

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

PUBLIC MEETING

MINUTES

APRIL 3, 2023

1. ROLL CALL, INVOCATION AND FLAG SALUTE

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

Present: Councilmember Peterson, Skabich, Tanella, Zazzali, Deputy Mayor Peterson,
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 Meetings Act.

2. APPROVAL OF MINUTES

- a) To consider approval of minutes of regular meeting of March 6, 2023.

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

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

3. PUBLIC HEARING

- a) To consider adoption of Pending Ordinance #23-907 An Ordinance Amending Chapter 97 of the Township of Cedar Grove regarding Bingo/Raffle Application Fees.

The ordinance was read by title only as follows:

**AN ORDINANCE AMENDING CHAPTER 97 OF THE CODE OF THE
TOWNSHIP OF CEDAR GROVE REGARDING BINGO/RAFFLE
APPLICATION FEES**

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, Zazzali, Deputy Mayor Peterson, Mayor Maceri
NO: None

4. 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.

5. REPORTS OF TOWNSHIP OFFICIALS

a) Township Manager – No Report. The Township Manager informed the Governing Body and public that the roof was being replaced at Town Hall and the side entrance closest to the Post Office would be closed on Tuesday and Wednesday. He reported residents could enter from the Bowden side or the front of Town Hall.

b) Township Clerk – No Report.

c) Township Attorney – No Report.

d) Other Reports

Councilwoman Skabich – No report.

Councilman Tanella – No Report.

Councilman Zazzali – No Report.

Deputy Mayor Peterson – Deputy Mayor Peterson reported the Library sought Membership for the new “Friends of the Library” which will be an independent group that would fundraise for the Library. She reported an interest meeting was scheduled for April 18th at 6:30 PM at the Cedar Grove Library. Deputy Mayor Peterson announced a Mother’s Day Plant Sale for Mother’s Day weekend at Morgan’s Farm. She said she would report back when plans were solidified.

Mayor Maceri – Mayor Maceri reported Cedar Grove UNICO was hosting an Easter Egg Hunt on Saturday, April 8, 2023 10AM at Community Park.

6. CONSENT AGENDA

a) To consider resolution re-appointing Michael Marchese to the Advisory Health Council.

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, County of Essex, New Jersey, that Michael Marchese be re-appointed as a member of the Advisory Health Council, effective January 1, 2023 and expiring December 31, 2025.

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

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

- b) To consider resolution concerning Student Member appointment to the Municipal Alliance Committee.

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, County of Essex, New Jersey, that Krish Patel be appointed as a Student Member to the Alliance for Substance Abuse Prevention Committee (aka Municipal Alliance Committee) effective immediately and expiring June 30, 2026.

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

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

- c) To consider resolution concerning approval of on-premise 50/50 raffle application – CGHS Association of Parents and Teachers.

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

CGHS Assoc. of Parents and Teachers
90 Rugby Road
Cedar Grove NJ 07009

On-Premise 50/50 Raffle to be held
June 1, 2023 from 5:30 p.m. to 8:30 p.m. at
CGHS Gym
90 Rugby Road, Cedar Grove NJ 07009

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

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

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

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

- d) To consider resolution concerning approval of on-premise 50/50 raffle application – CGHS Association of Parents and Teachers.

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

CGHS Assoc. of Parents and Teachers
90 Rugby Road
Cedar Grove NJ 07009

EVENTS, DATES TIMES & PLACE

On-Premise Merchandise Raffle to be held
June 1, 2023 from 5:30 p.m. to 8:30 p.m. at
CGHS Gym
90 Rugby Road, Cedar Grove NJ 07009

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

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

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

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

- e) To consider resolution concerning 2022 LOSAP for the Cedar Grove Volunteer Fire Department.

WHEREAS, pursuant to N.J.S.A. 40A:14-191, the Cedar Grove Fire Department has 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 list of the Cedar Grove Fire Department; 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 Fire Department 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 list herein of the Cedar Grove Fire Department is

hereby accepted and returned to the respective emergency service organization for posting to allow sufficient time for membership review.

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

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

7. NEW BUSINESS

- a) To consider introduction of Pending Bond Ordinance #23-908 Bond Ordinance Authorizing Various General Improvements In and For the Township of Cedar Grove, in the County of Essex, New Jersey Appropriating \$1,531,000 Therefore and Authorizing the Issuance of \$1,454,450 Bonds or Notes to Finance Part of the Cost Thereof.

The ordinance was read by title only as follows:

PENDING BOND ORDINANCE #23-908

BOND ORDINANCE AUTHORIZING VARIOUS GENERAL IMPROVEMENTS IN AND FOR THE TOWNSHIP OF CEDAR GROVE, IN THE COUNTY OF ESSEX, NEW JERSEY, APPROPRIATING \$1,531,000 THEREFORE AND AUTHORIZING THE ISSUANCE OF \$1,454,450 BONDS OR NOTES TO FINANCE PART OF THE COST THEREOF.

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

SECTION 1:

The improvement described in Section 3 of this Bond Ordinance (the "Improvement") is hereby authorized to be undertaken by the Township of Cedar Grove, in the County of Essex, New Jersey (the "Township") as a general improvement. For the said Improvement there is hereby appropriated the amount of \$1,531,000. Such sum includes the sum of \$76,550 as the down payment (the "Down Payment") required by the Local Bond Law of the State of New Jersey, constituting Chapter 2 of Title 40A of the New Jersey Statutes, as amended and supplemented (the "Local Bond Law"). The Down Payment is now available by virtue of provision in one or more previously adopted budgets for down payments for capital improvement purposes.

SECTION 2:

In order to finance the additional cost of the Improvements not covered by application of the Down Payment, negotiable bonds of the Township are hereby authorized to be issued in the principal amount of \$1,454,450 pursuant to the provisions of the Local Bond Law (the "Bonds"). In anticipation of the issuance of the Bonds and to temporarily finance said improvements or purposes, negotiable bond anticipation notes of the Township are hereby authorized to be issued in the principal amount not exceeding \$1,454,450 pursuant to the provisions of the Local Bond Law (the "Bond Anticipation Notes" or "Notes").

SECTION 3:

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

<u>Improvements</u>	<u>Appropriation and Estimated Cost</u>	<u>Estimated Maximum Amount of Bonds or Notes</u>	<u>Period of Usefulness</u>
1) Curb and Side-walk Replacement program, including all costs, improvements, equipment and/or appurtenances necessary therefore and/or related thereto.	12,000	11,400	10 Years
2) Road Overlay Program, including all costs, improvements, equipment and/or appurtenances necessary therefore and/or related thereto.	220,000	209,000	10 Years
3) Tree Replanting Program, including all costs, improvements, equipment and/or appurtenances necessary therefore and/or related thereto.	40,000	38,000	5 Years
4) Acquisition of a Leaf Claw for the Department of Public Works, including all costs, improvements, equipment and/or appurtenances necessary therefore and/or related thereto.	18,000	17,100	5 Years
5) Acquisition of Ride on Mower for the Department of Public Works, including all costs, improvements, equipment and/or appurtenances necessary therefore and/or related thereto.	16,000	15,200	5 Years
6) Acquisition of a Fuel Tank Monitor System for the Department of Public Works, including all costs, improvements, equipment and/or appurtenances necessary therefore and/or related thereto.	15,500	14,725	15 Years
7) Brunswick Road Reconstruction, including all costs, improvements, equipment and/or appurtenances necessary therefore and/or related thereto.	320,000	304,000	20 Years
8) Brunswick Road Roadway Design, including all costs, improvements, equipment and/or appurtenances necessary therefore and/or related thereto.	20,000	19,000	20 Years

<u>Improvements</u>	<u>Appropriation and Estimated Cost</u>	<u>Estimated Maximum Amount of Bonds or Notes</u>	<u>Period of Usefulness</u>
9) Peckman River Improvements, including all costs, improvements, equipment and/or appurtenances necessary therefore and/or related thereto.	50,000	47,500	15 Years
10) Morgan Farm Cemetery Renovations, including all costs, improvements, equipment and/or appurtenances necessary therefore and/or related thereto.	7,500	7,125	15 Years
11) Morgan Farm Community Garden Improvements, including all costs, improvements, equipment and/or appurtenances necessary therefore and/or related thereto.	20,000	19,000	15 Years
12) Acquisition of a Police Vehicle Camera System, including all costs, improvements, equipment and/or appurtenances necessary therefore and/or related thereto.	210,000	199,500	5 Years
13) Mobile Data Computer Replacement for the Police Department, including all costs, improvements, equipment and/or appurtenances necessary therefore and/or related thereto.	70,000	66,500	5 Years
14) Acquisition of a Police Department License Plate Reader Camera, including all costs, improvements, equipment and/or appurtenances necessary therefore and/or related thereto.	65,000	61,750	5 Years
15) Police Department Office Renovations, including all costs, improvements, equipment and/or appurtenances necessary therefore and/or related thereto.	15,000	14,250	15 Years
16) Acquisition of Police Conversion equipment, including all costs, improvements, equipment and/or appurtenances necessary therefore and/or related thereto.	20,000	19,000	5 Years

<u>Improvements</u>	<u>Appropriation and Estimated Cost</u>	<u>Estimated Maximum Amount of Bonds or Notes</u>	<u>Period of Usefulness</u>
17) Acquisition of Fire Department Chief vehicle, including all costs, improvements, equipment and/or appurtenances necessary therefore and/or related thereto.	70,000	66,500	5 Years
18) Acquisition of a Battery Powered Fan, including all costs, improvements, equipment and/or appurtenances necessary therefore and/or related thereto.	5,000	4,750	5 Years
19) Acquisition of Turf Management Equipment, including all costs, improvements, equipment and/or appurtenances necessary therefore and/or related thereto.	15,000	14,250	15 Years
20) Community Park Ballfield Design, including all costs, improvements, equipment and/or appurtenances necessary therefore and/or related thereto.	65,000	61,750	15 Years
21) Community Park Lighting Improvements, including all costs, improvements, equipment and/or appurtenances necessary therefore and/or related thereto.	17,000	16,150	15 Years
22) Recreation Vehicle Replacement, including all costs, improvements, equipment and/or appurtenances necessary therefore and/or related thereto.	45,000	42,750	5 Years
23) Acquisition of computer hardware and software, including all costs, improvements, equipment and/or appurtenances necessary therefore and/or related thereto.	10,000	9,500	5 Years
24) Cupola Conversion/Storage, including all costs, improvements, equipment and/or appurtenances necessary therefore and/or related thereto.	20,000	19,000	15 Years
25) Various Town Hall Improvements, including all costs, improvements, equipment and/or appurtenances necessary therefore and/or related thereto.	60,000	57,000	15 Years

	<u>Appropriation and Estimated Cost</u>	<u>Estimated Maximum Amount of Bonds or Notes</u>	<u>Period of Usefulness</u>
26) Town Hall Internet Network Improvements, including all costs, improvements, equipment and/or appurtenances necessary therefore and/or related thereto.	30,000	28,500	7 Years
27) Senior Bus Replacement, including all costs, improvements, equipment and/or appurtenances necessary therefore and/or related thereto.	75,000	71,250	5 Years
TOTAL	\$1,531,000	\$1,454,450	

(b) The estimated maximum amount of Bonds or Notes to be issued for the purpose of financing a portion of the cost of the Improvements is \$1,454,450.

(c) The estimated cost of the Improvements is \$1,531,000 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 10.98 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Township Clerk and a complete executed duplicate thereof has been filed in the office of the Director, Division of Local Government Services, Department of Community Affairs, State of New Jersey. Such statement shows that the gross debt of the Township, as defined in the Local Bond Law, is increased by the authorization of the Bonds and Notes provided in this bond ordinance by \$1,454,450 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 \$1,454,450.

SECTION 11:

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

Councilwoman Skabich moved that the Bond ordinance be passed on first reading, published in the Verona-Cedar Grove Times as a pending Bond ordinance with a public hearing of May 1, 2023, seconded by Deputy Mayor Peterson, and passed by the following vote:

The Township Manager reported this was a capital bonding ordinance that allowed for various general improvements in the Township and authorized the issuance of \$1,454,450 in bonds or notes. He reported this type of ordinance is introduced every year and included the Township’s capital projects.

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

- b) To consider introduction of Pending Capital Ordinance #23-909 An Ordinance Providing Funding for Various Improvements for the Township of Cedar Grove and Appropriating \$1,307,205.58 for Such Purpose.

The ordinance was read by title only as follows:

PENDING CAPITAL ORDINANCE #23-909

AN ORDINANCE PROVIDING FUNDING FOR VARIOUS IMPROVEMENTS FOR THE TOWNSHIP OF CEDAR GROVE AND APPROPRIATING \$1,307,205.58 FOR SUCH PURPOSE.

BE IT ORDAINED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF CEDAR GROVE, IN THE COUNTY OF ESSEX AND STATE OF NEW JERSEY, AS FOLLOWS:

Section 1. The Township of Cedar Grove, in the County of Essex, New Jersey, authorizes various improvements, including but not limited to improvements to the Water/Sewer/Public Works Storage Building, replacement of Sewer Utility EQ Tank, replacement of Little Falls Road Basketball Courts, Center Company Fire House upgrades and North End Fire House Reconstruction, including all work and materials necessary therefor and incidental thereto, all as shown on and in accordance with the plans and specifications therefor on file in the Office of the Clerk., for the Township of Cedar Grove to be funded from the sources specified in Section 2 of the Ordinance.

Section 2. The amount of \$1,307,205.58 is hereby appropriated for the purposes stated in Section 1 of the Ordinance and which amount was funded from the CARES Act in the amount of \$1,307,205.58.

Section 3. In connection with the purpose and the amount authorized in Sections 1 and 2 hereof, the Township determines the purpose described in Section 1 hereof is not a Current Expense and is an improvement which the Township of Cedar Grove may lawfully make as a general improvement.

Section 4. The Debt authorization under Bond Ordinance 23-905 in the amount of \$800,000 is hereby cancelled for the North End Fire House Reconstruction as the CARES Act funding described in Section 2 above provided funds to the extent of \$800,000.

Section 5. All ordinances or parts of ordinances which are inconsistent with the terms of this Ordinance be and the same are hereby repealed to the extent of their inconsistency.

Section 6. This Ordinance shall take effect immediately upon due passage and publication according to law.

Deputy Mayor Peterson moved that the Capital ordinance be passed on first reading, published in the Verona-Cedar Grove Times as a pending Capital ordinance with a public hearing of May 1, 2023, seconded by Councilman Tanella, and passed by the following vote:

The Township Manager reported this was a capital ordinance, but the major difference was this Ordinance did not authorize the issuance of bonds or notes; therefore, no debt was created. He reported this Ordinance spoke to the money the Township received from the American Rescue Plan through the CARES Act. He reported there was currently \$1,307,205.58 in realized revenue that the Township had from this Plan. He reported there were specific requirements of the Plan that imposed restrictions on where the money was spent and when projects had to be completed. He reported that it was originally proposed the money would go toward the reconstruction of the Cedar Street Fire Offices; however, the money was not sufficient to cover the construction costs due to inflation and the project would not be completed with the time parameters set forth by the Plan. He reported he asked the Governing Body for the authority to repurpose the funds which were not codified in the Ordinance. The Township Manager reported he planned on using \$800,000.00 toward the construction of the North End Firehouse resulting in the Town only having to bond \$2,525,000.000 and saving the Township significant interest costs. The Township Manager also reported the remaining funds would be used toward reconstructing the Little Falls Road Basketball Courts, improvements to the Center Company Fire House and replacing the EQ Tank. He reported the funds must be fully appropriated by 2024 and used by 2026 to avoid reversion.

Mayor Maceri asked when the projects would start. The Township Manager responded some would start immediately. He reported the EQ Tank would start after the Governing Body considered the adoption in May. He reported he would try to get the North End Firehouse started very soon. He reported he would go out to bid for some of the other projects.

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

- c) To consider introduction of Pending Ordinance #23-910 An Ordinance of the Township of Cedar Grove, County of Essex, State of New Jersey Leasing Morgan's Farm to the Cedar Grove Historical Society.

The ordinance was read by title only as follows:

PENDING ORDINANCE #23-910

**AN ORDINANCE OF THE TOWNSHIP OF CEDAR GROVE, COUNTY OF ESSEX,
STATE OF NEW JERSEY LEASING MORGAN'S FARM TO THE CEDAR GROVE
HISTORICAL SOCIETY**

WHEREAS, the Township of Cedar Grove has determined to lease property owned by the Township known as Morgan's Farm, located at 903 Pompton Avenue, Cedar Grove to the Cedar Grove Historical Society; and

WHEREAS, Morgan's Farm was devised to the Township of Cedar Grove in 1985 by J. Courtenay Morgan on the conditions the property be kept for passive recreation and the Cedar Grove Historical Society operate a museum to preserve Cedar Grove History; and

WHEREAS, the real property owned by the Township of Cedar Grove known as Morgan's Farm may be rented to a nonprofit corporation or association for a public purpose, pursuant to N.J.S.A. 40A:12-14(c); and

WHEREAS, pursuant to N.J.S.A. 40A:12-14(c), the Township Council is authorized to enter into a lease with the Cedar Grove Historical Society, a non-profit organization; and

WHEREAS, the property known as Morgan's Farm is encumbered by deed restrictions pursuant to the Green Acres Program, N.J.A.C. 7:36, *et. Seq.* and requires approval of the lease by the State of New Jersey Department of Environmental Protection; and

WHEREAS, in an email to Joseph M. Zichelli, Esq., Township Manager dated March 23, 2023, Adam Taylor, Compliance Officer of the Department of Environmental Protection, indicated the proposed lease has been reviewed and was found to be in compliance with N.J.A.C. 7:36-25.13; and

WHEREAS, the Property has been designated as a historic site in accordance with the New Jersey Register of Historic Places Act, N.J.S.A. 13:1B-14.128, *et. Seq.*, and N.J.A.C. 7:4, *et. Seq.*; and

WHEREAS, the Township Council of the Township of Cedar Grove feels the terms and conditions of the Lease are in the best interests of the Township and of Morgan's Farm and shall benefit the residents

of the Township of Cedar Grove and the State of New Jersey by preserving the local history of Morgan's Farm and the Township of Cedar Grove in accordance with J. Courtenay Morgan's desires;

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

SECTION ONE:

The Township Council does hereby authorize the execution of the Lease Agreement as already approved by the New Jersey Department of Environmental Protection between the Township of Cedar Grove and the Cedar Grove Historical Society.

SECTION TWO:

The Mayor and Township Clerk are authorized to execute said Lease Agreement and obtain any and all other approvals necessary to effectuate this transaction.

SECTION THREE:

The lease term shall be for five (5) years.

SECTION FOUR:

The Township of Cedar Grove shall be responsible for enforcement of the conditions of the lease.

SECTION FIVE:

The Cedar Grove Historical Society shall annually submit a report to the Township of Cedar Grove directed to the attention of the Township Manager setting out the use to which the leasehold was put during each year; the activities of the lessee undertaken in furtherance of the public purpose for which the leasehold was granted; the approximate value or cost, if any, of such activities in furtherance of such purpose; and an affirmation of the continued tax-exempt status of the non-profit corporation pursuant to both State and Federal law.

SECTION SIX:

The Township Clerk shall publish this Ordinance in accordance with law.

SECTION SEVEN:

Any ordinances or parts thereof conflicting with the provisions of this Ordinance are hereby repealed as to their inconsistencies only.

SECTION EIGHT:

Each section of this ordinance is an independent section and the holding of any section or part thereof to be unconstitutional, void, or ineffective for any cause shall not be deemed to affect the validity or constitutionality of any other sections or parts thereof.

SECTION NINE:

This Ordinance shall take effect immediately upon final passage and publication as provided by law.

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 May 1, 2023, seconded by Deputy Mayor Peterson, and passed by the following vote:

The Township Manager reported there were two years left on the current lease with the Historical Society. He reported this Ordinance would renew the lease for another five years and also extend the small garden at the lower portion of the property to the Society. He reported there were stringent fundraising requirements that needed the Town's approval because it was Green Acres property. He reported that because it was Green Acres property, it had to be approved by the DEP. The Township Manager reported he drafted the lease on March 21st and the DEP quickly approved it on March 23rd.

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

- d) To consider introduction of Pending Ordinance #23-911 An Ordinance of the Township of Cedar Grove to Increase the Availability of Volunteer Rescue Squads and Fire Departments for Emergency Situations and to Reduce or Eliminate the Use of Volunteer Rescue Squads and Fire Departments for Non-Emergency Situations by Establishing Chapter 155, Health Care Facilities – Ambulance Availability Required.

The ordinance was read by title as follows:

PENDING ORDINANCE #23-911

AN ORDINANCE OF THE TOWNSHIP OF CEDAR GROVE TO INCREASE THE AVAILABILITY OF VOLUNTEER RESCUE SQUADS AND FIRE DEPARTMENTS FOR EMERGENCY SITUATIONS AND TO REDUCE OR ELIMINATE THE USE OF VOLUNTEER RESCUE SQUADS AND FIRE DEPARTMENTS FOR NON-EMERGENCY SITUATIONS BY ESTABLISHING CHAPTER 155, HEALTH CARE FACILITIES – AMBULANCE AVAILABILITY REQUIRED

WHEREAS, the purpose of this ordinance is an effort to increase the availability of volunteer rescue squads and fire departments and to reduce or eliminate the use of volunteer rescue squads and fire departments in non-emergency situations; and

WHEREAS the Township Council has determined the need to reduce the use of the Volunteer Rescue Squad and Volunteer Fire Department in non-emergency situations,

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

SECTION ONE: AMBULANCE SERVICES REQUIRED

ESTABLISH CHAPTER 155 HEALTH CARE FACILITIES – AMBULANCE AVAILABILITY REQUIRED.

155-1. AMBULANCE SERVICES REQUIRED.

A) All state-licensed, long term care facilities (nursing homes), health-care facilities, rest homes, health maintenance organizations and other licensed medical care providers within the Township shall be required to own, lease, rent or have immediately available by other arrangement an appropriately staffed ambulance for the transporting of patients in need of nonemergency care. The ambulance shall

be available 365 days a year and 24 hours a day, and shall be utilized as primary responder. The resident director, manager, or corporate officer of such locations shall certify the availability of an appropriately staffed ambulance, and communicate the terms of the chapter to all employees involved with emergency care.

B) A duly licensed nursing home, rest home or health maintenance organization and other licensed medical care providers may request the appropriate Volunteer First Aid Squad or Rescue Squad or Emergency Medical Services Agency providing emergency ambulance service to said nursing home, rest home or health maintenance organization in any situation falling within the definition of "advanced life support," as such term is defined in N.J.S.A. 26:2K-7 et seq., and applicable regulations promulgated by the New Jersey Department of Health.

SECTION TWO:

155-2. PROOF OF AMBULANCE SERVICE.

A) All nursing homes, rest homes and health maintenance organizations and other licensed medical care providers shall file proof of the availability of an ambulance with the Township Clerk within 60 days from the final passage of this chapter and on or before September 1 of each and every year thereafter.

B) Proof of ambulance availability shall consist of a contract with an ambulance company or other documentation satisfactory to the Township Health Officer. If such vehicle is owned by the nursing home, rest home or health maintenance organization, such proof shall indicate the make, model, year, color, serial vehicle identification number, license plate number, location and ownership of said vehicle. If such vehicle is owned by a party other than the nursing home, rest home or health maintenance organization, proof shall be submitted showing the agreement under which said vehicle is available to the nursing home, rest home or health maintenance organization.

SECTION THREE:

155-3. FALSE ALARMS

A) It shall constitute a violation of this chapter for any nursing home, rest home or health maintenance organization, or any agent, servant or employee thereof, to cause any Volunteer Rescue Squad or Volunteer Emergency Medical Services Agency providing emergency ambulance service for the area in which the facility is located to respond to a false alarm. For the purposes of this chapter, "false alarm" shall be defined as any circumstance where a determination is made by a commanding police officer, mobile intensive care paramedic, emergency medical technician or mobile intensive care nurse at the scene that the situation does not meet the designated advanced life support criteria as defined by the applicable statute and regulations promulgated thereunder.

SECTION FOUR:

155-4. VIOLATIONS AND PENALTIES; ENFORCEMENT

A) Any person, firm, association, partnership, company, joint venture or corporation violating any of the provisions of this chapter shall be subject to a fine of at least \$500.00, but not more than a fine of \$5,000.00, for each such violation. Each day such violation continues and/or each time a Volunteer

First Aid Squad or Rescue Squad the Emergency Medical Services Agency providing emergency ambulance service is called to the site for nonemergency situations shall constitute a separate violation. Fines collected under this section shall be returned to the Township less court costs.

B) The Township Health Officer may, with the approval from the Township Manager, from time to time, promulgate rules and regulations supplementing this chapter in order to provide for recordkeeping and efficient management.

C) Any entity failing to provide proof of ambulance availability by the designated date shall be in violation of this chapter. The entity shall be subject to an initial fine of \$1,000.00 with a daily penalty of \$500.00 for each day thereafter, until such time as the proof of ambulance availability is provided.

Enforcement of this chapter shall be vested with the Cedar Grove Police Department and the Township of Cedar Grove Health Officer. Both are authorized to issue summonses for violation of this chapter.

SECTION FIVE: INCONSISTENCIES; SEVERABILITY; DATE EFFECTIVE

A) All ordinances or parts of Ordinances inconsistent with this Ordinance are hereby repealed to the extent of such inconsistency.

B) If any section, paragraph, clause, or provision of this Ordinance shall be adjudged invalid, such adjudication shall only apply to that section, paragraph, clause, or provision and the remainder of this Ordinance shall be deemed valid and in effect.

C) This Ordinance shall take effect upon adoption and publication in accordance with New Jersey law but, in no event, less than 20 days after its final passage by the Township Council where such approval is required pursuant to N.J.S.A. 40:69A-(181)(b).

Deputy Mayor Peterson 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 May 1, 2023, seconded by Councilwoman Skabich, and passed by the following vote:

The Township Manager reported this Ordinance established a new chapter of the Code that required all state licensed, long-term care facilities (nursing homes), health care facilities, rest homes, health maintenance organizations and other licensed medical care providers within the Township to have a contract with or provide their own ambulance for transport purposes only. He reported these facilities would have to have a contract with a transport provider on file and provide a copy of it to the Township Clerk and Health Department so that, in the event a transport is need, the Township's service providers are still available to respond to an emergency within Cedar Grove while the contracted provided will transport the patient. He reported the purpose of this Ordinance was increasing the availability of the first responders. The Township Manager explained what was happening was transports were called in on the 911 line when there was no ALS or BLS emergency and the patient simply needed transportation to the hospital. He explained the rescue squad would transport the patient, but then became available should another emergency actually require ALS or BLS services. The Township Manager explained this Ordinance was designed to take non-emergency transportation situation out of the equation.

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

- e) To consider resolution authorizing the Exchange of a Gas-Powered Hydraulic Unit with Multiple Extrication Tips, Hurst Spreader, Hurst Cutter and Other Miscellaneous Equipment By and Between the Township of Cedar Grove and the Township of Verona.

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

A RESOLUTION AUTHORIZING THE EXCHANGE OF A GAS-POWERED HYDRAULIC UNIT WITH MULTIPLE EXTRICATION TIPS, HURST SPREADER, HURST CUTTER AND OTHER MISCELLANEOUS EQUIPMENT BY AND BETWEEN THE TOWNSHIP OF CEDAR GROVE AND THE TOWNSHIP OF VERONA.

WHEREAS, The Township of Cedar Grove is in possession of a gas-powered portable hydraulic unit with multiple extrication tips, a Hurst spreader, a Hurst cutter, a Combi Tool (spreader/cutter) and other miscellaneous extrication tool; and

WHEREAS, The Township of Verona has indicated that their municipality has a volunteer fire department that requires use of such tools; and

WHEREAS, The Township of Cedar Grove will donate the aforementioned equipment to the Township of Verona for its Volunteer Fire Department; and

WHEREAS, by adopting this resolution, The Township of Verona agrees to accept this donation and indemnify and hold harmless the Township of Cedar Grove for any action associated with the donation or the use thereof; and

WHEREAS, Joseph M. Zichelli, Esq., Township Manager, has indicated this to be in the best interest of asset management,

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Township of Cedar Grove, County of Essex, State of New Jersey, the donation of a gas-powered portable hydraulic unit with multiple extrication tips, a Hurst spreader, a Hurst cutter, a Combi Tool (spreader/cutter) and other miscellaneous extrication tools to the Township of Verona is hereby authorized.

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

The Township Manager reported the resolution allowed the Cedar Grove Fire Department to donate extrication equipment that was no longer in use to the Verona Volunteer Fire Department. He reported in last year's budget, brand new equipment was provided to the Cedar Grove Fire Department and has replaced the old. He reported the resolution allowed the Township to donate the equipment to Verona Fire Department with Verona indemnifying the Township for the donation.

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

- f) To consider resolution concerning introduction of the 2023 Municipal Budget.

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

INTRODUCTION OF THE 2023 MUNICIPAL BUDGET

BE IT RESOLVED, that the following states of revenues and appropriations attached hereunto constitute the Local Budget of the Township of Cedar Grove, Essex County, New Jersey for the Calendar Year 2023; and

BE IT FURTHER RESOLVED, that the said budget be published in the Verona-Cedar Grove Times in the issue of April 13, 2023 and that a public hearing on the 2023 Municipal Budget will be held at the Municipal Building, 525 Pompton Avenue, Cedar Grove on May 1, 2023 or sooner thereafter as the matter may be reached.

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to the Director of the Division of the Local Government Services.

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

The Township Manager made the following remarks:

This past year, as has occurred in prior years, the Mayor and Council's directive to administer prudent budget management required tough decisions be made there were always in the best interest of the Township. As has and will be reflected in the Essex County Tax Board's analysis on county wide taxes, Cedar Grove has maintained one of the lowest municipal tax rates among all of the Essex County municipalities.

The past year, at the behest of the Mayor and Council, the Township made many hard decisions to keep the budget in line with state mandates, with the ultimate goal of keeping us as the lowest or among the lowest taxed municipalities in Essex County. While other industries effortlessly pass increased costs onto the consumer, the Cedar Grove Township Council does not act with haste and has continued to make Cedar Grove an affordable and attractive town to live in. As with every budget, the Township addressed the resident's most basic needs first before considering other requests.

The proposed 2023 Budget reflects staffing levels in the Police Department at 31 officers. The retirement benefit roll is becoming larger which add increased, long-term costs to the taxpayer. To combat these increases, our "pay as you go" approach is once again reflected in the proposed appropriations. Regardless, this was a difficult budget year, especially when accounting for inflation and statutory increases, most especially a 24% health insurance increase, as well as higher pension payments. Indeed, the three areas that are driving the budget this year is: 1) Police & Fire Pension contribution; 2) police salaries; and 3) group medical coverage.

This year, the Township will begin paying the tenth year of payments on serial bonds cast a few years prior. For 2023, further restructuring of the Department of Public Works will be assessed to see whether there is a cost savings benefit that will be repurposed, such as reassigning a low-mileage unused car assigned to the Building Department to the Police Department, thereby preventing the need for a new car and eliminating the rapid devaluation of an otherwise valuable asset.

Valuation

The 2023 average residential assessed value is \$474,917, slightly up from the 2022 average residential assessed value which was \$472,953, reflecting an increase of \$1,964.

Total Appropriation

FY2023's original budget appropriations total (\$22,495,848.22) which, compared to FY2022's appropriations that totaled (\$20,653,706) reflect an increase of (\$1,842,142.00). For comparison purposes, the FY2022 budget was (\$2,510,124) more than it was in FY2021. FY2023's budget increased less when compared to FY2022's budget than did FY2022's budget when compared to FY2021's budget. Once Chapter 159 additions are added, which adds in grant money, the actual year to year increase is \$1,096,799.58, significantly less than FY2022 compared to FY2021.

CAP Calculation

This year, the budget came in (\$176.30) beneath the appropriation cap. Cedar Grove's budget is below the maximum appropriation it is permitted to increase by. A few meetings ago, the Council passed a COLA Ordinance allowing the Township to establish a CAP Bank. A Cap Bank does not mean the Township is using or guaranteeing the use of any funds in the future, it merely establishes that if we need to, we have a right to use the increases that were allowed but not currently used in the current year for appropriations. With respect to the levy cap, Cedar Grove is well beneath this. In 2023, Cedar Grove is permitted to raise \$13,705,109.83 by local taxes. This year, our budget reflects a levy of \$11,493,548.18, which is \$2,211,561.65 beneath our levy cap.

Substantive Impacts

With these numbers in mind, it is important to remember that 20.90% of all taxes collected go to Cedar Grove's revenues, whereas 20.40% goes to Essex County, 55.90% goes to the Cedar Grove School District; and 2.80% goes to other taxes. In essence, the Township runs off of 21 cents on the dollar and we, as a municipality, make each dollar we receive work to its fullest extent. This year, on the average residential assessment, there will be a local tax increase of \$56.55 for the year. This equates to \$4.71 per month or \$1.17 per week. Because the County and School did not strike their rates, yet, the estimated tax rate on the municipal end is 2023 is 0.509, which is up from 0.497 last year, an increase of 0.012. The residents should be aware of how hard this Council worked to keep this increase as low as it is given the massive increases in costs across the board. I want to speak to the public as it relates to the overall budget break down, specifically with regard to two major items: Neptune Meters and Debt Service. First, at the Council's directive, we are including in the operating budget the installation of brand-new water and sewer meters that will have the ability to automatically read water usage. A notice regarding this project will be forthcoming. This new technology in the Neptune Meter will prove invaluable as it relates to our water purchases and early leak detection, saving the residents and the Township significant money and potentially preventing damage to their property. This is costing the Township \$1.7 million and is being paid for out of PILOT funds

from Hilltop. The Council's directive is to pay for this in cash as opposed to casting a bond, which would incur more debt for the Township. If this item were placed in Capital as opposed to the operating budget, the Township would result in paying significantly more interest on the notes, resulting in a cost much greater than the \$1.7 million allocated for. Furthermore, next year, through receiving fees on commercial installations, the Township hopes to realize revenue from this project. On the PILOT note, I want to remind the residents that Cedar Grove is giving the Board of Education \$1.2 million per year for the next twenty-five years as part of the PILOT Agreement the Governing Body and Board of Education reached last year.

The second issue I want to speak to is debt service. Right now, our minimum debt payment to avoid default on bond anticipation notes is \$529,739.42. This year, the Township of Cedar Grove will be paying \$1,180,000 for payment of bond principal and \$1,595,000 for payment on bond anticipation notes, \$1,000,000 more than what is required. Long term consolidation and refinancing of these BANs is being considered for implementation in FY2024's budget. Most notably; however, I want to speak to the public about the interest on our notes. This is why we are paying more debt than our minimum payment—for example, in FY2022, interest on notes was \$229,263 and in FY2023, interest on notes is \$765,040, over three times as much. Much the same that our residents are seeing the impact rising interest rates has on their household budget, the same impact is felt here. Importantly, this year we are retiring the following notes, three of which are being paid off one to two years sooner than their due date before they convert to serial bonds:

- 1) Improvements to Panther Park, Ordinance #13-756 (\$192,000)
- 2) Acquisition of Equipment, Ordinance #14-767 (\$34,000)
- 3) Various General Improvements, Ordinance #14-775 (\$108,000)
- 4) Various General Improvements, Ordinance #15-783 (\$225,000)

In that same vein, the Township is also experiencing increased costs across the board. For example, in 2022, road salt was \$48.47 per ton. This year, that number increased to \$64.39 per ton. Fuel costs are up significantly. The budget reflects a \$135,052 increase in group health insurance in FY2023 (\$1,824,003) from FY 2022 (\$1,688,951). The 24% increase in insurance costs is why the Township is paying \$494,820 more in FY2023 than it did in FY2022.

This increase in costs seen across the board, especially with respect to statutorily obligated increases in salary for contract positions. This caused the Township to scrutinize this budget and truly cut where we can and juggle where we had to. If you look at a breakdown of the budget, between salaries and other expenses, there are thirteen areas that saw a decrease in appropriations. On the whole, from FY2022, across all departments, salaries saw a \$65,793.96 increase and other expenses increased \$356,971.00.

A hot topic of discussion always, I want to discuss the swimming pool briefly to show the improved financial status of this utility. FY2023 has predicted revenues totaling \$475,878 whereas predicted revenues in FY2022 was \$346,040, showing an increase in predicted revenue totaling \$130,838. Notably, the pool deficit has decreased significantly from \$202,200 in FY2022 to \$88,938.83 in FY2023.

Closing

Next year, because the Neptune Meter program will be paid for in full, the amount used from the surplus here will go back toward offsetting any capital improvement projects and continuing

to accelerate our payments on debt service. Because the PILOT funds will not be used to offset operating expenses, we can expect another low and stable tax rate. I plan on beginning FY2024's budget process in August with Lubna and the assistance of our auditors so that the Township can get a full understanding as to what is needed in the various departments and we can begin early implementation of resource management to make the tax dollar stretch as far as possible in these tough times.

Mayor Maceri asked for updates since the budget hearings. The Township Manager responded since the budget hearings in January, he and the CFO calculated a more accurate number in revenues, the auditors were on site for a little over a week to double check those numbers. The Township Manager explained there were a few Local Finance Notices that exempted certain calculations from the CAP. He reported the Local Finance Board recognized that health insurance increases were great and the Township was able to save \$268,000 including those numbers in the CAP calculation. He reported he restructured and move employees around and the revenues numbers were in a good stead. He reported and the CFO were researching new ways to generate revenue and keep money coming into the Township so as not to use taxpayers' dollars as much.

Mayor Maceri asked the Township Manager to respond to the significant increase in health insurance. The Township Manager responded last year the Township paid \$1,688,951 in group medical insurance. He reported there was over a \$400,000 increase in insurance. He explained that was every municipality's experience.

Councilwoman Skabich asked the cost per taxpayer because the numbers were impressive. The Township Manager responded the local tax increase was \$56.55 on the year which equated to \$4.71 per month and \$1.17 per week.

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

- g) To consider resolution concerning introduction of the 2023 Solid Waste Collection District Budget.

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

INTRODUCTION OF THE 2023 SOLID WASTE COLLECTION DISTRICT BUDGET

BE IT RESOLVED, that the following states of revenues and appropriations attached hereunto constitute the Local Budget of the Township of Cedar Grove, Essex County, New Jersey for the Calendar Year 2023; and

BE IT FURTHER RESOLVED, that the said budget be published in the Verona-Cedar Grove Times in the issue of April 13, 2023 and that a public hearing on the 2023 Solid Waste Collection District Budget will be held at the Municipal Building, 525 Pompton Avenue, Cedar Grove on May 1, 2023 or sooner thereafter as the matter may be reached.

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to the Director of the Division of the Local Government Services.

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

The Township Manager reported this was a utility budget, much the same as the water or sewer budgets, and only related to garbage collection throughout the Township and reflected a \$164,512 difference from last year's solid waste collection budget.

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

- h) To consider resolution concerning compliance with N.J.S.A.40A:4-5, as amended by P.L. 2017, c.183.

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

GOVERNING BODY CERTIFICATION OF COMPLIANCE WITH THE UNITED STATES EQUAL EMPLOYMENT OPPORTUNITY COMMISSION'S "Enforcement Guidance on the Consideration of Arrest and Conviction Records in Employment Decisions Under Title VII of the Civil Rights Act of 1964"

WHEREAS, N.J.S.A. 40A:4-5 as amended by P.L. 2017, c.183 requires the governing body of each municipality and county to certify that their local unit's hiring practices comply with the United States Equal Employment Opportunity Commission's "Enforcement Guidance on the Consideration of Arrest and Conviction Records in Employment Decisions Under Title VII of the Civil Rights Act of 1964," *as amended*, 42 U.S.C. § 2000e *et. seq.*, (April 25, 2012) before submitting its approved annual budget to the Division of Local Government Services in the New Jersey Department of Community Affairs; and

WHEREAS, the members of the governing body have familiarized themselves with the contents of the above-referenced enforcement guidance and with their local unit's hiring practices as they pertain to the consideration of an individual's criminal history, as evidenced by the group affidavit form of the governing body attached hereto.

NOW, THEREFORE BE IT RESOLVED, That the Township Council of the Township of Cedar Grove, hereby states that it has complied with N.J.S.A. 40A:4-5, as amended by P.L. 2017, c.183, by certifying that the local unit's hiring practices comply with the above-referenced enforcement guidance and hereby directs the Clerk to cause to be maintained and available for inspection a certified copy of this resolution and the required affidavit to show evidence of said compliance.

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

The Township Manager reported the resolution certified the Governing Body's compliance with the United States Equal Opportunity Commission's (EEOC)'s guidance on the consideration of arrest and conviction records in Employment Decisions under Title VII of

CRA of 1964 and was required to be introduced prior to the approve of the municipal budget.

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

8. APPROVAL OF BILLS

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 of Cedar Grove, County of Essex, New Jersey, that the summary of bills, having been duly audited and found to be correct, are hereby ordered paid and that warrants be drawn by the Treasurer in the aggregated amount of \$5,935,223.74.

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

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

9. CONTRACTS AND AGREEMENTS

- a) To consider resolution award of contract for engineering design services for the Community Park Ballfield Reconstruction Project to Neglia Engineering Associates.

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

WHEREAS, The Township has a need for professional engineering design services for the Community Park Ballfield Reconstruction Project; 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 November 30, 2022 as follows; and

<u>PROPOSER</u>	<u>AMOUNT</u>
Neglia Engineering Associates	\$60,600.00
Bowman Consulting	\$85,010.00
Suburban Consulting Engineers	\$94,580.00
ELP Associates	\$137,760.00
LAN Associates	\$138,000.00

WHEREAS, the Municipal Engineer and Township Attorney have recommended that a contract for the above referenced professional services be awarded to Neglia Engineering Associates; and

WHEREAS, funds are now available for this project in the 2023 Municipal Budget in the amount of \$60,600.00.

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 Neglia Engineering Associates of Lyndhurst, NJ, for an amount not to exceed \$60,600.00; 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 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.

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

The Township Manager reported this went hand in hand with the other Capital Ordinance that the Township had already appropriated. He explained this was the agreement for engineering services for the Community Park Ballfield Reconstruction project.

Mayor Maceri asked the timeline for the project. The Township Manager responded he hoped to have plans back by mid to late summer, then receive a cost estimate to do the field.

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

10. 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.

1. Kate Hartwyk, Essex County Liaison: Ms. Hartwyk announced the County kicked off its Cherry Blossom Festival last weekend and had 1300 runners for the Cherry Blossom 10K at Branch Brook Park. She explained festivities would continue on April 15th and 16th. She explained a one-mile Fun Run was scheduled for April 15th and the Bloom Fest Festival was scheduled for April 16th. She encouraged Cedar Grove residents to participate. She announced the County Annual Earth Day was scheduled for Saturday, April 22nd at the Environmental Center in Roseland, NJ from 11AM to 2PM. She announced the Essex County Division of Housing and Community Development scheduled running information sessions about the Home Improvement Program. She announced the session closest to Cedar Grove would be held at the Verona Community Center on Tuesday, April 25th from 6PM-8PM and Saturday, April 29th from 10AM-12Noon. She explained the information was available on the County’s website. She explained all of the events were free to the public.

- 2. Michael Kraynanski: Mr. Kraynanski announced the passing of former Township Mayor and Councilman Robert O’Toole’s wife in January. He made disparaging remarks regarding Councilman Tanella’s retirement. He made disparaging remarks regarding the Township Manager. He inquired about the Human Resources Director. He questioned the Township Attorney on the redacted response to an OPRA Request he made last year. He explained that the exact request was made this year and the response was not redacted to the same extent as his.

The Township Attorney responded the OPRA Request his wife served as responded to on March 16, 2023 and was deemed closed. She explained those Minutes were from January 10, 2022 and that the Council was entitled to go into Executive Session under the Deliberative Process which was exempt from OPRA. The Township Attorney explained that the documents sought were excluded from the definition of government records. The Township Attorney responded the Township received his wife’s request, did a search and documents that were responsive to that search were provided and properly redacted in accordance with OPRA. She reiterated that the document that was sought was part of the deliberative process and exempt from government records. She informed Mr. Kraynanski that if he attended the next Council Meeting, she would research his response and discuss it.

Mayor Maceri explained it was evident that Mr. Kraynanski had a personal agenda because he constantly distorted information (when he came before the rail). He admonished Mr. Kraynanski for his remarks to Councilman Tanella. Mayor Maceri commended Councilman Tanella for serving a nineteen-year stellar career on Council. He disagreed with Mr. Kraynanski’s remarks to the Township Manager. He said Mr. Zichelli was the most qualified and commended him for doing an excellent job.

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

11. 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 7:42 PM.

JOSEPH MACERI MAYOR

ATTEST:

DALE A. FORDE MUNICIPAL CLERK