Raffle to be held
November 6, 2022 at 10:00 a.m. - 6:00 p.m. at
405 Bowden Rd., Cedar Grove NJ 07009

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

On-Premise 50/50 Raffle to be held
October 22, 2022 at 1:00 p.m. – 5:00 p.m. and
November 4, 2022 at 5:00 p.m. – 7:30 p.m. at
405 Bowden Rd., Cedar Grove NJ 07009

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

On-Premise Merchandise Raffle to be held
October 22, 2022 at 1:00 p.m. - 5:00 p.m. at
405 Bowden Rd., Cedar Grove NJ 07009

WHEREAS, the fees have been paid, and the applications have been reviewed by the Township Clerk and found acceptable.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Cedar Grove that it does hereby approve said applications.

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

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

- b) To consider resolution concerning approval of raffle application – Sts Kiril & Metodij.

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

WHEREAS, an application for raffle license has been received from:

APPLICANTS

EVENTS, DATES TIMES & PLACE

Sts Kiril & Metodij Macedonian Church
1050 Pompton Ave.
Cedar Grove NJ 07009

On-Premise Merchandise to be held
October 15, 2022 at 6:00 – 11:00 p.m.
1050 Pompton Ave., Cedar Grove NJ 07009

WHEREAS, the fees have been paid, and the application has been reviewed by the Township Clerk and found acceptable.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Cedar Grove that it does hereby approve said application.

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

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

- c) To consider resolution concerning approval of raffle application.

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

WHEREAS, an application for raffle license has been received from:

APPLICANTS

EVENTS, DATES TIMES & PLACE

Cedar Grove High School Music Matters	Off-Premise 50/50 to be held
90 Rugby Rd.	January 10, 2023 at 8:00 p.m. at
Cedar Grove NJ 07009	90 Rugby 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.

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

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

9. NEW BUSINESS

- a) To consider resolution concerning appointment of Emergency Management Coordinator.

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

BE IT RESOLVED that Jeff McElroy is hereby re-appointed as Emergency Management Coordinator for a three-year term effective July 1, 2022 and expiring July 1, 2025.

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

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

- b) To consider resolution concerning appointment of Deputy Township Clerk.

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:9-135, the governing body of any municipality may provide for the appointment of Deputy Municipal Clerk; and

WHEREAS, §3-9.1 of the Code of the Township of Cedar Grove created the position of Deputy Township Clerk; and

WHEREAS, the Township Council of the Township of Cedar Grove has determined it is in the best interest of the Township to appoint a Deputy Township Clerk in lieu of the impending retirement of the Township Clerk to ensure the performance of all functions and duties of the Township Clerk’s Office; and

WHEREAS, Dale Forde possesses required certification and experience in a municipal clerk’s office.

NOW THEREFORE BE IT RESOLVED by the Township Council of the Township of Cedar Grove that Dale Forde is hereby appointed Deputy Township Clerk effective as of July 18, 2022 until December 31, 2022.

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

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

- c) To consider resolution concerning 2021 Municipal Audit.

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.40A:5-4 requires the governing body of every local unit to have made an annual audit of its books, accounts and financial transactions, and

WHEREAS, The Annual Report of Audit for the year 2021 has been filed by a Registered Municipal Accountant with the Municipal Clerk as per the requirements of N.J.S.A.40A:5-6, and a copy has been received by each member of the governing body, and

WHEREAS, the Local Finance Board of the State of New Jersey is authorized to prescribe reports pertaining to the local fiscal affairs, as per R.S. 52:27BB-34, and

WHEREAS, the Local Finance Board has promulgated N.J.A.C. 5:30-6.5, a regulation requiring that the governing body of each municipality shall, by resolution certify to the Local Finance Board of the State of New Jersey that all members of the governing body have reviewed, as a minimum, the sections of the annual audit entitled “Comments and Recommendations”; and

WHEREAS, the members of the governing body have personally reviewed as a minimum the Annual Report of Audit, and specifically the sections of the Annual Audit entitled “Comments and Recommendations”, as evidenced by the group affidavit form of the governing body attached hereto; and

WHEREAS, such resolution of certification shall be adopted by the governing body no later than forty-five days after the receipt of the annual audit, pursuant to N.J.A.C. 5:30-6.5; and

WHEREAS, all members of the governing body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board, and

WHEREAS, failure to comply with the promulgations of the Local Finance Board of the State of New Jersey may subject the members of the local governing body to the penalty provisions of R.S. 52:27BB-52, to wit:

R.S. 52-27BB-52 – “A local officer or member of a local governing body who, after a date fixed for compliance, fails or refuses to obey an order of the director (Director of Local Government Services), under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than one thousand dollars (\$1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his office.”

NOW, THEREFORE BE IT RESOLVED, that the Township Council of the Township of Cedar Grove, hereby states that it has complied with N.J.A.C. 5:30-6.5 and does hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

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

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

- d) To consider resolution concerning Corrective Action Plan for 2021 Municipal Audit.

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

BE IT RESOLVED by the Township Council of Cedar Grove, Essex County, New Jersey, that:

WHEREAS, the 2021 Annual Audit of the Township of Cedar Grove, conducted by Nisivoccia and Company, contained certain recommendations requiring action; and

WHEREAS, these recommendations have been reviewed by the Township’s Chief Financial Officer; and

WHEREAS, The Chief Financial Officer, in accordance with the requirements promulgated by the New Jersey Division of Local Government Services, has developed a plan to address the recommendations listed by the auditor;

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Cedar Grove that the Corrective Action Plan for the 2021 Annual Municipal Audit, hereto attached, is hereby approved and accepted; and

BE IT FURTHER RESOLVED that the Township Clerk is hereby directed to transmit a certified copy of this resolution and its attachments to the New Jersey Division of Local Government Services.

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

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

- e) To consider resolution concerning cancellation of water/sewer penalties.

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

WHEREAS, it has been determined upon investigation of the Township Manger that the sewer penalties assessed to the account listed herein should be cancelled:

<u>Name & Address</u>	<u>Sewer</u>	<u>Sewer Penalties</u>	<u>Total Cancelled</u>
Ramesh G. & Daya H 9 Pine Drive Cedar Grove, NJ 07009 Acct. No. 3-3307100	<u>\$0.00</u>	<u>\$299.35</u>	<u>\$299.35</u>

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Cedar Grove that the Chief Financial Officer is hereby authorized to cancel the sewer penalties for the above account.

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

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

- f) To consider resolution concerning payment plan for water and sewer charges for Account #3-3307100.

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

WHEREAS, Harwana Ramesh G. & Daya R, 9 pine Drive, Block – 358, Lot – 2, received an April 1, 2022, water and sewer bill in the amount of \$2,993.45; and

WHEREAS, is hereby authorized to remit monthly installments in the amount of \$249.45 commencing September 1, 2022 and thereafter through August 30, 2023 along with making prompt payment of the current quarterly water and sewer bills;

WHEREAS, the monthly installment payment plan cannot exceed one year and monthly installment payments are being made along with prompt payment of current water and sewer bills; and

WHEREAS, if the monthly installment payment is not promptly paid within 30 days after the monthly due date the agreement shall be void; and

WHEREAS, Township of Cedar Grove will not charge any additional penalties only for the April 01, 2022 bill from September 01, 2022 through August 30, 2023; and

NOW THEREFORE BE IT RESOLVED by the Township Council of the Township of Cedar Grove hereby authorizes, Harwana Ramesh G. & Daya R to remit monthly installments in the amount of \$249.45 commencing September 1, 2022, thereafter August 30, 2023 along with prompt payment of the current quarterly water and sewer bills. If the monthly installment payment is not promptly paid within 30 days after the monthly due date the agreement shall be void.

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

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

- g) To consider resolution concerning the insertion of an item of special revenue in the amount of \$653,602.79 from the American Rescue Plan Act of 2022.

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. 40A:4-87, provides that the Director of Local Government Services may approve the insertion of a special item of revenue in the Municipal Budget of the Township of Cedar Grove for 2022 when such items shall have been available by law and the amount thereof was not determined at the time of adoption of the budget; and

WHEREAS, said Director may also approve the insertion of any item of appropriation of equal amount;

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Cedar Grove, Essex County, New Jersey, that it hereby requests that the Director of the Division of Local Government Services to approve the insert of an item of revenue in the budget of the year 2022 in the sum of \$653,602.79, which is now available as a revenue from the American Rescue Plan Act of 2022, which is administered by the Department of Treasury, pursuant to the provision of statute; and

BE IT FURTHER RESOLVED that a like sum of \$653,602.79 is hereby appropriated under the caption:

American Rescue Plan Act of 2022 \$653,602.79

Deputy Mayor Zichelli reported this was the second batch of money the Township received. He reported the Rescue Plan gave two tranches of this same amount of money.

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

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

- h) To consider resolution concerning tax reduction granted by Tax Court of NJ.

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

WHEREAS, the Tax Collector of the Township of Cedar Grove has determined that action is required as a result of 2015-2019 tax reductions granted by the Tax Court of New Jersey;

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

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

2015 - 2019 Tax Reductions Granted by the Tax Court of New Jersey

<u>Block</u>	<u>Lot</u>	<u>Owner & Location</u>	<u>Year</u>	<u>Tax Cancellations and Tax Refund</u>
280	552	36 CLIFFSIDE DRIVE LLC	2015	\$6,933.96
		BOWDEN ROAD REAR	2016	7,097.73
		CEDAR GROVE, NJ 07009	2017	7,323.30
			2018	7,403.64
			2019	7,533.42
				<u>\$36,292.05</u>

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

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

- i) To consider resolution concerning purchase of dump body/salter & accessories through Sourcewell.

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

WHEREAS, the Township of Cedar Grove utilizes Sourcewell Cooperative Contract # 080818-HPI for the purchase of a dump body / salter, parts and accessories for the Cedar Grove Department of Public Works; and

WHEREAS, the contract amount for the purchase of dump body / salter, parts and accessories at the Cedar Grove Department of Public Works will not exceed \$89,857.00; and

WHEREAS, the funds are available to satisfy our obligations under this contract through Bond Ordinance No. 21-872.

NOW THEREFORE BE IT RESOLVED by the Township Council of the Township of Cedar Grove authorizes the Township of Cedar Grove to utilize Sourcewell for the purchase of a dump body / salter, parts and accessories for the Cedar Grove Department of Public Works from Henderson Products, Inc. for an amount not to exceed \$89,857.00.

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

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

- j) To consider resolution authorizing Tax Collector to conduct electronic sale.

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.54:5-19.1 et seq. permits municipalities to conduct electronic tax sale pursuant to rules and regulations promulgated by the Director of the Division of Local Government Services, and,

WHEREAS, the rule thus promulgated requires a municipality to authorize said electronic tax sale by resolution of the governing body, and,

WHEREAS, an electronic tax sale is innovative and provides a greater pool of potential lien buyers, thus creating the environment for a more effective tax sale process.

NOW, THEREFORE, BE IT RESOLVED, that the Governing Body of Municipality does hereby authorize and direct the Tax Collector to conduct an electronic tax sale.

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

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

NO: None

ABSENT: Councilman Tanella

- k) To consider resolution concerning fee for notice of tax sale to delinquent accounts.

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

WHEREAS, NJSA 54:5-19.1 authorizes electronic tax sales pursuant to rules and regulations to be promulgated by the Director of the Division of Local Government Services, and

WHEREAS, the rules and regulations permit a municipality to send up to two (2) notices of tax sale to all properties included in said sale in-lieu of up to two advertisements; and

WHEREAS, the rules and regulations allow said municipality to charge a fee of \$25.00 per notice for the creation, printing and mailing of said notice; and

WHEREAS, in an effort to more fairly assign greater fiscal responsibility to delinquent taxpayers, Township of Cedar Grove wishes to charge \$25.00 per notice mailed which will be assessed specifically to the delinquent accounts that are causing the need for a tax sale and not to the general tax base.

BE IT RESOLVED by the Council of the Township of Cedar Grove that a fee of \$25.00 per notice be established and is hereby authorized and directed to be charged for each notice of tax sale that is sent in conjunction with the 2022 electronic tax sale.

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

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

10. 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 \$7,018,284.71.

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

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

11. CONTRACTS AND AGREEMENTS

- a) To consider resolution concerning award of contract for design service for the new Cedar Street Fire Prevention Building.

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

WHEREAS, The Township has a need for professional design services for the new Cedar Street Fire Prevention Building; and

WHEREAS, pursuant to advertising duly made for a fair and open contract in accordance with N.J.S.A. 19:44A-20.1 et. seq., proposals were received and publicly opened by the Township Clerk on March 31, 2022 as follows; and

<u>PROPOSER</u>	<u>AMOUNT</u>
Dassa-Haines Architectural Group	\$ 58,400.00
Nutley NJ	
IEI Group	\$59,000.00
Philadelphia PA	
Settembrino Architects	\$69,500.00
Atlantic Highlands NJ	
Netta Architects	\$82,500.00
Mountainside NJ	
RSC Architects	\$152,000.00
Hackensack NJ	

WHEREAS, the Municipal Engineer has recommended that a contract for the above referenced professional services be awarded to Dassa-Haines Architectural Group LLC; and

WHEREAS, funds are now available for this purpose in 2022 Municipal Budget Appropriation – American Rescue Plan - #01-2022-0001-1212-2-98885.

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

1. The Township Manager is hereby authorized and directed to execute an agreement with Dassa-Haines Architectural Group LLC of Nutley, NJ, for an amount not to exceed \$58,400.00 in accordance with the proposal dated March 31, 2022; and
2. This agreement is awarded as a “Professional Service” in accordance with N.J.S.A. 40A:11-5(1)(a) of the Local Public Contracts Law because of the technical nature of the professional services required for this project; and
3. A notice of this agreement shall be published in the Verona-Cedar Grove Times as required by law.

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

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

- b) To consider resolution authorizing renewal and execution of contract for Township Affordable Housing Administrative Agent.

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

BE IT RESOLVED, by the Township Council of the Township of Cedar Grove, Essex County, New Jersey that the Township Manager is hereby authorized and directed to renew and execute the agreement with Community Grants, Planning and Housing LLC of Cranbury, NJ to serve as the Township’s Affordable Housing Administrative Agent.

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

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

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

Kate Hartwyk, Essex County Liaison – Ms. Hartwyk congratulated Clerk Stutz on her retirement and wished her much success and happiness. Ms. Hartwyk announced the annual Essex Remembrance was scheduled for September 11, 2022 at 8 AM at Eagle Rock Reservation near the September 11th Memorial. Ms. Hartwyk explained the event would also be live-streamed from the County website. Ms. Hartwyk announced Turtle Back Zoo would continue its extended hours for Wednesday and Thursdays until the end of the month. Ms. Hartwyk announced the last “Under the Stars” movie was scheduled for Wednesday, August 17, 2022 at the Recreation Complex.

Felix Luisi, 46 Buena Vista Rd. – Mr. Luisi asked the status of the formation of the Cedar Grove/Verona Flood Advisory Board. Deputy Mayor Zichelli advised that Cedar Grove was waiting for Verona to adopt its counterpart to Cedar Grove’s resolution. Mr. Luisi asked if there would be citizen participation on the Board. Mayor Maceri advised it had been discussed. Mayor Maceri indicated the meetings would also be open to the public. Mayor Maceri explained once the resolution was passed, committee members would be determined and meeting dates would be scheduled and published. Mayor Maceri advised the public would be updated on the process. Mr. Luisi asked if there were other open stormwater grants for the public or any other assistance available to property owners. Mayor Maceri advised there were two grants appropriated in the capital budget; one for Peckman River which impacted everyone on Little Falls Road and anyone else affected by the Peckman and an allocation of \$25,000 for property owners with flooding issues. Mayor Maceri advised there were no other appropriations set aside for flooding as of this budget.

Pat Clough, 143 Little Falls Rd. – Mr. Clough suggested run-off from the Montclair Golf Course be directed to one of the lakes in Verona Park. Mr. Clough asked that the topic be broached with Verona after the formation of the Flood Advisory Board.

Michael Kraynanski, 32 Old Orchard Ct. – Mr. Kraynanski congratulated Clerk Stutz on her retirement. Mr. Kraynanski asked for additional information for executive sessions regarding personnel matters. Commented on the Township’s GovPilot purchase and questioned the Township’s business connection with the Mercury Group. Attorney Nabbie asked Mr. Kraynanski if he received documentation responsive to his OPRA request. Mr. Kraynanski responded affirmatively. Mr. Kraynanski also referred to alleged remarks made by Councilman Tanella during a council meeting and requested Councilman Tanella’s resignation. Mr. Kraynanski asked about the alleged conflict of interest regarding the 36 Cliffside Drive redevelopment. Mayor Maceri disagreed with many of the remarks made by Mr. Kraynanski especially his interpretation of alleged remarks made by Councilman Tanella.

Frank Sekulick, 120 Anderson Pkwy. – Mr. Sekulick commented on the condition of the road. Acting Manager responded the Anderson Parkway Reconstruction Project was in design for Spring 2023. Acting Manager explained the Project was part of an NJDOT grant and reconstruction consisted of more than milling and paving. Mr. Sekulick also congratulated Clerk Stutz on her retirement.

Acting Manager reported the Reconstruction Project would be a full major improvement.

Michele Mega, 41 Essex Rd. – Ms. Mega congratulated Clerk Stutz on her retirement.

Robert O'Toole, 3 Old Orchard Ct. – Mr. O'Toole congratulated Clerk Stutz on her retirement. He voiced his disapproval of the executive session held in the beginning of the meeting. Mayor Maceri responded there were certain circumstances when it was appropriate and needed to have an executive session at the beginning at the meeting and that was what happened.

There being no one else present wishing to be heard Mayor Maceri closed this portion of the meeting.

13. EXECUTIVE SESSION

Mayor Maceri requested an Executive Session to discuss personnel matters, pending litigation, prospective litigation and contract negotiation.

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 August 15, 2022.
2. The general nature of the subject matters to be discussed are personnel matters, pending litigation, prospective 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.

Deputy Mayor Zichelli moved adoption of the resolution, seconded by Councilwoman Peterson and passed by unanimous vote.

Council went into Executive Session at 7:53 PM and returned at 8:24 PM.

14. ADJOURNMENT

Deputy Mayor Zichelli moved adjournment of the public council meeting, seconded by Councilwoman Peterson, and passed by the following vote:

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

ABSENT: Councilman Tanella

The meeting adjourned at 8:28 PM.

JOSEPH MACERI MAYOR

ATTEST:

DALE A. FORDE DEPUTY MUNICIPAL CLERK