

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

PUBLIC MEETING

MINUTES

FEBRUARY 6, 2023

1. ROLL CALL, INVOCATION AND FLAG SALUTE

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

Present: Councilmember Peterson, Skabich, Tanella, Mayor Maceri

Also Present: Township Manager Zichelli, Township Attorney Nabbie, Township Clerk Forde

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 22, 2022, filed with the Township Clerk, and posted on the public bulletin board in the Municipal Building Lobby in accordance with the Open Public Meeting Act.

2. EXTRAORDINARY BUSINESS OF THE TOWNSHIP COUNCIL

a) Discussion of Council Vacancy.

Mayor Maceri advised the public that according to N.J.S.A. 40A:16-4 Municipal Vacancy Law, the vacancy created by Deputy Mayor Zichelli's resignation would be filled at the Municipal Election on May 9th. He reported the Council has the authority to fill the vacancy until the May election by appointment within 30 days of said vacancy. He reported notices requesting volunteers to fill the vacancy temporarily were published in an official newspaper and posted on the website. He reported the Council received letters of interest and/or resumes, held interviews and made a decision.

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

WHEREAS, on January 17, 2023, Deputy Mayor Zichelli submitted a letter of resignation from his elected office on the Township of Cedar Grove Township Council (the "Council"), effective January 17, 2023; and

WHEREAS, pursuant to the Municipal Vacancy Law, the remaining members of the Council may appoint a successor to fill the vacancy within 30 days of the effective date thereof; and

WHEREAS, the Council wishes to appoint someone to fill the vacancy until a successor is elected at the next regular municipal election to serve the remainder of the unexpired term; and

WHEREAS, the Council interviewed residents who had submitted letters of interest in the temporary vacancy.

NOW, THEREFORE, BE IT RESOLVED that the Township Council of the Township of Cedar Grove, County of Essex, State of New Jersey, hereby finds John A. Zazzali, Esq. to be qualified to serve as a member of the Council and hereby appoints John A. Zazzali, Esq. to serve as a Councilperson effective immediately until the election of a successor to fill the remainder of the unexpired term; and

BE IT FURTHER RESOLVED that this Resolution shall take effect pursuant to law.

Deputy Mayor Peterson moved to appoint John A. Zazzali to fill the vacancy effective immediately, seconded by Councilwoman Skabich, and passed by the following vote:

Mayor Maceri reported John Zazzali was an attorney with an office in Nutley. He reported Mr. Zazzali resided in Cedar Grove since 2004 and served on the Planning Board since 2010; currently as the Chairman. He reported that Mr. Zazzali and his wife had four children.

AYE: Councilmember Skabich, Deputy Mayor Peterson, Mayor Maceri

NO: None

ABSTAIN: Councilman Tanella

b) Ceremonial Administration of Oath to Councilman John A. Zazzali.

Mayor Maceri said he would move the Ceremonial Administration of the Oath to Councilman Zazzali to later in the Meeting, after Item 10 Approval of Bills, to allow him the opportunity to contact his family.

Mayor Maceri explained the Township Council was comprised of volunteers. He explained there were some interested residents who put their names in and took a chance. He shared that the Council appreciated these qualified individuals who applied for the position. He shared that all three individuals indicated they were interested in other vacancies. He shared these people were exactly what was needed in Cedar Grove.

c) Ceremonial Administration of Oath to Deputy Mayor Kerry Peterson.

Township Manager Zichelli administered the Oath of Office to Deputy Mayor Peterson. Deputy Mayor Peterson thanked her family, friends and the audience for being present. She expressed her gratitude toward the Council for appointing her for a second term as Deputy Mayor. She shared that she looked forward to working with Township Manager Zichelli in his new role. She thanked the residents and shared she served them with all of their best interests in her heart.

Mayor Maceri said he had an interesting year as Mayor. He explained he had a new Township Manager, Township Clerk and Chief Financial Officer and now he was the first Mayor to have two Deputy Mayors serve. He explained he looked forward to working with Township Manager Zichelli. He congratulated and commended Deputy Mayor Peterson on her passion for the Town. He shared he looked forward to the opportunity to have her as Deputy Mayor.

3. APPROVAL OF MINUTES

- a) To consider approval of minutes of regular meeting of January 9, 2023.

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

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

4. PUBLIC HEARING

- a) To consider adoption of Pending Ordinance #23-903 – An Ordinance Amending Chapter 52 Of The Code Of The Township of Cedar Grove, Entitled “Personnel” In Order to Revise Official Holidays Observed By The Township Of Cedar Grove.

The Clerk read the ordinance by title only:

AN ORDINANCE AMENDING CHAPTER 52 OF THE CODE OF THE TOWNSHIP OF CEDAR GROVE, ENTITLED “PERSONNEL” IN ORDER TO REVISE OFFICIAL HOLIDAYS OBSERVED BY THE TOWNSHIP OF CEDAR GROVE

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

Deputy Mayor 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 Councilman Tanella and passed by the following vote:

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

- b) To consider adoption of Pending Ordinance #23-904 – Verona-Cedar Grove Joint Flood Control Advisory Board.

The Clerk read the ordinance by title only:

ESTABLISHING THE VERONA-CEDAR GROVE FLOOD CONTROL ADVISORY BOARD

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

- 1. Felix Luisi, 46 Buena Vista Rd.: Mr. Luisi said he monitored the Township website; however, he did not see an application for volunteers to the Verona-Cedar Grove Flood Control Advisory Board.

Mayor Maceri reported there were several vacancies on the Township’s boards and commissions that would be presented at the next public meeting. He explained if Ordinance #23 was adopted at the meeting, volunteers would be sought. Township Manager Zichelli reported the vacancies would be posted on the website and letters of interest should be forward to the Township Clerk.

Mayor Maceri requested Mr. Luisi provide the Clerk with his contact information if he were interested in being a Member on that Verona-Cedar Grove Flood Advisory Control Board.

Councilman Tanella 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 Deputy Mayor Peterson and passed by the following vote:

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

5. REJECTION OF BID

- a) To consider resolution rejecting bid for the Furnishing and Delivery of Stone Material.

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

WHEREAS pursuant to advertising duly made, a bid was received for furnishing and delivery of stone material, and was publicly opened and read by the Township Clerk on January 10, 2023 as follows:

<u>CONTRACTOR</u>	<u>AMOUNT</u>
George Cousins, Inc.	\$42.05 for CY ¾ Clean Stone Material
Cedar Grove, NJ	\$38.44 per CY Dense Graded Base Course Material
	\$1250/per hr. (per 8 hr. day) for Dump Truck Hauling)

WHEREAS, the bid submitted has been reviewed by the Township Manager, Township Attorney and Municipal Engineer; and

WHEREAS, Township Attorney found that the bid submitted has approximately five deficiencies; one of which is fatal based on statutory law and could not be rectified; and

BE IT RESOLVED by the Township Council of the Township of Cedar Grove that it does hereby reject the sole bid received on January 10, 2023 for the furnishing and delivery of stone material.

Township Manager Zichelli reported when a person bids for public contracts, there are certain elements required as part of the bid. is submitted, there were certain documents that were required that are deemed material and non-waivable. He explained the bid was missing a material defect which automatically required the Township to rebid.

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

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

6. 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.

7. REPORTS OF TOWNSHIP OFFICIALS

- a) Township Manager – The Township Manager reported there were two recommendations from the Recreation Department; to continue with CSW Catering which was a contract the Township entered into last year with an option to renew this year. The Township Manager reported the other recommendation was in regard to pool rates. He reported rates for residents would not increase; however, there would be an increase for non-residents. He reported the Council could make a decision at this meeting or the Staff Meeting.

Councilman Tanella explained he was in favor of both of the recommendations.

The Township Manager reported the first round of budget presentations were held last week and he anticipated the revenues from the budget would be received later this month. He reported he would return to the Council in March to strike a tax rate that would marry the appropriations to the revenues. The Township Manager reported he provided documentation regarding the Dead Tree Ordinance and the Nursing Home Ordinance in the packet. He recommended those Ordinances be discussed at the next Staff Meeting. The Township Manager reported he was honored to sit as the Township Manager. He reported it was his first meeting as Manager and he looked forward to sitting in that seat for the next 30 years.

- b) Township Clerk – The Township Clerk reported the Governor signed legislation requiring owners of businesses and rental units to annually register their certificate of liability insurance within the local municipality. She reported landlords and business owners were required to maintain a minimum of \$500,000 in liability insurance for combined property damage and bodily injury or death that may occur at their properties. She reported owner-occupied four-family or smaller rental properties were required to carry a minimum of \$300,000. She reported the Township was allowed to charge administrative fees to maintain those annual certificates. She stated if it pleased the governing body, she recommended not to charge fees for this service.

Mayor Maceri asked if charging of fees was a new law. The Township Clerk responded affirmatively and explained the law was adopted in August 2022 and went into effect in November 2022.

Mayor Maceri reported his position was not to charge business owners. He reported the Township was working hard to promote business in town. He reported the Township did not charge before and he was in favor of not charging businesses. The Members of Council concurred with his sentiments.

c) Township Attorney – No Report.

d) Other Reports

Councilwoman Skabich – No report. Councilwoman Skabich welcomed Township Manager Zichelli to his first meeting. She shared it was a pleasure serving with him on Council and she looked forward to what was to come in his new role. Councilwoman Skabich congratulated Deputy Mayor Peterson. She shared that she met Deputy Mayor Peterson when she served as Mayor and actually inspired her to sit on the dais.

Councilman Tanella – No Report. Councilman Tanella welcomed Mr. Zichelli in his official role as township manager. He shared that the Township Manager would do a great job and he hoped for everybody in town, that the Township Manager sat here for the next 30 years. He congratulated Mr. Zichelli in his new role. Councilman Tanella congratulated the Deputy Mayor. He said she did a great job in that role before and she would do so again. He thanked her for her service. Councilman Tanella congratulated Mr. Zazzali on his appointment on Council. He reported he had the pleasure of serving with Mr. Zazzali on the Planning Board when he served as the Chairman. He said Mr. Zazzali would do an excellent job as the newest member of Council and looked forward to working with him.

Deputy Mayor Peterson – No report. Deputy Mayor Peterson welcomed Mr. Zichelli in his new role. She shared there were not a lot of decisions in her life where she felt complete confident, but she felt 100% confident that the Council made the right decision in appointing Mr. Zichelli as Township Manager. She shared she looked forward to working with him in his new role.

Mayor Maceri – No Report. Mayor Maceri formally congratulated and welcomed Township Manager Zichelli. He reported this was his fourth week implementing “Meeting with the Mayor” where he had the opportunity to meet with and listen to the concerns of residents. He shared it was a well-attended service that the Township provided. He encouraged everyone to take advantage of it. He reported that residents offered great ideas and contributions were made. Mayor Maceri concurred with his colleagues regarding Mr. Zichelli being the right choice as Township Manager. Mayor Maceri congratulated John Zazzali. He reported he sat with Mr. Zazzali on the Planning Board and got to see his leadership as a Chairperson. He explained John would do well as a Councilman and the Council looked forward to working with him. Mayor Maceri announced the reappointment of Damian Laljie to the Library Board of Trustees for a five-year term. He explained it was a mayoral appointment, but he wanted the Council and audience to be apprised.

8. CONSENT AGENDA

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

EVENTS, DATES TIMES & PLACE

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

On-Premise 50/50 Raffle to be held
March 11, 2023 at 7:00 – 9:00 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.

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

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

- b) To consider resolution concerning approval of raffle application – ARC of Essex County.

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

ARC of Essex County
123 Naylor Ave.
Livingston NJ 07039

On-Premise 50/50 Raffle to be held
June 15, 2023 at 6:00 – 11:00 p.m. at The Grove
691 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.

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

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

- c) To consider resolution concerning approval of raffle application – Wayne Council of PTOs

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

Wayne Council of PTOs
50 Nellis Drive
Wayne NJ 07470

Off-Premise 50/50 Raffle to be held
March 1, 2023 at 9:30 p.m. at The Grove
691 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.

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

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

NO: None

- d) To consider resolution concerning approval of raffle application – Wayne Council of PTOs

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

Wayne Council of PTOs
50 Nellis Drive
Wayne NJ 07470

Basket Raffle to be held
March 1, 2023 at 5:00 – 10:00 p.m. at The Grove
651 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.

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

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

NO: None

- e) To consider resolution concerning approval of raffle application – Wayne Council of PTOs

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

Wayne Council of PTOs
50 Nellis Drive
Wayne NJ 07470

Basket Raffle to be held
March 15, 2023 at 5:00 – 10:00 p.m. at The Grove
651 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.

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

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

- f) To consider resolution concerning approval of raffle application – Wayne Council of PTOs

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

Wayne Council of PTOs
50 Nellis Drive
Wayne NJ 07470

On-Premise 50/50 Raffle to be held
March 15, 2023 from 5:30-10:00 p.m. at The Grove
691 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.

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

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

9. NEW BUSINESS

- a) To consider Pending Ordinance #23-905 Bond Ordinance Authorizing the Demolition of the Existing North End Fire House and Construction of a New Fire House In and For the Township of Cedar Grove, in the County of Essex, New Jersey, Appropriating \$3,500,000 Therefore and Authorizing the Issuance of \$3,325,000 Bonds or Notes to Finance Part of the Cost Thereof.

The ordinance was read by title only as follows:

BOND ORDINANCE AUTHORIZING THE DEMOLITION OF THE EXISTING NORTH END FIRE HOUSE AND CONSTRUCTION OF A NEW FIRE HOUSE IN AND FOR THE TOWNSHIP OF CEDAR GROVE, IN THE COUNTY OF ESSEX, NEW JERSEY, APPROPRIATING \$3,500,000 THEREFORE AND AUTHORIZING THE ISSUANCE OF \$3,325,000 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 \$3,500,000, such sum includes the sum of \$175,000 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 or 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 \$3,325,000 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 \$3,325,000 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>
Demolition of the Existing North End Fire House and Construction of a New Fire House, 170 East Lindsley Road, Block 360, Lot 71, including all work and materials necessary therefore and incidental thereto.	\$3,500,000	\$3,325,000	15 Years
TOTAL	\$3,500,000	\$3,325,000	

(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 \$3,325,000.

(c) The estimated cost of the Improvements is \$3,500,000 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 30 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 \$3,325,000 and the obligations authorized herein will be within all debt limitations prescribed by the Local Bond Law.

(d) An aggregate amount not exceeding \$50,000 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 \$3,325,000.

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 Tanella moved that the ordinance be passed on first reading, published in the Verona-Cedar Grove Times as a pending ordinance with a public hearing of February 6, 2023, seconded by Deputy Mayor Peterson, and passed by the following vote:

The Township Manager reported this was an exciting bond ordinance because it was for the reconstruction of the North End Fire House. He reported it would be a new two-bay firehouse. He reported he met with Fire Chief Grasso and Members last week and they were very excited. The Township Manager reported he anticipated work beginning mid-June and wanted it completed as soon as possible. He reported upon completion, the Township would assume ownership of the building.

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

NO: None

- b) To consider Pending Ordinance #23-906 – Ordinance to Exceed the Municipal Budget Appropriation Limits and Establish a CAP Bank.

The ordinance was read by title only as follows:

**ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION
LIMITS AND TO ESTABLISH A CAP BANK
(N.J.S.A. 40A: 4-45.14)**

WHEREAS, the Local Government Cap Law, N.J.S.A. 40A: 4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget up to 2.5% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and

WHEREAS, N.J.S.A. 40A:4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and

WHEREAS, the Township Council of the Township of Cedar Grove in the County of Essex finds it advisable and necessary to increase its CY 2022 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and

WHEREAS, the Township Council hereby determines that a 3.5% increase in the budget for said year, amounting to \$143,032.96 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and

WHEREAS, the Township Council hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

NOW THEREFORE BE IT ORDAINED, by the Township Council of the Township of Cedar Grove, in the County of Essex, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2023 budget year, the final appropriations of the Township of Cedar Grove shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 3.5%, amounting to \$143,032.96, and that the CY 2023 municipal budget for the Township of Cedar Grove be approved and adopted in accordance with this ordinance; and

BE IT FURTHER ORDAINED, that any that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and

BE IT FURTHER ORDAINED, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and

BE IT FURTHER ORDAINED, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

Councilwoman Skabich moved that the ordinance be passed on first reading, published in the Verona-Cedar Grove Times as a pending ordinance with a public hearing of February 6, 2023, seconded by Deputy Mayor Peterson, and passed by the following vote:

The Township Manager reported the Division of Local Government Services allowed the Municipality was allowed to exceed its appropriation cap and bank the difference for up to three years. He reported establishing a cap bank was like a savings account and the Township would be able to tap into that bank should an unforeseen occurrence arise.

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

- c) To consider resolution amending the Official 2023 Official Holidays.

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 the Township of Cedar Grove, Essex County, New Jersey, that the following official holidays shall be observed by the Township of Cedar Grove for the year 2023.

2023 HOLIDAY SCHEDULE

January 2	Monday	New Year’s Day
January 16	Monday	Martin Luther King Day
February 20	Monday	President’s Day
April 7	Friday	Good Friday
May 29	Monday	Memorial Day
June 19	Monday	Juneteenth*
July 4	Tuesday	Independence Day
September 4	Monday	Labor Day
October 9	Monday	Columbus Day
November 10	Friday	Veteran’s Day
November 23	Thursday	Thanksgiving Day
November 24	Friday	Thanksgiving
December 25	Monday	Christmas Day

*Added to list of Official Holidays

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

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

- d) To consider resolution concerning 2022 LOSAP for Ambulance and Rescue Squad volunteers.

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:14-191, the Cedar Grove Ambulance & Rescue Squad have certified to the Township of Cedar Grove a list of all volunteer members who have qualified for credit under the LOSAP program for the year 2022; and

WHEREAS, pursuant to N.J.A.C. 5:30-14.10 (b), the Township of Cedar Grove has reviewed and accepted the attached certified lists of the Cedar Grove Ambulance & Rescue Squad; and

WHEREAS, pursuant to N.J.A.C. 5:30-14.10 (c), the Township of Cedar Grove shall return the certified list to the Cedar Grove Ambulance & Rescue Squad for posting to allow for sufficient time for membership review.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township Cedar Grove that the attached certified lists herein of the Cedar Grove Ambulance & Rescue Squad are hereby accepted and returned to the respective emergency service organization for posting to allow sufficient time for membership review.

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

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

- e) To consider amended resolution concerning DPW Salaries.

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

WHEREAS, The Township Council of the Township of Cedar Grove did adopt Ordinance #20-855, fixing salary grades and ranges, wages and fees of certain employees within the Department of Public Works of the Township of Cedar Grove; and

WHEREAS, said ordinance provides that the Township Council shall, by resolution, fix the salary of each employee within the salary ranges as set forth in Section One of the Salary Ordinance.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Cedar Grove that the salaries as hereinafter enumerated shall constitute the salaries for Fiscal Year 2023 for the employees covered under Section One of the Salary Ordinance, represented by the Township of Cedar Grove Employees' Association.

<u>EMPLOYEE</u>	<u>SALARY</u>	<u>GRADE</u>	<u>LONGEVITY</u>	<u>JOB TITLE</u>
John Fabrazzo	\$51,073.00	3	___	Maint. Worker
Jason Salvato	\$38,810.37	3	___	Maint. Worker
Tyler Cohen	\$38,810.37	3	___	Laborer
Frank Martorelli	\$49,310.40	6	___	Mechanic

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

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

NO: None

- f) To consider resolution authorizing acceptance of a donation from Park Ridge Estates Homeowners Association to the Police Department and Entry into a Hold Harmless Agreement with the Donor.

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

RESOLUTION AUTHORIZING ACCEPTANCE OF A DONATION FROM PARK RIDGE ESTATES HOMEOWNERS ASSOCIATION TO THE POLICE DEPARTMENT AND ENTRY INTO AN INDEMNIFICATION AND HOLD HARMLESS AGREEMENT WITH THE DONOR

WHEREAS, under N.J.S.A. 40A:5-29, any local unit is authorized and empowered to accept bequests, legacies and gifts made to it and is empowered to utilize such bequests, legacies and gifts in the manner set forth in the conditions of the bequest, legacy or gift, provided, however, that such bequest, legacy or gift shall not be put to any use which is inconsistent with the laws of this State and of the United States.

WHEREAS, the Park Ridge Estates Homeowners Association (“Park Ridge Estates”) has purchased a Rekor Camera (an automatic license plate reader) as a donation to the Cedar Grove Police Department, provided that the Township indemnify and hold the Association harmless; and

WHEREAS, the Township Manager recommends the Township of Cedar Grove provide the requested indemnification and that such indemnification be solely limited to the license plate reader and any actions arising from its use; and

WHEREAS, the Township Council has considered the offer made for the donation of the license plate reader and deems it in the best interests of the Township to accept same, subject to the limited indemnification to the donor, Park Ridge Estates.

WHEREAS, the Township Council of the Township of Cedar Grove acknowledges receipt of said donation and agrees to indemnify and hold harmless Park Ridge Estates Homeowner’s Association, as set forth herein and in any agreement to be executed between the Township and Association; and

NOW, THEREFORE, BE IT RESOLVED that the Township Council of the Township of Cedar Grove accepts the donation of the license plate reader, subject to the terms and conditions described herein.

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

The Township Manager reported the Police Department received a very generous donation from the Park Ridge Estates Homeowners Association. He reported the Association was purchasing the equipment and software for a license plate reader camera. He reported the Township would purchase a few of those as well as part of the capital projects for the year. He reported the

Association requested the Township hold it harmless and indemnify it for any use associated with the camera. He reported he drafted a letter and if the Council chose, he could execute it tomorrow.

Mayor Maceri asked how long it would take. The Township Manager responded he spoke with the Chief and all that was required was running power to the pole because there was already an existing power source there. He reported he anticipated it taking less than two weeks once the cameras arrived. He reported the camera would report back to the Township’s Police Department and neighboring Police Departments as well as being a good anti-theft tool.

AYE: Councilwoman Skabich, Deputy Mayor Peterson, Mayor Maceri
NO: None
ABSTAIN: Councilman Tanella

10A. 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 \$4,950,923.86.

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

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

10B. EXTRAORDINARY BUSINESS OF THE TOWNSHIP COUNCIL

Mayor Maceri administered the Oath of Office to Councilman John Zazzali.

Councilman Zazzali thanked the Mayor and Council for selecting him to serve on the Council. He shared there were a lot of great leaders before him and it was a big compliment to include him in the group. He shared he appreciated the Council’s confidence in him and the privilege and honor to serve the residents.

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

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.

12. ADJOURNMENT

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

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

NO: None

The meeting adjourned at 7:35 PM.

JOSEPH MACERI MAYOR

ATTEST:

DALE A. FORDE MUNICIPAL CLERK