

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

PUBLIC MEETING

MINUTES

OCTOBER 2, 2023

1. ROLL CALL, INVOCATION AND FLAG SALUTE

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

Present: Councilmember Maceri, Mega, Zazzali, Deputy Mayor Skabich, Mayor Peterson

Also Present: Township Manager Zichelli, Township Attorney Nabbie and Township Clerk Forde, Senator Kristin M. Corrado, Assemblyman Christopher P. DePhillips

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.

2. EXTRAORDINARY BUSINESS

Senator Corrado and Assemblyman DePhillips presented the Cedar Grove High School Softball Team with a proclamation from the State Legislature.

Township Council presented the Team and coaches with a proclamation for winning three, including the State, Championships.

3. APPROVAL OF MINUTES

a) To consider approval of minutes of regular public meeting – September 11, 2023.

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

AYE: Councilmember Maceri, Mega, Mayor Peterson

NO: None

ABSTAIN: Councilman Zazzali, Deputy Mayor Skabich

4. 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.

5. REPORTS OF TOWNSHIP OFFICIALS

- a) Township Manager – The Township Manager reported there was a lot of rain over the past week. He commended DPW for cleaning catch basins throughout the storm. The Township Manager wished Councilman Maceri a Happy Birthday.
- b) Township Clerk – The Township Clerk reported Election Board worker training would begin at the Cedar Grove Library on October 3rd through the 7th. The Township Clerk reported board workers who worked the election earned \$300.00.
- c) Township Attorney – No Report.
- d) Other Reports

Councilman Zazzali – Councilman Zazzali reported that a senior resident asked where seniors could meet socially. He asked if there some options. The Township Manager reported there were some spots to consider; Council Chambers, South End Fire House and the possibility of the community center at Cedar Grove Park. He asked that the Councilman put him in touch with the senior.

Councilman Maceri – Councilman Maceri announced the Fire House Annual Shredding event was scheduled for October 14th and the Panther’s Wear Pink Annual Walk was scheduled for October 19th. He encouraged residents to participate in these worthwhile fundraisers.

Councilwoman Mega – Councilwoman Mega congratulated the Softball Team. Councilwoman Mega announced the Historical Society would host the Apple and Pumpkin Sale at Morgan’s Farm on October 7th and 8th.

Deputy Mayor Skabich – Deputy Mayor Skabich reported the Historical Society wrapped up its first growing season of the Community Garden.

Mayor Peterson – Mayor Peterson wished Councilman Maceri a Happy Birthday. Mayor Peterson announced that Municipal Alliance would host the fall movie on October 13th at 6:00 PM at Morgan’s Farm.

6. NEW BUSINESS

- a) To consider introduction of Pending Ordinance #23-919 – A Capital Ordinance Providing Funding For Budget Software For The Township Of Cedar Grove and Appropriating \$100,000 For Such Purpose.

The Clerk read the ordinance by title only:

PENDING ORDINANCE NO. 23-919

A CAPITAL ORDINANCE PROVIDING FUNDING FOR BUDGET SOFTWARE FOR THE TOWNSHIP OF CEDAR GROVE AND APPROPRIATING \$100,000 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 the acquisition of budget software, including all work or materials necessary therefor or incidental thereto, for the Township of Cedar Grove to be funded from the sources specified in Section 2 of the Ordinance.

Section 2. The amount of \$100,000 is hereby appropriated for the purposes stated in Section 1 of the Ordinance and which amount was funded from the capital improvement fund in the amount of \$100,000.

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

The Township Manager reported this was \$100,000.00 Capital Ordinance to upgraded budget software.

Councilman Maceri 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 November 6, 2023, seconded by Councilman Zazzali, and passed by the following vote:

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

- b) To consider resolution concerning approval of raffle application – Cedar Grove High School Music Matters.

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

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

APPLICANTS

EVENTS, DATES TIMES & PLACE

Cedar Grove High School Music Matters	Off-Premise 50/50 Raffle to be held
90 Rugby Road	January 9, 2024 at 8:00 PM at
Cedar Grove NJ 07009	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.

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

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

- c) To consider resolution concerning developer’s agreement – VJC Contractors.

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

**In the Matter of:
VJC Contractors
1186 Pompton Avenue, Associates
Block 320, Lot 84**

BE IT RESOLVED, that the appropriate municipal officials are hereby authorized to sign a Developers Agreement with VJC Contractors in connection with the development of Block 320, Lot 84, Cedar Grove, New Jersey, after satisfaction of the following:

- A. Submission of a performance guarantee in the amount of 171,547.20 as set forth in the Agreement, which consists of ten percent (10%) cash in the amount of \$17,154.72)
- B. The posting of an escrow in the amount of \$22,050.00 pursuant to the Agreement.
- C. The submission of an appropriate insurance certificate in the amount of \$1,000,000.00; and
- D. The signing of the Developer’s Agreement by the Developer.

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

The Township Manager reported this was an application before the zoning board for property located on Rt. 23. He reported the Township Attorney prepared the developer’s agreement as required by the Township’s Municipal Code.

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

NO: None

- d) 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 E. Bradford Ave
Cedar Grove NJ 07009

Off-Premise 50/50 Raffle to be held
Jan. 10, Feb. 7, Mar. 6, Apr. 10, May 8, Jun. 5, Jul. 10,
Aug. 7, Sept. 11, Oct. 9, Nov. 6, Dec. 4, 2024 at 10AM at
39 E. 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 Councilman Zazzali passed by the following vote:

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

- e) To consider resolution concerning approval of 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

Cedar Grove High School
Association of Parents & Teachers
90 Rugby Rd.
Cedar Grove, NJ 07009

Off-Premise 50/50 Raffle to be held
November 3, 2023 at 6:00 PM-8:00 PM
Nov. 3, Nov. 4, Nov. 10, Nov.11, Nov. 17, Nov. 18,
2023 at time TBD and Dec. 2, 2023 at 4:00 PM
90 Rugby Rd., Cedar Grove NJ 07009

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

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

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

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

NO: None

- f) To consider resolution authorizing execution of temporary construction access with Seger.

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

RESOLUTION AUTHORIZING EXECUTION OF TEMPORARY ACCESS AGREEMENT.

WHEREAS, the Township entered into contract dated August 16, 2023 with Daskal, LLC (“Daskal”), a limited liability company organized under the laws of the State of New Jersey, with offices located at 15 Boonton Avenue, Butler, New Jersey, 07405 for purposes of demolishing an existing fire house and replacing it with a new, two-bay Fire House on the same property; and

WHEREAS, as has been depicted on architectural plans and subject to subsequent discussion, there is a one-hundred-and-two-inch (102’) diameter aqueduct running adjacent to and beneath the Fire House; and

WHEREAS, the Jersey City Municipal Utility Authority (“JCMUA”) has an existing right-of-way to access and service said aqueduct and, as such, raised concerns regarding the work taking place near the aqueduct, which were memorialized in a letter dated September 14, 2023; and

WHEREAS, the Township and Daskal desire to reduce any exposure to harming this aqueduct or complying with onerous requirements imposed by the JCMUA; and

WHEREAS, Seger owns real property adjacent to the Fire House currently used for parking cars of patrons and employees from Lu Nello restaurant, located at 182 Stevens Avenue, Cedar Grove, New Jersey, 07009; and

WHEREAS, this Property is at a distance from the aqueduct that would permit easier access for the Township and Daskal to perform the work without interfering with the aqueduct or triggering concern with JCMUA; and

WHEREAS, the Township Manager is authorized to enter into such agreement.

NOW, THEREFORE, BE IT RESOLVED for consideration of permitting Seger to park vehicles in the Township property on the corner of Stevens Avenue and East Lindsley Avenue and for drainage remedy and property resurfacing, the Township seeks to enter into this Agreement whereby temporary access will be permitted for purposes of demolishing

and reconstructing the Fire House such that the work can occur at a great enough distance from the aqueduct so as to not concern the Township or JCMUA and so as to not burden Daskal in the completion of its contractual obligation.

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

The Township Manager reported that over a month and a half, the Township has dealt with the Jersey City Utilities Authority which has the right-a-way with a one-hundred-and-two-inch (102") diameter aqueduct running adjacent to and beneath the North End Fire House. He reported there were some concerns with the way development would be addressed. He reported this agreement would allow for access to the site from another area.

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

7. 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 \$2,966,310.90.

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

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

8. CONTRACTS AND AGREEMENTS

- a) To consider resolution authorizing the execution of a Waste Water Treatment and Disposal Agreement with the Passaic Valley Sewerage Commission.

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 that it does hereby authorize execution of a Waste Water Treatment and Disposal Agreement between the Passaic Valley Sewerage Commission (PVSC) and Township of Cedar Grove.

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

The Township Manager reported the Town already had its own waste water treatment, but during the process sludge was byproduct of treatment. He reported this agreement allowed PVSC to remove the sludge offsite twice a day.

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

9. 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. Kate Hartwyk: Ms. Hartwyk thanked the Fire and Police Departments for responding to an incident that occurred at Eagle Field. Ms. Hartwyk informed Council of the upcoming Fall events hosted by the County.
2. Steve Young: Mr. Young thanked the Council and the Board of Education for providing the Community Garden and allowing the students to get involved. Mr. Young thanked the DPW on doing a great job in maintaining the grounds.

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

10. ADJOURNMENT

Councilman Maceri moved adjournment of the public council meeting, seconded by Councilwoman Mega, and passed by a voice vote.

The meeting adjourned at 7:26 PM.

KERRY PETERSON MAYOR

ATTEST:

DALE A. FORDE MUNICIPAL CLERK