

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

PUBLIC MEETING

MINUTES

SEPTEMBER 11, 2023

1. ROLL CALL, INVOCATION AND FLAG SALUTE

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

Present: Councilmember Maceri, Mega, Mayor Peterson

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

Absent: Councilman Zazzali, Deputy Mayor Skabich

The flag salute was led by Mayor Peterson.

Mayor Peterson 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.

Mayor Peterson requested a Moment of Silence in remembrance of those perished in the attacks of September 11, 2001.

2. APPROVAL OF MINUTES

a) To consider approval of minutes of regular public meeting – August 7, 2023.

Councilman Maceri moved approval of the minutes as presented, seconded by Councilwoman Mega, and passed by the following vote:

AYE: Councilmember Maceri, Mega, Deputy Mayor Skabich

NO: None

ABSTAIN: Councilman Zazzali, Mayor Peterson

3. PUBLIC HEARING

a) To consider adoption of Pending Ordinance #23-917 – An Ordinance Amending Chapter 244 of the Code of the Township of Cedar Grove Entitled Towing.

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

Councilman Maceri moved that the ordinance be adopted at second reading, published in the Verona-Cedar Grove Times as a passed ordinance to take effect as prescribed by law, seconded by Councilwoman Mega and passed by the following vote:

AYE: Councilmembers Maceri, Mega, Mayor Peterson
 NO: None
 ABSENT: Councilman Zazzali, Deputy Mayor Skabich

- b) To consider adoption of Pending Ordinance #23-918 – An Ordinance of the Township of Cedar Grove to Authorize Fee Implementation for Use of Township Recreational Facilities and Establishing Priority and Procedure for the Permitting of Recreational Facilities by Establishing Chapter 205A, “Recreational Fields and Facilities”.

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

Councilwoman Mega 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 Maceri and passed by the following vote:

AYE: Councilmembers Maceri, Mega, Mayor Peterson
 NO: None
 ABSENT: Councilman Zazzali, Deputy Mayor Skabich

4. AWARD OF BID

- a) To consider resolution authorizing the award of bid for the Little Falls Road Basketball Court Resurfacing Improvements to D&L Paving Contractors, Inc.

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

RESOLUTION OF THE TOWNSHIP OF CEDAR GROVE AUTHORIZING THE AWARD OF BID FOR THE LITTLE FALLS ROAD BASKETBALL COURT RESURFACING IMPROVEMENTS

WHEREAS, pursuant to authorization by the Mayor and Township Council of the Township of Cedar Grove, the Township received sealed competitive bids for the Little Falls Road Basketball Court Resurfacing Improvements; and

WHEREAS, the sealed bids were received and opened on August 17, 2023; and

WHEREAS, said bids have been duly reviewed and analyzed by the Cedar Grove Township Attorney and Township Engineer; and

WHEREAS, the Local Public Contracts Law requires that competitive bidding contracts be awarded to the lowest, responsible, responsive bidder; and

WHEREAS, the apparent lowest bid received from D&L Paving Contractors, Inc. in the amount of \$131,556.40 has been found to be in proper form and in compliance with the provisions of N.J.S.A. §40A:11-23 and the specifications as written; and

WHEREAS, D&L Paving Contractors, Inc. has, therefore, been determined to be the lowest, responsible, responsive bidder; and

WHEREAS, the Chief Financial Officer has certified that sufficient funds are available for this contract award.

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

1. The Township Council hereby awards a contract to D&L Paving Contractors, Inc., 675 Franklin Avenue, Nutley, New Jersey 07110, for the Little Falls Road Basketball Court Resurfacing Improvements in accordance with the bid specifications for the amount of \$131,556.40.
2. The Mayor, Township Manager and Township Clerk are hereby authorized and directed to execute a contract with D&L Paving Contractors, Inc., in accordance with its bid the for Little Falls Road Basketball Court Resurfacing Improvements.
3. The Township's Chief Financial Officer has certified the availability of funds for this contract.
4. This resolution and contract shall be available for public inspection in the office of the Township Clerk.

Councilman Maceri moved adoption of the resolution, seconded by Councilwoman Mega passed by the following vote:

The Township Manager reported the Township was pleased to award this contract to D&L Paving Contractors, Inc. in the amount of \$131,556.40. He reported this plan calls for clearing the site on Little Falls Road for two basketball courts in the area. He reported the contract will require installation of a new playing surface, fixing all drainage issues on site, installing four new basketball backboards and hoops, of adjustable height that can and will be locked by the Recreation Department, as well as restriping and relining the courts. He reported the Council promised and was pleased to deliver as promised.

Mayor Peterson thanked the Township Manager.

Councilman Maceri thanked the Township Manager. He reported it was an issue that Council discussed for a long time and he was happy to see it move forward.

AYE: Councilmember Maceri, Mega, Mayor Peterson

NO: None

ABSENT: Councilman Zazzali, Deputy Mayor Skabich

- b) To consider resolution authorizing the award of bid for the Equalization Tank Rehabilitation at the Township Wastewater Treatment Plant to Bridgeway Associates Corp.

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

RESOLUTION OF THE TOWNSHIP OF CEDAR GROVE AUTHORIZING THE AWARD OF BID FOR THE EQUALIZATION TANK REHABILITATION AT THE TOWNSHIP WASTEWATER TREATMENT PLANT

WHEREAS, pursuant to authorization by the Mayor and Township Council of the Township of Cedar Grove, the Township received sealed competitive bids for the Equalization Tank Rehabilitation at the Township Wastewater Plant in the Township Public Works Facility at 340 Little Falls Road; and

WHEREAS, the sealed bids were received and opened on August 1, 2023; and

WHEREAS, said bids have been duly reviewed and analyzed by the Cedar Grove Township Attorney and Township Consulting Engineer, CP Engineers; and

WHEREAS, the Local Public Contracts Law requires that competitive bidding contracts be awarded to the lowest, responsible, responsive bidder; and

WHEREAS, the apparent lowest bid received from Bridgeway Associates Corp. in the amount of \$389,600.00 has been found to be in proper form and in compliance with the provisions of N.J.S.A. §40A:11-23 and the specifications as written; and

WHEREAS, Bridgeway Associates Corp. has, therefore, been determined to be the lowest, responsible, responsive bidder; and

WHEREAS, the Chief Financial Officer has certified that sufficient funds are available for this contract award.

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

1. The Township Council hereby awards a contract to Bridgeway Associates Corp., 519 Yale Avenue, Hillside, New Jersey 07205, for the Equalization Tank Rehabilitation at the Township Wastewater Plant in the Township Public Works Facility at 340 Little Falls Road in accordance with the bid specifications for the amount of \$389,600.00.
2. The Mayor, Township Manager and Township Clerk are hereby authorized and directed to execute a contract with Bridgeway Associates Corp., in accordance with its bid the for Equalization Tank Rehabilitation at the Township Wastewater Plant in the Township Public Works Facility at 340 Little Falls Road.
3. The Township's Chief Financial Officer has certified the availability of funds for this contract.
4. This resolution and contract shall be available for public inspection in the office of the Township Clerk.

Councilman Maceri moved adoption of the resolution, seconded by Councilwoman Mega passed by the following vote:

The Township Manager reported the Township was awarding a contract to Bridgeway Associates Corporation in the amount of \$389,600. He reported the Equalization Tank, was crucial to the Township's stormwater management and had the capacity to retain 2 million gallons of runoff that permits slow percolation after a bad storm. He reported the tank was being completely sandblasted, repaired and painted on the inside and outside to preserve its usefulness. He reported while the work was being performed, the Township would increase pumping capabilities for any storms that come through and will also ask the DEP for emergency authorization for certain bypasses. The Township Manager commended Water and Sewer Superintendent Mike Grasso for his commitment to getting this done.

Councilman Maceri moved adoption of the resolution, seconded by Councilwoman Mega passed by the following vote:

AYE: Councilmember Maceri, Mega, Mayor Peterson

NO: None

ABSENT: Councilman Zazzali, Deputy Mayor Skabich

- c) To consider resolution authorizing the award of bid for the Rutgers Avenue Water Main Replacement to John Garcia Construction Co.

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

RESOLUTION OF THE TOWNSHIP OF CEDAR GROVE AUTHORIZING THE AWARD OF BID FOR THE RUTGERS AVENUE WATER MAIN REPLACEMENT

WHEREAS, pursuant to authorization by the Mayor and Township Council of the Township of Cedar Grove, the Township received sealed competitive bids for the Rutgers Avenue Water Main Replacement; and

WHEREAS, the sealed bids were received and opened on June 27, 2023; and

WHEREAS, said bids have been duly reviewed and analyzed by the Cedar Grove Township Attorney and Township Engineer; and

WHEREAS, the Local Public Contracts Law requires that competitive bidding contracts be awarded to the lowest, responsible, responsive bidder; and

WHEREAS, the apparent lowest bid received from John Garcia Construction Co., Inc. in the amount of \$223,454.62 has been found to be in proper form and in compliance with the provisions of N.J.S.A. §40A:11-23 and the specifications as written; and

WHEREAS, John Garcia Construction Co., Inc. has, therefore, been determined to be the lowest, responsible, responsive bidder; and

WHEREAS, the Chief Financial Officer has certified that sufficient funds are available for this contract award.

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

1. The Township Council hereby awards a contract to John Garcia Construction Co., Inc., 183 Friar Lane, Clifton, New Jersey 07013, for the Rutgers Avenue Water Main Replacement in accordance with the bid specifications for the amount of \$232,454.62.
2. The Mayor, Township Manager and Township Clerk are hereby authorized and directed to execute a contract with John Garcia Construction Co., Inc., in accordance with its bid the for Rutgers Avenue Water Main Replacement.
3. The Township's Chief Financial Officer has certified the availability of funds for this contract.
4. This resolution and contract shall be available for public inspection in the office of the Township Clerk.

Councilwoman Mega moved adoption of the resolution, seconded by Councilman Maceri passed by the following vote:

The Township Manager reported the Township was replacing the entire water main running along Rutgers Avenue. He reported John Garcia Construction Co. is being awarded this contract in the amount of \$223,454.62. He reported there were multiple watermain breaks in that area and there was also a lack of fire hydrants. He reported this upgrade provided for bigger piping and additional fire hydrants. He reported an old 6'' main and was being replaced by a new 8'' main. The entire run is approximately 300 feet and it should be noted how costly this is for such a short run. The Township Manager reported once the project was completed, the entire road would be milled and paved as part of an overlay achieved through one of the Township's cooperative agreements.

Mayor Peterson reported she saw maintenance constantly being done on the area. She reported the Township could not keep fixing the problem and that the problem needed to be resolved.

AYE: Councilmember Maceri, Mega, Mayor Peterson

NO: None

ABSENT: Councilman Zazzali, Deputy Mayor Skabich

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

Mayor Peterson 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 Peterson closed this portion of the meeting.

6. REPORTS OF TOWNSHIP OFFICIALS

- a) Township Manager – The Township Manager reported on the Devil’s Hole. The Township Manager reported he had a call with the Assistant Commissioner Katrina Angarone from the NJDEP, Senator Corrado and Assemblyman DePhillips about the dangers of Devil’s Hole. He requested the NJDEP’s assistance in securing the area. He reported the call resulted in scheduling a site visit with all parties this Wednesday, September 13th at 11 AM. He reported they would take the necessary next steps to secure the site. He reported the mobile camera on loan from the Essex County Prosecutor’s Office was a beneficial deterrent and provided the CGPD with a great resource for dispatching officers should anyone enter the water. The Township Manager reminded Council that the 9th Annual Real Panther’s Wear Pink Breast Cancer Awareness Walk was scheduled for Thursday, October 19th, 2023 at Panther Park, from 6:00 to 8:00 pm. The Township Manager reported the Township received final approvals from the NJDOT to proceed with soliciting bids for the reconstruction of Sweetwood and David Road Paving. He reported he hoped to award a contract at the October Council Meeting The Township Manager reported Town Hall was struck by lightning on Saturday, September 9th. He reported that as a result, numerous departments were without phone and internet access. He reported some of the electric doors were disabled and servers in and throughout the police station were damaged and needed to be replaced. Additionally, the enunciator panel on the generator was fried. He commended DPW employees Pete DiGeronimo for taking care of the door issue, Jerry Vitiello for assembling a crew to clean catch basins and Mike Grasso for monitoring pumping. He reported that a list of all losses would be compiled and discussed with our insurance to provide coverage for the cost of the damaged items. He reported the Police and Fire dispatching was fully functional and the Township was working to restore 100% connectivity to our other departments and Department of Public Works, which was without internet entirely. The Township Manager requested an Executive Session to discuss contracts.
- b) Township Clerk – The Township Clerk reported Polling locations have changed for Districts 2 and 9 for the November 7th General Election. She reported District 2 had been relocated from the North End Fire House to the O’Toole Center at 199 Fairview Avenue due to the demolition and reconstruction of the Fire House. She reported District 9 had been relocated from the O’Toole Center to the South End Fire House at 154 Pompton Avenue where it will remain in perpetuity. The Township Clerk reported her Office was continuing to work with the Essex County Board of Elections to get Cedar Grove High Schoolers to become paid board workers. She reported Poll Worker Training sessions will be held from October 3rd through to the 7th at the Cedar Grove Library. She reported Rutgers and Harvard Universities were now involved in the initiative and would be on location during training. She reported the information would be posted on the website.
- c) Township Attorney – No Report.
- d) Other Reports

Councilman Maceri – Councilman Maceri reported that he attended today’s September 11th ceremony with the Fire Department and High School students. He commended Mayor Peterson and Township Officials for doing a good job. He asked the Township Manager for a progress update on other scheduled projects. The Township Manager reported there were other recreation projects. He reported he scheduled a call with Neglia Engineering for re-turfing of Community Park for a multi-purpose field. He reported it would be a complete renovation. He reported that as the Park is a Green Acres property, Green Acres has tasked the Municipal Engineer with checking the potential for a Community Center. The Township Manager reported as for the North End Firehouse, he anticipated a notice to proceed. He reported Jersey City had a 200 inch water main under the property. He reported the pipe was about 8 feet from the corner of the foundation to be demolished. He reported he wanted Jersey City to ensure the flooring plan before proceeding with demolition.

Councilwoman Mega – Councilwoman Mega thanked the Volunteer Fire Department for their hard work on the 9/11 Display and Ceremony. She reported the Fire Department and High School showed how Cedar Grove will never forget that day. Councilwoman Mega reported the Townwide garage sale was amazing even with inclement weather. She reported that she received positive feedback and it was nice to see neighbors speaking to one another. Councilwoman Mega reported that Morgan’s Farm and the Historical Society were hosting several events in September and October.

Mayor Peterson – Mayor Peterson thanked the Fire Department and High School students for doing a great job on the 9/11 Ceremony. She commended resident, Patty D’Angelo for stepping up and helping out. She shared that the ceremony was very impactful and she was glad to see the town come together. She shared it was a very beautiful tribute.

7. CONSENT AGENDA

- a) To consider resolution concerning approval of raffle application – Cedar Grove Elks Lodge #2237.

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
405 Bowden Road
Cedar Grove NJ 07009

Off Premise 50/50 Raffle Games to be held
January 28, 2024 at 6:00 PM at
405 Bowden 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 Maceri moved adoption of the resolution, seconded by Councilwoman Mega passed by the following vote:

AYE: Councilmember Maceri, Mega, Mayor Peterson

NO: None

ABSENT: Councilman Zazzali, Deputy Mayor Skabich

- b) To consider resolution concerning approval of raffle application – St. Catherine of Siena HSA.

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

St. Catherine of Siena
39 Bradford Ave.
Cedar Grove NJ 07009

Off Premise Merchandise Raffle Games to be held
December 14, 2023 at 9:30 AM at
39 Bradford 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.

Councilman Maceri moved adoption of the resolution, seconded by Councilwoman Mega passed by the following vote:

AYE: Councilmember Maceri, Mega, Mayor Peterson

NO: None

ABSENT: Councilman Zazzali, Deputy Mayor Skabich

- c) To consider resolution concerning approval of raffle application – St. Catherine of Siena HSA.

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

St. Catherine of Siena HSA
39 Bradford Ave.
Cedar Grove NJ 07009

Calendar Raffle Games to be held Jan. 3rd and 17th,
Feb. 7th and 21st, Mar. 6th and 20th at 9:30 AM at
St. Catherine of Siena HSA
39 Bradford 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.

Councilman Maceri moved adoption of the resolution, seconded by Councilwoman Mega passed by the following vote:

AYE: Councilmember Maceri, Mega, Mayor Peterson

NO: None

ABSENT: Councilman Zazzali, Deputy Mayor Skabich

8. NEW BUSINESS

- a) To consider resolution concerning cancellation of tax payments.

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

WHEREAS, it has been determined upon investigation of the Township Manager that the following property tax payments be cancelled:

<u>Block</u>	<u>Lot</u>	<u>Owner & Location</u>	<u>Tax Cancellation</u>	<u>Reason</u>
27	51	Bonassisa Anthony Jr & Janet 49 Harper Terrace Cedar Grove, NJ 07009	\$7,477.88	100% Veteran Disability
68	6	Serfas Luke & Lindsey 23 David Road Cedar Grove, NJ 07009	\$4,516.90	100% Veteran Disability
361	9	Viera Christopher 246 East Lindsley Road Cedar Grove, NJ 07009	\$6,906.22	100% Veteran Disability
280	247	MAY 36 Cliffside Drive Urban Renew 3 Cliffside Drive Cedar Grove, NJ 07009	\$24,518.26	Lot Consolidation
280	320	MAY 36 Cliffside Drive Urban Renew 6 Cliffside Drive Cedar Grove, NJ 07009	\$6,525.38	Lot Consolidation
280	330	MAY 36 Cliffside Drive Urban Renew 2 Cliffside Drive Cedar Grove, NJ 07009	\$19,230.00	Lot Consolidation

\$69,174.64

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Cedar Grove that the Tax Collector is hereby authorized to cancel 2023 property taxes in the total amount of \$69,174.64.

Councilwoman Mega moved adoption of the resolution, seconded by Councilman Maceri passed by the following vote:

AYE: Councilmember Maceri, Mega, Mayor Peterson

NO: None

ABSENT: Councilman Zazzali, Deputy Mayor Skabich

b) To consider resolution concerning refund of tax payments.

WHEREAS, it has been determined upon investigation of the Township Manager that the following property tax payments be refunded:

<u>Block</u>	<u>Lot</u>	<u>Owner & Location</u>	<u>Refund Amount</u>	<u>Reason</u>
27	51	Bonassisa Anthony Jr & Janet 49 Harper Terrace Cedar Grove, NJ 07009	\$411.66	100% Veteran Disability
68	6	Serfas Luke & Lindsey 23 David Road Cedar Grove, NJ 07009	\$2,038.23	100% Veteran Disability
361	9	Viera Christopher 246 East Lindsley Road Cedar Grove, NJ 07009	\$4,000.12	100% Veteran Disability
305	37	Gogerty Robert H 74 Lopez Road Cedar Grove, NJ 07009	\$2,486.74	Duplicate Payment
110	71 Qual:C0002	Gualpa Lupe 466 Pompton Avenue Unit 2 Cedar Grove, NJ 07009	\$1,647.10	Duplicate Payment
52	9	CoreLogic Tax Services for 68 Yorkshire Drive Cedar Grove, NJ 07009	\$1,904.64	Duplicate Payment
140	70	CoreLogic Tax Services for 35 Ridge Road Cedar Grove, NJ 07009	\$5,539.38	Water/Sewer #2-1403900 Overpayment
131	1	Fusco Raymond 4 Clover Court Cedar Grove, NJ 07009	\$1,507.67	Overpayment

\$19,535.54

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Cedar Grove that the Tax Collector is hereby authorized to issue refunds in the total amount of \$19,535.54.

Councilman Maceri moved adoption of the resolution, seconded by Councilwoman Mega passed by the following vote:

AYE: Councilmember Maceri, Mega, Mayor Peterson
NO: None
ABSENT: Councilman Zazzali, Deputy Mayor Skabich

- c) To consider resolution authorizing the sale of municipal property no longer in use.

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

A RESOLUTION AUTHORIZING THE SALE OF MUNICIPAL PROPERTY NO LONGER IN USE.

WHEREAS, N.J.S.A.40A:11-36 provides for the sale of municipal property not needed for public use;

NOW THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Cedar Grove that the property listed below, which is no longer needed for public use, shall be advertised for sale and sold to the highest bidder via public auction, online at www.govdeals.com/twspcedargrove starting on September 19th and ending on September 28th, 2023.

2014 Ford Police Interceptor	VIN# 1FM5K8AR1EGC38719
2019 Ford Police Interceptor	VIN# 1FM5K8AR7KGA32185
2020 Tesla Model 3	VIN# 5YJ3E1EA9LF658993
2016 Ford Police Interceptor	VIN# 1FM5K8AR6GGD04555
2020 Ford Police Interceptor	VIN# 1FM5K8ABXLGB43379
2018 Ford Police Interceptor	VIN# 1FM5K8AR4JGB59796
2004 Chevy Malibu	VIN# 1G1ZU54834F107371

BE IT FURTHER RESOLVED, that such items be sold on an "as is, where is" basis.

Councilwoman Mega moved adoption of the resolution, seconded by Councilman Maceri passed by the following vote:

The Township Manager reported these were old police cars and cars subject to forfeiture and served no use to the Town. He reported the cars would be sold to the highest bidder on GovDeals.

AYE: Councilmember Maceri, Mega, Mayor Peterson

NO: None

ABSENT: Councilman Zazzali, Deputy Mayor Skabich

- d) To consider resolution authorizing the donation of two out of service vehicles to the Fire Department for purposes of training on extrication tools and procedures.

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

A RESOLUTION AUTHORIZING THE DONATION OF THE FOLLOWING TWO OUT OF SERVICE VEHICLES, A 2003 FORD CROWN VICTORIA AND A 2008 FORD EXPLORER TO THE CEDAR GROVE FIRE DEPARTMENT FOR PURPOSES OF TRAINING ON EXTRICATION TOOLS AND PROCEDURES.

WHEREAS, The Township of Cedar Grove is in possession of the following two out of service vehicles, a 2003 Ford Crown Victoria and a 2008 Ford Explorer; and

WHEREAS, The Township of Cedar Grove has determined there is no value in auctioning, selling, or repurposing either vehicle; and

WHEREAS, the Township of Cedar Grove has determined either vehicle is no longer road worthy and poses a safety risk should it navigate public roadways; and

WHEREAS, The Township of Cedar Grove will donate both vehicles to the Cedar Grove Fire Department for purposes of training on extrication tools and procedures; and

WHEREAS, upon completion of the training, both vehicles will be sold for scrap metal value with proceeds tendered to the Township of Cedar Grove; 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 2003 Ford Crown Victoria and a 2008 Ford Explorer to the Cedar Grove Fire Department is hereby authorized and the proceeds from scrap metal to be tendered to the Township of Cedar Grove is acknowledged.

Councilwoman Mega moved adoption of the resolution, seconded by Councilman Maceri passed by the following vote:

The Township Manager reported these were two additional vehicles that are no longer in use. He reported the Township could donate it to the Fire Department to practice drills or sell it for scrap metal to reap the proceeds.

AYE: Councilmember Maceri, Mega, Mayor Peterson

NO: None

ABSENT: Councilman Zazzali, Deputy Mayor Skabich

9. APPROVAL OF BILLS

The Bill Resolution was read by title and amount as follows:

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 \$4,319,719.16.

Councilman Maceri moved adoption of the resolution, seconded by Councilwoman Mega passed by the following vote:

AYE: Councilmember Maceri, Mega, Mayor Peterson

NO: None

ABSENT: Councilman Zazzali, Deputy Mayor Skabich

10. CONTRACTS AND AGREEMENTS

- a) To consider resolution authorizing the execution of a contractual addendum concerning lease provisions of the Montclair Ambulance Unit.

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

RESOLUTION OF THE TOWNSHIP OF CEDAR GROVE AUTHORIZING THE EXECUTION OF A CONTRACTUAL ADDENDUM CONCERNING LEASE PROVISIONS OF THE MONTCLAIR AMBULANCE UNIT

WHEREAS, a Contract was executed to provide emergency medical services to the Township of Cedar Grove during the daytime hours of 6:00 am to 6:00 pm, seven days per week; and

WHEREAS, the Contract is for a term of three (3) years commencing August 1, 2023 and terminating July 31, 2026; and

WHEREAS, in accordance with the terms of the Contract, MAU bills patients to whom it provides services and the Township of Cedar Grove is obligated to pay MAU a sum not to exceed thirty thousand dollars (\$30,000) per year; and

WHEREAS, as part of this service, MAU has entered into a separate lease agreement (the "Lease") with the Cedar Grove Ambulance and Rescue Squad ("CGARS") to lease space at the CGARS facility located at 651 Pompton Avenue, Cedar Grove, New Jersey, 07009 for one-dollar (\$1.00) per year; and

WHEREAS, this Lease agreement also provides for use of one (1) CGARS ambulance for one-dollar per year (\$1.00); and

WHEREAS, the Township memorialized this Lease in the tenth “whereas” clause in a Resolution titled “Resolution to Award Contract for Emergency Medical Services” dated July 10, 2023;

WHEREAS, the parties have determined it is necessary to memorialize additional terms related to this separate lease agreement; and

WHEREAS, Paragraph VII, Section E of the Contract provides that “any amendments to this Agreement must be made in writing and signed by both parties. Unilateral modification is expressly prohibited;” and

WHEREAS, this Addendum, annexed hereto, provides remedies in the event of a lease termination between CGARS and MAU.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Township of Cedar Grove, County of Essex, State of New Jersey, that the Township Manager is hereby authorized to execute the addendum.

Councilwoman Mega moved adoption of the resolution, seconded by Councilman Maceri passed by the following vote:

The Township Manager reported Montclair was leasing space from the Ambulance and Rescue Squad. He reported their attorney requested a provision in the agreement in case of a breach, so that Montclair could continue to service Cedar Grove.

AYE: Councilmember Maceri, Mega, Mayor Peterson

NO: None

ABSENT: Councilman Zazzali, Deputy Mayor Skabich

- b) To consider resolution authorizing the Township of Cedar Grove to enter into a Cooperative Pricing Agreement with Hunterdon County.

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

Resolution for Member Participation in a Cooperative Pricing System

A resolution authorizing the Township of Cedar Grove to enter into a Cooperative Pricing Agreement.

WHEREAS, N.J.S.A. 40A:11-11(5) authorizes contracting units to establish a Cooperative Pricing System and to enter into Cooperative Pricing Agreements for its administration; and

WHEREAS, the Hunterdon County Educational Services Commission, hereinafter referred to as the “Lead Agency ” has offered voluntary participation in a Cooperative Pricing System for the purchase of goods and services;

WHEREAS, on SEPTEMBER 11, 2023, the Governing Body of the Township of Cedar Grove, County of Essex, State of New Jersey duly considered participation in a Cooperative Pricing System for the provision and performance of goods and services;

NOW, THEREFORE BE IT RESOLVED as follows:

TITLE

This RESOLUTION shall be known and may be cited as the Cooperative Pricing Resolution of the Township of Cedar Grove

AUTHORITY

Pursuant to the provisions of *N.J.S.A. 40A:11-11(5)*, the Township Manager is hereby authorized to enter into a Cooperative Pricing Agreement with the Lead Agency.

CONTRACTING UNIT

The Lead Agency shall be responsible for complying with the provisions of the *Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.)* and all other provisions of the revised statutes of the State of New Jersey.

EFFECTIVE DATE

This resolution shall take effect immediately upon passage.

CERTIFICATION

BY: *Joseph M. Zichelli, Esq.*

Joseph M. Zichelli, Esq., Township Manager

ATTEST BY: *Dale A. Forde*

Dale A. Forde, Township Clerk

Councilman Maceri moved adoption of the resolution, seconded by Councilwoman Mega passed by the following vote:

The Township Manager reported this was a free cooperative that allowed the Township to buy whatever was needed at a discounted price.

AYE: Councilmember Maceri, Mega, Mayor Peterson

NO: None

ABSENT: Councilman Zazzali, Deputy Mayor Skabich

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

Mayor Peterson opened this portion of the meeting to anyone wishing to be heard on any item on the agenda.

1. Lee Peterson: Mr. Peterson thanked Members of Council who attended the September 11th Ceremony. He shared that a couple of High School students used their breaks to help prepare for the ceremony and commended them for their commitment.

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

AUTHORIZATION TO GO INTO EXECUTIVE SESSION

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

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

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

1. The public shall be excluded from discussion of any action in the Executive Session of the Meeting of the Mayor and Council of September 11, 2023.
2. The general nature of the subject matter to be discussed is contract.
3. It is anticipated at this time that the above stated subject matter will be made public as soon thereafter as it is deemed in the public interest to do so.
4. This Resolution shall take effect immediately.

Councilwoman Mega moved adoption of the resolution, seconded by Councilman Maceri, and passed by the following vote:

AYE: Councilmembers Maceri, Mega, Mayor Peterson
 NO: None
 ABSENT: Councilwoman Skabich

12. ADJOURNMENT

Councilwoman Mega moved adjournment of the public council meeting, seconded by Councilman Maceri, and passed by the following vote:

AYE: Councilmember Maceri, Mega, Mayor Peterson
 NO: None
 ABSENT: Councilman Zazzali, Deputy Mayor Skabich

The meeting adjourned at 7:26 PM.

ATTEST:

KERRY PETERSON MAYOR

DALE A. FORDE MUNICIPAL CLERK