

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

**COUNCIL STAFF MEETING**

**MINUTES**

**SEPTEMBER 26, 2022**

**1. ROLL CALL – OPEN PUBLIC MEETING STATEMENT BY MAYOR**

Mayor Maceri called the meeting to order at 7:00 p.m. and 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, filed with the Township Clerk, and posted on the public bulletin board in the Municipal Building's lobby in accordance with the Open Public Meetings Act.

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

Also Present: Acting Township Manager Palumbo, Township Attorney Nabbie, Deputy Township Clerk Forde

**2. TOWNSHIP MANAGER** – The Manager reported the Blasi Field Groundbreaking Ceremony for Blasi Field was scheduled for October 7, 2022 at 11AM. He explained a clarification was to the lease agreement that the field shall be set for 50/70 play.

Mayor Maceri explained to the audience that the County was upgrading the field which would be utilized by the little league, softball and baseball teams.

Deputy Mayor Zichelli indicated the lease would be extended for thirty years. He asked if the Township had to set the schedule January 1<sup>st</sup> to get priority with the County. Township Attorney Nabbie responded affirmatively. She explained the bulk of #4 of existing lease came into play and those days would be blocked out. She explained under the agreement, the County would be responsible for maintenance.

Councilman Tanella said the resident did not understand that Cedar Grove could have lost the field. Attorney Nabbie explained her office and the County Counsel worked well together.

The Manager reported the mobile DMV was scheduled to be in Community Park on Saturday, October 1, 2022 from 10AM to 2PM to address all DMV matters. He announced the Christmas Tree Lighting was scheduled for December 2, 2022.

Councilman Tanella asked if the logistics could be better worked out. He explained the tree was far from where participants were standing.

Deputy Mayor Zichelli recommended the music be placed near the tree resulting in participants moving towards the tree.

The Manager requested an executive session to discuss potential litigation.

3. **TOWNSHIP ATTORNEY** – No report. The Attorney requested an executive session to discuss potential litigation.
4. **TOWNSHIP CLERK** – The Deputy Clerk reported an RSVP was required to attend the Groundbreaking Ceremony and she would submit the names of those wishing to attend. She reported her Office would remain open for late night voter registration on October 18, 2022 from 4:30 PM to 9:00 PM.

Mayor Maceri, Deputy Mayor Zichelli and Councilwoman Skabich submitted their RSVP. Council Members Peterson and Tanella indicated they were unable to attend.

## 5. COUNCIL REPORTS

Councilman Tanella – No Report.

Councilwoman Peterson reported that pre-COVID, water-color painting classes were taught at the Library by Jean Clover. She explained the Library was currently hosting weekly drop-in classes and asked that spaces be reserved for Cedar Grove residents only due to the cost. She acknowledged Library Director Catherine Wolverton and Ms. Barringer for providing classes. She reported the Municipal Alliance will host a Pumpkin Carving Contest on October 14, 2022 at 5:30 PM. She indicated children could bring their pre-carved pumpkins to Morgan's Farm and they will be judged for Most-Scariest and Most-Creative. She explained the movie would begin at 6:30 PM.

Councilwoman Skabich announced that TapInto Verona Cedar Grove highlighted five residents who received awards during the Essex County Senior Citizen Juried Art Show; Jane Ballinger, Bill Oswald, Marie Matazzaro, Richard Hanifah and John Sheiver. She asked if their artwork could be displayed at the Library. Members of Council had no objection to the artwork being displayed.

Deputy Mayor Zichelli announced the Cedar Grove Historical Society would continue to host the Annual Pumpkin and Apple Sale on October 1<sup>st</sup> and October 2<sup>nd</sup>, but cancelled the October 8<sup>th</sup> and October 9<sup>th</sup> dates. He asked that the bathrooms be lowered for the weekend.

Councilman Tanella said a Meet and Greet was being scheduled with the Senior Citizen Committee.

Mayor Maceri - No Report.

## 6. NEW BUSINESS

- a) To consider resolution concerning approval of raffle applications – Links North Jersey.

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**

Links North Jersey Chapter  
645 Eagle Rock Ave.  
West Orange NJ 07052

**EVENTS, DATES TIMES & PLACE**

On-Premise 50/50 Raffle to be held  
November 5, 2022 at 12:00 p.m. – 6:00 p.m. at  
691 Pompton Ave., 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, Tanella, Deputy Mayor Zichelli, Mayor Maceri  
NO: None

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

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

**WHEREAS**, applications for raffle licenses have been received from:

**APPLICANTS**

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

**EVENTS, DATES TIMES & PLACE**

Off-Premise Merchandise Raffle to be held  
January 29, 2023 at 6:00 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.

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

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

NO: None

- c) To consider resolution concerning award of contract for professional services for the Phase 1 Environmental Assessment of 970 Pompton Avenue to PetroScience, Inc.

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, STATE OF NEW JERSEY AWARDDING A CONTRACT TO PETROSCIENCE, INC. TO PERFORM A FULL PHASE 1 ENVIRONMENTAL SITE ASSESSMENT FOR THE VETERANS OF FOREIGN WARS (“VFW”) POST 6255 PROPERTY LOCATED AT 970 POMPTON AVENUE**

**WHEREAS**, the Township of Cedar Grove has entered into a contract to acquire 970 Pompton Avenue, Cedar Grove, New Jersey; and

**WHEREAS**, there is a need for the Township Council of the Township of Cedar Grove (“Township”) to enter into an agreement for the completion of a full Phase 1 Environmental Site Assessment for the Veterans of Foreign Wars (“VFW”) Post 6255 Property located at 970 Pompton Avenue and identified as Block 310, Lot 149 on the Tax Map of the Township of Cedar Grove (the “Services”) as part of its due diligence in connection with the aforementioned contract; and

**WHEREAS**, PetroScience, Inc. submitted a proposal, dated September 7, 2022, outlining its proposed provision of the Services which shall be provided for the total cost of \$2,900.00; and

**WHEREAS**, pursuant to N.J.S.A. 40A:11-3, a contract which does not exceed in a contract year the total sum of \$17,500 may be awarded by a municipality without public advertising for bids; and

**WHEREAS**, the Township Council desires to retain PetroScience, Inc. for the provision of the Services as set forth in its proposal; and

**WHEREAS**, the award of a contract for the provision of the Services is in the best interests of the Township and the implementation of this contract is necessary for its efficient operations;

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

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

**Section 2.** The Township Manager or Mayor, as necessary, is authorized to execute any and all documents necessary to retain PetroScience, Inc. for the provision of the Services, consistent with the proposal provided by PetroScience, Inc. dated September 7, 2022.

**Section 3.** This Resolution shall take effect immediately.

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

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

- d) To consider resolution waiving license fees for the Cedar Grove Historical Society.

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

**WHEREAS**, the Cedar Grove Historical Society hosts its Annual Pumpkin and Apple Sale at Morgan's Farm Stand and Museum.

**NOW, THEREFORE, BE IT RESOLVED** that the Township Council of the Township of Cedar Grove does hereby authorize the Acting Township Manager to waive vending license fees and sanction the sale of magazines, books and other merchandise at this year's event (October 1<sup>st</sup>, 2<sup>nd</sup>, 8<sup>th</sup> and 9<sup>th</sup>) with all proceeds returning to the Museum.

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

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

- e) To consider resolution concerning award of contract for professional services to provide a survey of 970 Pompton Avenue to Pronesti Surveying, Inc.

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, STATE OF NEW JERSEY AWARDED A CONTRACT TO PRONESTI SURVEYING, INC. TO PROVIDE A SURVEY FOR THE VETERANS OF FOREIGN WARS ("VFW") POST 6255 PROPERTY LOCATED AT 970 POMPTON AVENUE**

**WHEREAS**, the Township of Cedar Grove has entered into a contract to acquire 970 Pompton Avenue, Cedar Grove, New Jersey; and

**WHEREAS**, there is a need for the Township Council of the Township of Cedar Grove (“Township”) to enter into an agreement for the completion of a survey for the Veterans of Foreign Wars (“VFW”) Post 6255 Property located at 970 Pompton Avenue and identified as Block 310, Lot 149 on the Tax Map of the Township of Cedar Grove (the “Services”) as part of its due diligence in connection with the aforementioned contract; and

**WHEREAS**, Pronesti Surveying, Inc. submitted a proposal, dated September 13, 2022, outlining its proposed provision of the Services which shall be provided for the total cost of \$4,000.00; and

**WHEREAS**, pursuant to N.J.S.A. 40A:11-3, a contract which does not exceed in a contract year the total sum of \$17,500 may be awarded by a municipality without public advertising for bids; and

**WHEREAS**, the Township Council desires to retain Pronesti Surveying, Inc. for the provision of the Services as set forth in its proposal; and

**WHEREAS**, the award of a contract for the provision of the Services is in the best interests of the Township and the implementation of this contract is necessary for its efficient operations;

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

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

**Section 2.** The Township Manager or Mayor, as necessary, is authorized to execute any and all documents necessary to retain Pronesti Surveying, Inc. for the provision of the Services, consistent with the proposal provided by Pronesti Surveying, Inc. dated September 13, 2022.

**Section 3.** This Resolution shall take effect immediately.

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

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

NO: None

- f) To consider resolution authorizing execution of an amendment to the lease regarding certain property in the Township owned by the County of Essex.

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, STATE OF NEW JERSEY AUTHORIZING EXECUTION OF AN AMENDMENT TO THE LEASE REGARDING CERTAIN PROPERTY IN THE TOWNSHIP OWNED BY THE COUNTY OF ESSEX**

**WHEREAS**, the Township of Cedar Grove entered into a Lease with the County of Essex on July 22, 2004 in which the Township Leased four (4) parcels of land, namely parts of Lot 1, Block 110; Lot 1, Block 62; Lot 1, Block 101; and Lot 3, Block 100 as identified on the Tax Map of the Township of Cedar Grove and more specifically described in the survey prepared by Stewart Associates, Inc. and attached hereto as Exhibit A (“the Property”); and

**WHEREAS**, the term of the Lease was for five (5) years ending on July 21, 2009 along with three (3) additional renewal periods of five (5) years each of which have been exercised by the Parties to the Lease thereby setting the termination date of the Lease as July 21, 2024; and

**WHEREAS**, the Township and the County of Essex have agreed that it is in the best interests of both parties to modify the Lease by mutual agreement effective September 1, 2022 to facilitate the demolition and reconstruction of the recreation facilities on the Property by the County in exchange for which the County of Essex will enter into a written amendment to the Lease with the Township to permit the Township to utilize the reconstructed recreation facilities on the Property which is to be prepared by Counsel for the County of Essex and which will incorporate, without limitation, the following terms:

- The Township shall provide a schedule of all Township events on the Property to the Essex County Department of Parks, Recreation and Cultural Affairs on or before January 1<sup>st</sup> of each year;
- The County of Essex shall be responsible for the maintenance of the field, roadway

**WHEREAS**, the Township Council has determined that it is in the best interests of the Township enter into an agreement with the County of Essex as described herein; and

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

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

**Section 2.** The Township Manager or Mayor, as necessary, is authorized to execute any and all documents necessary to effectuate the termination of the Lease of the Property from the County of Essex effective September 1, 2022; and

**Section 3.** The Township Manager or Mayor, as necessary, is authorized to execute any and all documents necessary to memorialize the agreement with the County of Essex, in a form acceptable to the Township, regarding the Township’s use of the Property as set forth herein; and

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

Mayor Maceri opened the floor for public discussion:

1. Michele Mega, 41 Essex St. asked for confirmation that County agreed to 50/70 play. Mayor Maceri responded the clarification was in the lease agreement. He indicated that the Township of Cedar Grove would submit the dates that the field were to be utilized to the County in January, 2023.

Ms. Mega indicated the teams would not have the exact numbers for submission to the County at that time.

Councilman Tanella suggested that the clarification stipulate that Cedar Grove had priority over other events.

Councilwoman Peterson indicated the baseball schedules were not solidified until or around January 1<sup>st</sup>. She explained the schedule may need to be amended. She explained the field is used seven days a week.

Members of Council discussed sending a blanket schedule

The Township Attorney explained once the Township submitted its schedule in January, it would get priority over other events.

Ms. Mega asked if teams would have to come to games with a portable mound. The Acting Township Manager responded he awaited a set of plans from the County.

Deputy Mayor Zichelli responded the onus to maintain the field was on the County, so they would have to provide the mound.

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

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

NO: None

- g) To consider resolution authorizing execution of temporary construction access easements for the new North End Firehouse Project.

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 AUTHORIZING THE EXECUTION OF A TEMPORARY ACCESS AND CONSTRUCTION EASEMENT AGREEMENTS NECESSARY FOR THE CONSTRUCTION OF THE NEW NORTH END FIREHOUSE**



**WHEREAS**, the Township has requested permission to enter and pass across certain properties in the Township with personnel, equipment and materials for the temporary storage of material and equipment on the Premises for the construction of the new North End Firehouse; and

**WHEREAS**, the properties are identified as follows:

<b>Owner</b>	<b>Address</b>	<b>Block, Lot</b>
Adam Mustafa	178 East Lindsley Road	Block 360, Lot 70
Kurt Jansen	17 Marley Avenue	Block 360, Lot 72
Seeger Realty, LLC	181 Stevens Avenue	Block 360, Lot 2
Michelle Carlone	185 Stevens Avenue	Block 360, Lot 4

**WHEREAS**, the Township of Cedar Grove desires to enter into Temporary Access and Construction Easement Agreements with the owners of the above referenced properties setting forth the terms and conditions related to the Township's access to and use of such properties; and

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

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

**Section 2.** The Township Manager or Mayor, as necessary, is authorized to execute the Temporary Access and Construction Easement Agreements, in forms acceptable to the Township, as described herein.

**Section 3.** This Resolution shall take effect immediately.

Deputy Mayor Zichelli asked the next step before construction of the fire house. The Acting Township Manager responded the Township would go out to bid in the winter and start up in the Spring of 2023.

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

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

## 7. PUBLIC COMMENT

Mayor Maceri opened this portion of the meeting to anyone wishing to be heard.

Sal Maneri, 23 Sweetwood Rd. congratulated Mayor Maceri on his succession as Mayor and keeping the meetings under control. He congratulated the Deputy Township Clerk on her appointment. He explained that the Township Manager Tucci recommended he contact PSE&G regarding placing hardware on poles. He explained that he used the flush-mounted gravity hole system that puts holes in its natural state. He indicated PSE&G commended the Township for suggesting that resident contact them directly with questions/concerns.

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

#### AUTHORIZATION TO GO INTO EXECUTIVE SESSION

WHEREAS, Section 8 of the Open Public Meetings' Act (N.J.S.A.10:4-12 (b) (1-9) permits the exclusion of the public from a Meeting of the Mayor and Council in certain circumstances; and

WHEREAS, the Mayor and Council of the Township of Cedar Grove are of the opinion that such circumstances exist.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Township of Cedar Grove, County of Essex, State of New Jersey that:

1. The public shall be excluded from discussion of any action in the Executive Session of the Meeting of the Mayor and Council of September 26, 2022.
2. The general nature of the subject matters to be discussed are potential 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 unanimously by voice vote.

#### **8. ADJOURNMENT**

There being nothing further to discuss, the staff council meeting adjourned at 7:31 p.m. by acclaim.