

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

PUBLIC MEETING

MINUTES

FEBRUARY 5, 2024

1. ROLL CALL, INVOCATION AND FLAG SALUTE

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

Present: Councilmembers Maceri, Mega, Zazzali, Deputy Mayor Skabich
Also Present: Township Manager Zichelli, Township Attorney Giacobbe, Township Clerk Forde
Absent: Mayor Peterson

The flag salute was led by Deputy Mayor Skabich.

Deputy Mayor Skabich 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 14, 2023, filed with the Township Clerk, and posted on the public bulletin board in the Municipal Building Lobby in accordance with the Open Public Meeting Act.

2. PUBLIC HEARING

- a) To consider adoption of Pending Ordinance #24-924 – Ordinance to Exceed the Municipal Budget Appropriation Limits and Establish a CAP Bank.

The ordinance was read by title only as follows:

PENDING ORDINANCE NO. 24-924

ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND ESTABLISH A CAP BANK.

The Township Manager reported this Ordinance allowed for an increase in appropriations by 3.5% or \$148,534.49 beyond the increased otherwise provided by law. He reported that whatever the Township did not appropriate this year, can be banked for the next two years, in the event, the Township needed to increase appropriations then.

Deputy Mayor Skabich opened the public hearing on this item. There being no one present wishing to be heard, Deputy Mayor Skabich 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: Councilmember Maceri, Mega, Zazzali, Deputy Mayor Skabich
NO: None
ABSENT: Mayor Peterson

- b) To consider adoption of Pending Ordinance #23-925 – An Ordinance Amending Chapter 23 of the Code of the Township of Cedar Grove Entitled “Fire Department”.

The ordinance was read by title only as follows:

PENDING ORDINANCE NO. 24-925

AN ORDINANCE AMENDING CHAPTER 23 OF THE CODE OF THE TOWNSHIP OF CEDAR GROVE ENTITLED “FIRE DEPARTMENT”.

Deputy Mayor Skabich opened the public hearing on this item. There being no one present wishing to be heard, Deputy Mayor Skabich 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 Zazzali and passed by the following vote:

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

NO: None

ABSENT: Mayor Peterson

3. AWARD OF BID

- a) To consider resolution awarding bid for Water Meter Replacement to MeterTek Utility Services.

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

RESOLUTION AUTHORIZING AWARD OF CONTRACT THROUGH A FAIR AND OPEN PROCESS FOR WATER METER REPLACEMENT TO METERTEK UTILITY SERVICES OF 20 LAFAYETTE PLACE, KENILWORTH, NEW JERSEY, 07033 IN AN AMOUNT NOT TO EXCEED \$335,221.00.

WHEREAS the Township of Cedar Grove has, in accordance with the Local Public Contracts Law, N.J.S.A. 40A:11-1 et. seq., pursuant to advertising duly made, received two (2) bids for Water Meter Replacement on December 6, 2023; and

WHEREAS, said bids were publicly opened and read by the Township Clerk on December 6, 2023 as follows; and

<u>CONTRACTOR</u>	<u>BID TOTAL</u>
National Metering Services	\$335,543.00
MeterTek Utility Services	\$335,221.00

WHEREAS, CP Engineers, Township Consulting Engineers, and the Township Attorney have reviewed the bids and recommended awarding the bid to MeterTek Utility Services of Kenilworth, New Jersey, the apparent lowest and responsive bidder; and

WHEREAS, \$335,221.00 in funds are available for this purpose in the Capital Improvement Fund - 01-2023-0001-1115-2-59000.

NOW, THEREFORE BE IT RESOLVED by the Township Council of the Township of Cedar Grove that the award of bid be made to MeterTek Utility Services of Kenilworth, NJ for Water Meter Replacement in the amount of \$335,221.00; and

BE IT FURTHER RESOLVED that the proper Township Officials be instructed to execute a contract on behalf of the Township.

The Township Manager reported MeterTek would communicate with the Township and its residents to arrange for replacement on a schedule conducive to the residents.

Councilwoman Mega asked how long the project would take. The Township Manager responded he scheduled a post-award meeting to discuss scheduling with the contractor. He reported the contractor was paid by meter so it depended on how slow or fast the contractor did it.

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

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

- b) To consider resolution awarding bid for Sludge Removal to SpectraServ, Inc.

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

RESOLUTION AUTHORIZING AWARD OF CONTRACT THROUGH A FAIR AND OPEN PROCESS FOR SLUDGE REMOVAL, DELIVERY TO PASSAIC VALLEY SEWAGE COMMISSION (“PVSC”) TO SPECTRASERVE, INC., OF 75 JACOBUS AVENUE, KEARNY, NEW JERSEY, 07032 FOR A TWO (2) YEAR TERM IN AN AMOUNT NOT TO EXCEED A PRICE OF \$0.041 PER GALLON DELIVERED TO PVSC.

WHEREAS, the Township of Cedar Grove has, in accordance with the Local Public Contracts Law, N.J.S.A. 40A:11-1 et. seq., pursuant to advertising duly made, received one (1) bid for Sludge Removal on December 7, 2023; and

WHEREAS, said bid was publicly opened and read by the Township Clerk on December 7, 2023 as follows; and

CONTRACTOR
Spectraserv, Inc.

BID TOTAL
\$0.041 PER GALLON

WHEREAS, CP Engineers, Township Consulting Engineers, and the Township Attorney have reviewed the bids and recommended awarding the bid to Spectraserv, Inc. of Kearny, New Jersey, the apparent lowest and responsive bidder; and

WHEREAS, funds are available for this purpose in the Sewer Operating Budget 04-2024-001--4100-2-9918.

NOW, THEREFORE BE IT RESOLVED by the Township Council of the Township of Cedar Grove that the award of bid be made to Spectraserv, Inc. of Kearny, NJ for Sludge Removal; and

BE IT FURTHER RESOLVED that the proper Township Officials be instructed to execute a contract on behalf of the Township.

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

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

NO: None

ABSENT: Councilwoman Peterson

- c) To consider resolution awarding bid for the reconstruction of Sweetwood Drive and David Road to KM Construction Corporation.

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

RESOLUTION AUTHORIZING AWARD OF CONTRACT THROUGH A FAIR AND OPEN PROCESS FOR THE RECONSTRUCTION OF SWEETWOOD DRIVE AND DAVID ROAD TO KM CONSTRUCTION CORPORATION OF 14 CORDIER STREET, IRVINGTON, NEW JERSEY, 07111, IN AN AMOUNT NOT TO EXCEED \$278,141.50

WHEREAS the Township of Cedar Grove has, in accordance with the Local Public Contracts Law, N.J.S.A. 40A:11-1 et. seq., pursuant to advertising duly made, received eleven (11) bids for the reconstruction of Sweetwood Drive and David Road on December 19, 2023; and

WHEREAS, said eleven (11) bids were publicly opened and read by the Township Clerk on December 19, 2023 and the three (3) lowest were as follows; and

<u>CONTRACTOR</u>	<u>BID TOTAL</u>
KM Construction Corp.	\$278,141.50
Stanziale Construction, LLC.	\$284,267.80
AJM Contractors Co., Inc.	\$302,017.50

WHEREAS, Suburban Consulting Engineers, Township Engineer, and the Township Attorney have reviewed all bids and recommended awarding the bid to KM Construction Corp. of Irvington, New Jersey, the apparent lowest and responsive bidder; and

WHEREAS, \$365,500 in funds are available for this purpose in the Capital Budget 06-0000-0000-6071-2-22228.

NOW, THEREFORE BE IT RESOLVED by the Township Council of the Township of Cedar Grove that the award of bid be made to KM Construction Corp. of Irvington, New Jersey for the reconstruction of Sweetwood Drive and David Road in the amount of \$278,141.50; and

BE IT FURTHER RESOLVED that the proper Township Officials be instructed to execute a contract on behalf of the Township.

The Township Manager reported this contract to reconstruct Sweetwood Drive and David Road would not exceed \$278,141.40 and would be paid out of previously bonded funds and reimbursed by a NJDOT Road Reconstruction Grant.

Councilman Maceri moved for the approval of the minutes, seconded by Councilman Zazzali and passed by the following vote:

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

NO: None

ABSENT: Mayor Peterson

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

Deputy Mayor Skabich 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, Deputy Mayor Skabich closed this portion of the meeting.

5. REPORTS OF TOWNSHIP OFFICIALS

a) Township Manager – The Township Manager reported on the success of the third Mobile DMV. The Township Manager reported that he sought to introduce the budget in April and have it adopted in May. The Township Manager reported information concerning this year's garden will be disseminated over the next few weeks.

b) Township Clerk – No Report.

c) Township Attorney – No Report.

d) Other Reports

Councilwoman Mega – No Report.

Councilman Maceri – Councilman Maceri explained last year, the Township started to recast Bond Anticipation Notes (BANs). He asked how that impacted from last year.

The Township Manager reported the Township successfully recast Bonds in July and refinanced a lot of the debt. He reported the big savings was there was a reduction in interest rates once the BANs were converted into municipal bonds. He reported the debt was restructured from 98% BANs to 50% BANs. The Township Manager reported in 2023, the total debt service from the general fund was \$2,360,040.00 and of that amount, \$1,595,000.00 was principle and \$765,000.00 was interest. He reported that because of restructuring and refinancing, the Township was keeping the debt service number exactly the same this year except the principle payment was increased and the interest was decreased. The Township Manager reported that the Township was 200 basis points beneath where the bond sales were when the bonds were sold. He reported the Township was making the same payment, but putting more towards our debt and not interest.

Councilman Maceri asked what was the 2024 rate. The Township Manager responded 3.5% to 3.6% because the Township did long-term financing on the bonds.

Councilman Maceri commended the Township Manager for his work on the budget.

Councilman Zazzali – Councilman Zazzali reported he attended the ribbon cutting for Dervish Restaurant. He said it was a nice ceremony and it was also nice to see new businesses in the vacant storefronts in the downtown area.

Deputy Mayor Skabich – Deputy Mayor Skabich reported that she attended the Blessing Ceremony with the Tzu-Chi Buddhist on Commerce. She commended them for their work in the community for their food pantry, as well as, a massive global humanitarian effort on disaster recovery. Deputy Mayor Skabich commended the Township Manager on the budget hearings.

6. CONSENT AGENDA

- a) To consider resolution concerning appointment to the Planning Board.

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 Doster be appointed to the Planning Board for a four-year term, effective January 1, 2024 and expiring December 31, 2027.

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

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

- b) To consider resolution concerning appointments to the Recreation Board.

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 Diana Gasparano and Anthony Scarpelli be appointed to the Recreation Advisory Board for a three-year term, effective January 1, 2024 and expiring December 31, 2026.

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

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

NO: None

ABSENT: Mayor Peterson

- c) To consider resolution concerning appointment to the Municipal Alliance 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, County of Essex, New Jersey, that Charlie Roussel be appointed to the Municipal Alliance Commission for a three-year term, effective January 1, 2024 and expiring December 31, 2026.

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

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

NO: None

ABSENT: Mayor Peterson

- d) To consider resolution concerning appointments to the Environmental 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, County of Essex, New Jersey, that Charles A. Montalvo be appointed to serve as Environmental Commission Alt. #1 for a two-year term, effective immediately and expiring December 31, 2025.

BE IT FURTHER RESOLVED, that Frank Alfano be appointed to serve as Environmental Commission Alt. 2 for a one-year term effective immediately and expiring December 31, 2024.

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

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

NO: None

ABSENT: Mayor Peterson

7. NEW BUSINESS

- a) To consider Pending Ordinance #24-926 - An Ordinance of the Township of Cedar Grove, County of Essex, State of New Jersey, Amending Chapter 246 of the Code of the Township Concerning Tree Removal and Protection.

The ordinance was read by title only as follows:

PENDING ORDINANCE NO. 24-926**AN ORDINANCE OF THE TOWNSHIP OF CEDAR GROVE, COUNTY OF ESSEX, STATE OF NEW JERSEY, AMENDING CHAPTER 246 OF THE CODE OF THE TOWNSHIP CONCERNING TREE REMOVAL AND PROTECTION.**

This chapter shall be known as the "Tree Removal and Protection Ordinance of the Township of Cedar Grove."

§246-2 Findings and purpose.

The Township Council of the Township of Cedar Grove finds: that the preservation, protection and planting of trees aids in the stabilization of soil by the prevention of erosion and sedimentation; reduces stormwater runoff and the potential damage it may create; aids in the removal of pollutants from the air and assists in the generation of oxygen; provides a buffer and screen against noise and pollution; provides protection against severe weather; aids in the control of drainage and restoration of denuded soil subsequent to construction or grading; provides a haven for birds and other wildlife and otherwise enhances the environment; protects and increases property values; conserves and enhances Township's physical and aesthetic appearance; and generally protects the public health and safety as well as the general welfare.

§246-3 Definitions.

The following definitions shall apply to this chapter: For the purpose of this ordinance, the following terms, phrases, words, and their derivations shall have the meanings stated herein unless their use in the text of this ordinance clearly demonstrates a different meaning. When consistent with the context, words used in the present tense include the future, words used in the plural number include the singular number, and words used in the singular number include the plural number. The use of the word "shall" means the requirement is always mandatory and not merely directory.

APPLICANT

Any "person", as defined below, who applies for approval to remove trees regulated under this ordinance.

CRITICAL ROOT RADIUS (CRR)

The zone around the base of a tree where the majority of the root system is found. This zone is calculated by multiplying the diameter at breast height (DBH) of the tree by 1.5 feet. For example: a tree with a 6" DBH would have a CRR = 6"x1.5' = 9'.

DIAMETER AT BREAST HEIGHT (DBH)

The diameter of the trunk of a mature tree generally measured at a point four and a half feet above ground level from the uphill side of the tree. For species of trees where the main trunk divides below the 4 ½ foot height, the DBH shall be measured at the highest point before any division.

HAZARD TREE

A tree or limbs thereof that meet one or more of the criteria below. Trees that do not meet any of the criteria below and are proposed to be removed solely for development purposes are not hazard trees. Hazard Trees are to be confirmed by a Township Representative.

1. Has an infectious disease or insect infestation;
2. Is dead or dying;
3. Obstructs the view of traffic signs or the free passage of pedestrians or vehicles, where pruning attempts have not been effective;
4. Is causing obvious damage to structures (such as building foundations, sidewalks, etc.); or
5. Is determined to be a threat to public health, safety, and/or welfare by a certified arborist or Licensed Tree Expert (LTE).

MAJOR TREE

~~A deciduous tree with a mature height of at least 50 feet which shall be of a caliper of at least 2 1/2 inches measured 4 1/2 feet above the ground when planted (e.g., red Norway, silver or sugar maple; sweetgum; London plane tree; American sycamore; white, red or pin oak; American elm; yellow or white poplar; or copper beech).~~

MINOR TREE

~~An evergreen tree, ornamental tree or other small tree at least six feet in height at time of planting (e.g. birch, dogwood, Japanese maple, cherry, crabapple, magnolia, Bradford pear, willow, cedar, spruce, pine, fir or hemlock).~~

PERSON

~~The owner of a parcel of real estate or any other individual, group, company, firm, corporation, partnership, association, society or other legal entity.~~
Any individual, resident, corporation, utility, company, partnership, firm, or association.

PLANTING STRIP

The part of a street right-of-way between the public right-of-way and the portion of the street reserved for vehicular traffic or between the abutting property line and the curb or traveled portion of the street, exclusive of any sidewalk.

RESIDENT

An individual who resides on the residential property or contractor hired by the individual who resides on the residential property where a tree(s) regulated by this ordinance is removed or proposed to be removed.

SPECIES

For purposes of this chapter, the common name of the tree.

STREET TREE

A tree planted in the sidewalk, planting strip, and/or in the public right-of-way adjacent to the portion of the street reserved for vehicular traffic. This also includes trees planted in planting strips within the roadway right-of-way, i.e., islands, medians, pedestrian refuges.

STRUCTURE

A combination of materials to form a construction for occupancy, use or ornamentation, whether installed on, above or below the surface of a parcel of land.

TREE

A woody perennial plant, typically having a single stem or trunk growing to a considerable height and bearing lateral branches at some distance from the ground.

TREE CALIPER

The diameter of the trunk of a young tree, measured six (6) inches from the soil line. For young trees whose caliper exceeds four (4) inches, the measurement is taken twelve (12) inches above the soil line.

TREE REMOVAL

To kill or to cause irreparable damage that leads to the decline and/or death of a tree. This includes, but is not limited to, excessive pruning, application of substances that are toxic to the tree, over-mulching or improper mulching, and improper grading and/or soil compaction within the critical root radius around the base of the tree that leads to the decline and/or death of a tree. Removal does not include responsible pruning and maintenance of a tree, or the application of treatments intended to manage invasive species.

§246-4 Permit required.

[Amended 12-18-2006 by Ord. No. 06-664]

No person shall cut down or remove any tree of a caliper of four inches or greater measured at a height of 4 1/2 feet above the ground without a tree removal permit, except that a person may remove two trees within a ~~twenty-four month~~ five (5) year period without applying for a tree removal permit pursuant to this chapter.

§246-5 Application procedure.

A. Application for a tree removal permit shall be made by submission of the following:

1. An original and two copies of an application on forms provided by the Township containing the following information: the name and address of the applicant; the street address and tax lot and block of the property in question; and the number of trees to be removed. The Township Manager, or his designee, may require the submission of additional information that will assist in the processing of the tree removal permit.

[Amended 12-18-2006 by Ord. No. 06-664]

2. An original and two copies of a tree removal plan consisting of a map drawn to scale showing the location of all trees to be removed, the species of such trees and their caliper. In the event that the application is for the removal of more than five trees, the tree removal plan must be prepared, signed and sealed by a licensed professional engineer or land surveyor, and must show the location of all existing and proposed structures on the property, together with the distance, up to 15 feet, that the trees proposed to be removed are located from such structures and from property lines.
3. An original and two copies of a tree mitigation plan, if mitigation is required pursuant to § 246-7D hereof, consisting of a map drawn to scale showing the location of all trees to be planted, the species of such trees and their caliper or size as required.
4. An original and two copies of a separate list of the trees to be removed identifying each tree on the tree removal plan by species and caliper, and stating the condition of each tree as "dead" or "good," and further explaining why removal is justified under the standards of this chapter.

[Amended 12-18-2006 by Ord. No. 06-664]

5. The application fee pursuant to § 246-6.
- B. The applicant shall place a one-inch-wide red, yellow or blue ribbon around the trunk of each tree to be removed at a height of 4 1/2 feet above the ground so that the proposed tree removal may be inspected in the field.

§246-6 Fees.

[Amended 12-18-2006 by Ord. No. 06-664]

The fee for a tree removal permit shall be \$20 per tree to be removed, with a minimum fee of \$100.

§246-7 Standards for application review.

The following standards for review of applications shall apply:

- A. Permitted removal. No tree shall be permitted to be removed unless the tree is:
 1. Located within the building footprint of a proposed principal building.
 2. Located between the curblines of a proposed roadway approved pursuant to Chapter 234, Subdivision of Land.
 3. Located within the roadway right-of-way but outside the curbline of a proposed roadway approved pursuant to Chapter 234, Subdivision of Land, subject to the provisions of Subsection D(8) of this section.
 4. Dead or poses a safety hazard.
 5. Located within 15 feet of any building.
 6. Located within the area of a proposed driveway, walkway, utility line, accessory building or any other structure.
 7. Located in a front yard area proposed to be landscaped.
 8. Located in a recreation area which shall not exceed an area of land equal to 50% of the rear yard of a lot on which a building is proposed or measured within the first 80 feet from the rear building line, less areas in the side yards and rear yard where trees are to be removed pursuant to other provisions of this subsection.^[1]

[1]

Editor's Note: Former Subsection A(9), regarding being permitted to be removed in a site plan, was repealed 12-18-2006 by Ord. No. 06-664.

- B. Conflict with other laws. Notwithstanding anything in this chapter to the contrary, no tree removal shall be permitted where prohibited by Chapter 268, Zoning (e.g., buffer zones and crestline provisions), or any other municipal, state or federal statute, ordinance or regulation.
- C. Hardship appeal. In the event that an applicant believes the standards set forth in Subsection A above constitute a hardship which prohibits a reasonable use of all or substantially all of the property in question, an applicant may seek relief from the governing body of the Township of Cedar Grove. In the event that such relief is sought, the applicant shall submit an additional eight copies of the documents required to be submitted, together with 11 copies of a written statement as to the reasons for the claimed hardship. In addition, the applicant shall submit a fee for the hearing of the matter in the amount of \$300. The governing body, upon submission of a complete application to the Township Clerk, shall schedule a public hearing in connection with the requested relief. The applicant shall cause to be published in an official newspaper of the municipality a notice setting forth the time, date and place of the hearing to be so held, together with a brief statement of the relief requested. Such notice must be published within 10 days prior to the date of the hearing. Additionally, the applicant shall cause to be served upon all property owners within 200 feet of the property in question a similar notice by certified mail, return receipt requested, or by personal service. Proof of publication and service of notice shall be required to be submitted prior to the hearing. At the hearing, the applicant

shall present witnesses under oath, and any other interested parties may do the same. All witnesses shall be subject to cross-examination. The decision of the governing body shall be binding upon the municipal official in charge of enforcement and administration of this chapter.

D. Mitigation. Mitigation for tree removal shall be required as follows:

1. ~~No mitigation shall be required in connection with tree removal conducted pursuant to a permit issued under Subsection A(1) and (2) of this section.
[Amended 12-18-2006 by Ord. No. 06-664]~~
2. Mitigation shall be required pursuant to Subsection D(4) of this section in the event of tree removal pursuant to Subsection A(5) through (8) of this section.
3. In the event of tree removal pursuant to Subsection A(4), no mitigation shall be required if the tree has been planted for at least five years, there has been no damage to the tree by construction or otherwise by any person, and there has been no soil-moving within 15 feet of such tree within such five years; otherwise, mitigation shall be required pursuant to Subsection D(4) of this section.
4. For each tree for which mitigation is required, pursuant to Subsection D(2) and (3) above, the following shall apply:
[Amended 12-18-2006 by Ord. No. 06-664]
 - a) ~~For each tree removed pursuant to the standards of this chapter of a caliper of four inches to no more than six inches, the applicant shall plant a major or minor tree as defined in this chapter on the property in question, or in the event that the applicant asserts the planting would be inappropriate and the Township arborist agrees, the applicant may in lieu of such planting provide to the municipality a payment equal to the cost of such planting as determined by the Township arborist pursuant to § 246-7(D)(5)(a).~~
 - b) ~~For each tree removed pursuant to the standards of this chapter of a caliper of more than six inches, the applicant shall plant a major tree as defined in this chapter on the property in question, or in the event that the applicant asserts the planting would be inappropriate and the Township arborist agrees, the applicant may in lieu of such planting provide to the municipality a payment equal to the cost of such planting as determined by the Township arborist pursuant to §246-7(D)(5)(a).~~
 - a) Replacement Tree(s) shall be replaced in kind with a tree that has an equal or greater DBH than tree removed or meet the Tree Replacement Criteria in the table below;
 - b) Replacement Tree(s) shall be planted within twelve (12) months of the date of removal of the original tree(s) or at an alternative date specified by the municipality;
 - c) Replacement Tree(s) shall be protected from deer by means of deer fence netting.
 - d) Replacement Tree(s) shall be monitored by the applicant for a period of two (2) years to ensure their survival and shall be replaced as needed within twelve (12) months; and
 - e) Replacement Tree(s) shall not be planted in temporary containers or pots, as these do not count towards tree replacement requirements.
 - f) In the event that the applicant asserts the planting would be inappropriate and the Township arborist, or designated representative, agrees, the applicant may in lieu of such planting provide to the municipality a payment equal to the cost of such planting as determined by the Township pursuant to § 246-7(D)(5)(a).

Tree Replacement Requirements Table:

<u>Category</u>	<u>Tree Removed (DBH)</u>	<u>Tree Replacement Criteria (See Appendix A)</u>	<u>Application Fee</u>	<u>Tree Replacement Fee Per Tree in Lieu of Replacement</u>
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<u>1</u>	<u>DBH of 4” to 12.99”</u>	<u>Replant 1 tree with a minimum tree caliper of 1.5” for each tree removed</u>	<u>\$20 per tree</u>	<u>\$350.00</u>
<u>2</u>	<u>DBH of 13” to 22.99”</u>	<u>Replant 2 trees with minimum tree calipers of 1.5” for each tree removed</u>	<u>\$20 per tree</u>	<u>\$700.00</u>
<u>3</u>	<u>DBH of 23” to 32.99”</u>	<u>Replant 3 trees with minimum tree calipers of 1.5” for each tree removed</u>	<u>\$20 per tree</u>	<u>\$1,050.00</u>
<u>4</u>	<u>DBH of 33” or greater</u>	<u>Replant 4 trees with minimum tree calipers of 1.5” for each tree removed</u>	<u>\$20 per tree</u>	<u>\$1,400.00</u>

5. Monies collected by the Township pursuant to § 246-7(D)(4)(d) shall be collected and expended pursuant to following the procedures.
 - a) ~~The Township arborist, who shall be a trained forester or a certified tree expert, shall determine and maintain a schedule setting forth the replacement costs for major or minor trees required to be planted pursuant to § 246-7(D)(4) (“Mitigation Fee Schedule”). The Mitigation Fee Schedule shall set forth the data and information used by the Township arborist to determine the replacement costs in the Mitigation Fee Schedule.~~
 - a) For Applicant’s replanting trees, Applicant shall utilize the Tree Replacement Fee to calculate the total escrow to be held for a period of two (2) years to ensure replanted trees survive.
 - b) In lieu of providing a replacement tree, a contribution shall be paid to the Tree Fund as described above.
 - c) Funds remitted to the Township pursuant to § 246-7(D)(4) shall be deposited and maintained in a separately designated bank account (“Tree Fund”).
 - d) Monies in the Tree Fund may only be expended for the planting of shade and/or ornamental trees in any public street, public park or public right-of-way at locations on the Tree Planting Schedule defined in § 246-7(D)(5)(e).
 - e) Each December, the Township shall publish an inventory of trees located on public streets, public parks and public rights-of-way (“tree inventory”). The Township arborist shall be required to maintain and update the tree inventory.
 - f) In conjunction with the publication of the tree inventory, the Township shall publish a schedule of trees on the tree inventory to be replaced or new tree plantings to be made on public streets, public parks or public rights-of-way in the ensuing twelve months (“tree planting schedule”). The Township shall then notice and hold public hearings on the tree planting schedule.
 - g) Trees purchased with monies in the tree fund shall be planted at locations on the tree planting schedule nearest to the site(s) that generated the remittance of monies pursuant to § 246-7(D)(4).
- ~~6. In the event that it is unknown or in question in any given instance as to whether mitigation should be determined on the basis of a minor tree or major tree, mitigation shall be required on the basis of a major tree.~~
7. In the event that it is unknown how many trees were removed from any given site, and removal took place without a tree permit issued pursuant to this or the predecessor Chapter 246, adopted

August 5, 1963, as may have been amended, the number of trees requiring mitigation shall be computed by assuming trees over six inches in caliper existed 30 feet on center and plotting the maximum number of those trees as circles of a fifteen-foot radius without having the circles overlap or extend beyond the property lines or drip lines of existing trees.

8. In connection with tree removal pursuant to Subsection **A(3)** of this section, it shall be required that the applicant plant ~~major~~ trees, on center a distance of 30 feet, as street trees between the curblineline and the edge of the right-of-way in a location determined by the Township Engineer and the official administering this chapter.
9. Mitigation in any instance is not to be considered a penalty, but rather an implementation of the purposes of this chapter. Mitigation shall not be a substitute for, but shall be in addition to any penalty imposed for violation of the provisions of this chapter.

§246-8 Performance bond.

[Amended 12-18-2006 by Ord. No. 06-664]

Except in the event of tree removal pursuant to an approved subdivision or site plan where a performance bond to assure tree planting was posted, as a precondition to the issuance of a permit where mitigation is required, the applicant shall post a cash bond to assure mitigation in an amount equal to the amount determined by the Township arborist for each ~~minor and major~~ tree to be planted pursuant to §246-7(D)(4). The bond shall be returned to the applicant upon completion of the required mitigation.

§246-9 Protection of existing trees.

- A. In connection with any construction, subsequent to tree clearing but prior to the issuance of a building permit or start of construction, snow fencing or other protective barrier acceptable to the official charged with the administration and enforcement of this chapter shall be placed around trees that are not to be removed. The protective barriers shall be placed at least 10 feet from the trunk of any tree and shall remain in place until all construction activity is terminated. No equipment, chemicals, soil deposits or construction materials shall be placed within any area so protected by barriers. Any landscaping activities subsequent to the removal of the barriers shall be accomplished with light machinery or hand labor.
- B. No person shall:
 1. Cut down or remove any tree except as permitted by this chapter or allow or cause such cutting or removal.
 2. Cause or allow any willful damage, injury or disfigurement of any tree growing within the Township. For purposes of this subsection, the actions of any person shall be deemed willful if the damage, injury or disfigurement of any tree is caused as the result of but not limited to the following: cutting, gashing or slitting of any tree; the pouring of any liquid or other material on any tree; or on the nearby ground; the construction or placement of any nonporous material on the ground around any tree so as to cut off air, light or water from the roots; or placement or removal of any soil from within 10 feet of any tree.
 3. Store or pile building material or debris or place construction equipment within 10 feet of any tree.
- C. In the event that any tree to be saved in connection with construction as set forth above or any tree planted in mitigation shall die within two years after planting, it shall be replaced by the applicant or the property owner within six months.

§246-10 Exemptions:

All persons shall comply with the tree replacement standard outlined above, except in the cases detailed below. Proper justification shall be provided, in writing, to the municipality by all persons claiming an exemption including photos or statements from NJ licensed tree expert as per N.J.S.A. 45:15C-11 or New Jersey arborist.:

- A. Residents who remove less than two (2) trees per acre that fall into category 1, 2, or 3 of the Tree Replacement Requirements Table within a five-year period. [The number of trees removed is a rolling count across a five-year period. For example, if 3 trees from category 1 are removed in July 2023, the 'count' resets to zero in July 2028. However, if 1 tree from category 1 is removed in July 2023 and another in July of 2025 the first tree will come off the count in July 2028 and the second in July 2030.]
- B. Tree farms in active operation, nurseries, fruit orchards, and garden centers;
- C. Properties used for the practice of silviculture under an approved forest stewardship or woodland management plan that is active and on file with the municipality;
- D. Any trees removed as part of a municipal or state decommissioning plan. This exemption only includes trees planted as part of the construction and predetermined to be removed in the decommissioning plan.
- E. Any trees removed pursuant to a New Jersey Department of Environmental Protection (NJDEP) or U.S. Environmental Protection Agency (EPA) approved environmental clean-up, or NJDEP approved habitat enhancement plan;
- F. Approved game management practices, as recommended by the State of New Jersey Department of Environmental Protection, Division of Fish, Game and Wildlife;
- G. Hazard trees may be removed with no replacement requirement.

§246-11 Duties of owner.

It shall be the duty of the owner of any lands in the Township of Cedar Grove to:

- A. Maintain and keep living trees in the road right-of-way or trees which threaten the road right-of-way of any road in the Township in a manner so as to keep the right-of-way safe to preserve the public health, safety and general welfare and to remove dead or dying trees and/or branches.
- B. Existing trees and shrubbery shall be maintained so as not to interfere with the sight distance from any property and to keep the right-of-way safe to preserve the public health, safety and general welfare.
- C. Should there become a Hazard Tree within the Township Right-of-Way, the owner of the property shall be required to provide a contribution for the removal of the tree by the Township in an amount not to exceed one-half the cost of removal of said hazard tree.

§246-10 **11 Administration and enforcement.**

[Amended 3-5-2007 by Ord. No. 07-669]

This chapter shall be administered and enforced by the Township Manager or his designee. The Township arborist, who shall assist in the enforcement of this chapter as set forth herein, shall be selected through a fair and open process pursuant to N.J.S.A. 19:44A-20.3 et seq. After the selection of the Township arborist, the Township shall enter into a contract with the arborist, which shall set

forth the fees charged by the arborist for providing services to the Township. The Township's contract with the arborist shall be published with the publication of the tree inventory and tree planting schedule as provided herein.

§246-11-12 Appeals.

[Amended 3-5-2007 by Ord. No. 07-669]

Any person aggrieved by the decision of the official charged with the administration and enforcement of this chapter shall have the right, within 10 days of the issuance of any decision by such official, to appeal to the Township Council, which shall take action as it deems necessary in the matter. In the event of such an appeal, the procedures set forth with reference to applications based on hardship contained in **§246-7C** of this chapter shall apply.

§246-12 13 Violations and penalties.

[Amended 10-23-2006 by Ord. No. 06-656]

Any person who violates any provision of this chapter shall, upon conviction thereof, be punished by a fine not exceeding \$2,000 or by imprisonment for a term not exceeding 90 days, or both, and each tree removed or damaged in violation of this chapter shall be deemed a separate offense.

§246-14 Effective Date:

This Ordinance shall be in full force and effect from and after its adoption and any publication as may be required by law.

Appendix A

Preferred list of Replacement tree Species and Planting Standards for the Township of Cedar Grove

<u>Scientific Name</u>	<u>Common Name</u>
* <u>Acer negundo</u>	<u>Box elder</u>
* <u>Betula nigra</u>	<u>River birch</u>
* <u>Carpinus caroliniana</u>	<u>American Hornbeam</u>
* <u>Cercis Canadensis</u>	<u>Eastern Redbud</u>
* <u>Cornus alternifolia</u> Alternate-leaf	<u>Dogwood</u>
* <u>Diospyros virginiana</u>	<u>Persimmon</u>
* <u>Dirca palustris</u>	<u>Leatherwood</u>
* <u>Fagus grandifolia</u>	<u>American Beech</u>
* <u>Gleditsia triacanthos</u>	<u>Honeylocust</u>
* <u>Ilex opaca</u>	<u>American Holly</u>
* <u>Juniperus virginiana</u>	<u>Red Cedar</u>
* <u>Liquidambar styraciflua</u>	<u>Sweet Gum</u>
* <u>Magnolia virginiana</u>	<u>Sweetbay Magnolia</u>
* <u>Nyssa sylvatica</u>	<u>Black Gum</u>
* <u>Pinus spp.</u>	<u>Pine</u>
* <u>Quercus spp.</u>	<u>Oak</u>
<u>Acer nigrum</u>	<u>Black Maple</u>
<u>Acer rubrum</u>	<u>Red Maple</u>
<u>Acer saccharinum</u>	<u>Silver Maple</u>
<u>Betula alleghaniensis</u>	<u>Yellow Birch</u>
<u>Betula lenta</u>	<u>Sweet Birch</u>

<u>Betula populifolia</u>	<u>Gray Birch</u>
<u>Carya alba</u>	<u>Mockernut Hickory</u>
<u>Carya glabra</u>	<u>Pignut Hickory</u>
<u>Carya ovalis</u>	<u>Red Hickory</u>
<u>Carya ovata</u>	<u>Shagbark Hickory</u>
<u>Castanea dentata</u>	<u>American Chestnut</u>
<u>Chamaecyparis thyoides</u>	<u>Atlantic White Cedar</u>
<u>Diospyros virginiana</u>	<u>Common Persimmon</u>
<u>Fraxinus americana</u>	<u>White Ash</u>
<u>Fraxinus nigra</u>	<u>Black Ash</u>
<u>Juglans nigra</u>	<u>Black Walnut</u>
<u>Juniperus virginiana</u>	<u>Eastern Redcedar</u>
<u>Larix laricina</u>	<u>Tamarack</u>
<u>Liriodendron tulipifera</u>	<u>Tuliptree</u>
<u>Pinus echinata</u>	<u>Shortleaf Pine</u>
<u>Pinus rigida</u>	<u>Pitch Pine</u>
<u>Platanus occidentalis</u>	<u>American Sycamore</u>
<u>Populus deltoides</u>	<u>Eastern Cottonwood</u>
<u>Populus grandidentata</u>	<u>Bigtooth Aspen</u>
<u>Populus heterophylla</u>	<u>Swamp Cottonwood</u>
<u>Quercus alba</u>	<u>White Oak</u>
<u>Quercus bicolor</u>	<u>Swamp White Oak</u>
<u>Quercus coccinea</u>	<u>Scarlet Oak</u>
<u>Quercus palustris</u>	<u>Pin Oak</u>
<u>Quercus prinus</u>	<u>Chestnut Oak</u>
<u>Quercus rubra</u>	<u>Northern Red Oak</u>
<u>Quercus stellata</u>	<u>Post Oak</u>
<u>Robinia pseudoacacia</u>	<u>Black Locust</u>
<u>Tilia americana</u>	<u>American Basswood</u>
<u>Tsuga canadensis</u>	<u>Eastern Hemlock</u>
<u>Ulmus rubra</u>	<u>Slippery Elm</u>

*Deer Resistant

Trees shall only be permitted to be planted from May to mid-October. To best protect the tree please water regularly the first year and during droughts for the first 3 years. Also, mulch is great to keep the ground moist but too much can kill your tree. Keep the mulch well away from the trunk, create a “volcano of mulch” rather than a mountain. Young trees shall be protected from deer by means of protective netting/fencing.

Trees not listed above required authorization from a Township Official before planting. Trees & Plants on the DO NOT PLANT LIST by the New Jersey Invasive Species Strike Team are not permitted to be planted within the Township.

www.fohvos.info/invasive-species-strike-team/info-center/

Underline denotes addition. Strikeout denotes deletions.

Councilwoman Mega 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 March 4, 2024, seconded by Councilman Zazzali, and passed by the following vote:

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

b) To consider resolution concerning 2024 LOSAP for Ambulance and Rescue Squad volunteers.

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

RESOLUTION APPROVING LIST OF VOLUNTEER MEMBERS OF THE CEDAR GROVE TOWNSHIP AMBULANCE & RESCUE SQUAD WHO QUALIFY FOR CONTRIBUTIONS UNDER THE TOWNSHIP LOSAP PROGRAM

WHEREAS, the Township of Cedar Grove has created and established a length of service awards program (LOSAP) in accordance with N.J.S.A. 40A:14-183 et. seq., and the Cedar Grove Ambulance & Rescue Squad 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 2023; and

WHEREAS, in accordance with N.J.S.A. 40A: 14-191 each participating emergency service organization shall annually furnish to the sponsoring agency an annual certification list, certified under oath, of all volunteer members, which shall identify those active volunteer members who have qualified for credit under the award program for the previous year; and

WHEREAS, the increase in the 2023 CPI adjustment for use in calendar year 2024 is 3.5% for municipal LOSAP;

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township Cedar Grove that the attached certified list herein of the Cedar Grove Ambulance & Rescue Squad is hereby accepted and the certified list shall be posted at the office of the Township Clerk, the Township Library and a copy thereof shall be returned to the Cedar Grove Ambulance & Rescue Squad for posting pursuant to N.J.A.C. 5:30-14.10.

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

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

- c) To consider Pending Ordinance #24-927 – An Ordinance Amending Chapter 40 of the Code of the Township of Cedar Grove Entitled Library Board.

The ordinance was read by title only as follows:

PENDING ORDINANCE #24-927

AN ORDINANCE AMENDING CHAPTER 40 OF THE CODE OF THE TOWNSHIP OF CEDAR GROVE ENTITLED LIBRARY BOARD, PUBLIC BY EXPANDING MEMBERSHIP OF THE LIBRARY BOARD OF TRUSTEES BY TWO (2) MEMBERS

WHEREAS, N.J. Stat. §40:54-9 provides that a Library Board of Trustees “shall be formed to consist of from seven to nine members;” and

WHEREAS, §40-2A of the Code of the Township of Cedar Grove maintains “The Board of Trustees shall consist of seven members”; and

WHEREAS, the Township Council of the Township of Cedar Grove deems it in the best interest of the Cedar Grove Free Public Library and the community at large to expand membership on the Library’s Board of Trustees;

NOW, THEREFORE, BE IT ORDAINED by the Township Council of the Township of Cedar Grove, County of Essex, State of New Jersey, that §40-2A of the Code of the Township of Cedar Grove is hereby amended to read as follows:

- A. The Board of Trustees shall consist ~~seven~~ nine (9) members: one of whom shall be the Mayor or the Mayor’s designee; one, the local Superintendent of Schools or the Superintendent’s designee; and ~~five~~ seven (7) citizens appointed by the Mayor with the consent of the Governing Body. The appointments shall be for terms as prescribed by general law. Upon the expiration of the term of office of any citizen Trustee, or upon the vacancy occurring in the Board during any unexpired term thereof, the Mayor shall, with the consent of the Governing Body, make such appointment or fill such vacancy for the unexpired term.

Councilwoman Mega 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 March 4, 2024, seconded by Councilman Maceri, and passed by the following vote:

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

8. APPROVAL OF BILLS

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

BE IT RESOLVED by the Township Council of the Township of Cedar Grove, County of Essex, New Jersey, that the attached summary of bills having been duly audited and found correct be and they are thereby ordered paid and that warrants be drawn on the Treasurer in the aggregate amount of \$3,764,073.59.

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

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

9. CONTRACTS AND AGREEMENTS

- a) To consider resolution concerning award of contract for special legal counsel for affordable housing to Michael Jedziniak, of the firm Scarinci Hollenbeck.

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

A RESOLUTION APPOINTING MICHAEL JEDZINIAK, ESQ., OF SCARINCI HOLLENBECK TO SERVE AS SPECIAL LEGAL COUNSEL FOR AFFORDABLE HOUSING (COAH).

WHEREAS, The Township has a need for appointment of special legal counsel for affordable housing (COAH) legal services; 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 January 26, 2024 as follows; and

<u>PROPOSER</u>	<u>AMOUNT</u>
Scarinci Hollenbeck	\$200.00/hr.
Eric M. Bernstein & Associates	\$150.00/hr.

WHEREAS, the Township Manager has recommended that a contract for the above referenced professional services be awarded to Scarinci Hollenbeck; and

WHEREAS, funds are now available for this purpose in 2024 Municipal Budget – Line Item 0140 – Legal Services.

NOW, BE IT RESOLVED by the Township Council of the Township of Cedar Grove, Essex County, New Jersey, that it does hereby appoint Michael Jedziniak, Esq., of the firm Scarinci Hollenbeck to serve as special legal counsel for affordable housing (COAH) commencing February 6, 2024 and terminating December 31, 2024; and

BE IT FURTHER RESOLVED that the appropriate Township officials be authorized to execute an agreement; and

BE IT FURTHER RESOLVED that notice of this agreement shall be published in the Verona-Cedar Grove Times as required by law.

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

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

- b) To consider resolution concerning award of contract for Land Surveying and Engineering Design to Suburban Consulting Engineers.

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

RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT FOR PROFESSIONAL LAND SURVEYING AND ENGINEERING DESIGN SERVICES FOR THE RECONSTRUCTION OF SMITH PLACE AND CARLSON PARKWAY TO SUBURBAN CONSULTING ENGINEERS, INC., OF 96 US 206 #101, FLANDERS, NEW JERSEY, 07836 FOR AN AMOUNT NOT TO EXCEED \$36,550.

WHEREAS, N.J.S.A. 40A:11-5 states “no local unit shall be required to advertise for bids for professional services”; and

WHEREAS, the Township wishes to retain Suburban Consulting Engineers, Inc., to provide land surveying and engineering design services for the reconstruction of Smith Place and Carlson Parkway; and

WHEREAS, there will be sufficient funds available through 2024 Capital Financing; and

WHEREAS, the Township previously received award notification of a grant from the New Jersey Department of Transportation in the amount of \$398,000 to offset the costs of this reconstruction.

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

1. The Township Council hereby awards a contract to Suburban Consulting Engineers, Inc., having offices at 96 US 205 #101, Flanders, New Jersey, 07836, to provide land surveying and engineering design services for the reconstruction of Smith Place and Carlson Parkway in an amount not to exceed \$36,550.
2. The Township Manager and Township Clerk are hereby authorized and directed to execute a contract with Suburban Consulting Engineers, Inc., in accordance with its proposal to provide land surveying and engineering design services for the reconstruction of Smith Place and Carlson Parkway.
3. There will be sufficient funding in the 2024 Capital Improvement Budget.
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 Zazzali, and passed by the following vote:

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

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

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

1. Steven Young – Mr. Young commended the Governing Body for purchasing the VFW property. He asked that the area be named Veterans Park. Mr. Young asked if the Memorial Day Parade could be moved back to a short section of Route 23 from Bowden Road to Little Falls Road.
2. Casmira Sosa – Mr. Sosa informed the Governing Body that he spent an additional \$5,000.00 for repairs on work that was recently repaired due to Hurricane Ida. He said Mr. Lopez paid an additional \$7,000.00 Mr. Sosa informed the Governing Body that new streams were forming and the residents needed assistance taking care of the problem.

The Township Manager responded he would contact the County to see if they would collaborate on handling the problem. He mentioned possibly reaching out to NJDEP.

3. Hernando Lopez - Mr. Lopez informed the Governing Body that everything coming down from the mountain was flowing onto Mr. Sosa's driveway. He said soon the boulders will come down also. He reiterated that the residents needed assistance.

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

11. ADJOURNMENT

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

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

The meeting adjourned at 7:40 PM.

MELISSA SKABICH DEPUTY MAYOR

ATTEST:

DALE A. FORDE MUNICIPAL CLERK