

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

COUNCIL STAFF MEETING

MINUTES

MARCH 18, 2024

1. ROLL CALL – OPEN PUBLIC MEETING STATEMENT BY MAYOR

Mayor Peterson called the meeting to order at 7:00 p.m. and 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, filed with the Township Clerk, and posted on the public bulletin board in the Municipal Building’s lobby in accordance with the Open Public Meetings Act.

Present: Councilmembers Maceri, Mega, Zazzali, Deputy Mayor Peterson, Mayor Peterson

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

2. APPROVAL OF MINUTES

a) Staff Meeting – February 12, 2024

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

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

NO: None

b) Executive Session – February 12, 2024

Deputy Mayor Skabich moved approval of the minutes without release, seconded by Councilwoman Mega, and passed by the following vote:

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

NO: None

c) Executive Session – March 4, 2024

Councilwoman Mega moved approval of the minutes without release, seconded by Councilman Maceri, and passed by the following vote:

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

NO: None

ABSENT: Mayor Peterson

3. **TOWNSHIP MANAGER** – The Township Manager reported the water sewer rate study was conducted. The Township Manager reported that the AFS was submitted on Friday, March 8, 2024 and he planned to introduce the Municipal and Capital Budgets at the next meeting. The Township Manager reported the pool ran a \$6,000.00 deficit and should be solvent next year.
4. **TOWNSHIP ATTORNEY** – The Township Attorney reported he was working on a “plain English” format to inform the public regarding the Assembly Bill on Affordable Housing.
5. **TOWNSHIP CLERK** – No Report.
6. **COUNCIL REPORTS**

Councilman Zazzali – Councilman Zazzali said it was nice to see residents, especially the youth, attend the meeting.

Councilwoman Maceri – Councilman Maceri reported that he attended the Library Board of Trustees Meeting on Thursday and advised the Trustees that the Town Council wanted to meet for a Q&A session regarding the construction and work plans from home policy. Councilman Maceri suggested the Council and Board Members meet for an Executive Session at the April 15, 2024 Staff Meeting.

Councilwoman Mega – Councilwoman Mega reminded audience members to attend TREP\$’ event on Sunday, March 24, 2024.

Deputy Mayor Skabich – Deputy Mayor Skabich reported the updates on the community garden beds were fantastic.

Mayor Peterson – Mayor Peterson reported that she appointed three new members to the Board of Trustees effective April 3, 2024. She directed the Township Clerk to notify the Library Director of the appointments.

7. NEW BUSINESS

- a) To consider resolution To consider resolution awarding Change Order No. 1 and Acceptance of Maintenance Bond and Release of Performance Bond for John Garcia Construction Co. Inc. for the Rutgers Avenue Water Main Replacement.

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

AUTHORIZING CHANGE ORDER NO. 1 AND ACCEPTANCE OF MAINTENANCE BOND AND RELEASE OF PERFORMANCE BOND FOR JOHN GARCIA CONSTRUCTION CO INC FOR THE RUTGERS AVENUE WATER MAIN REPLACEMENT, REFLECTING AN OVERALL DECREASE OF \$38,773.05 TOTAL CONTRACT NOT TO EXCEED \$184,681.57.

WHEREAS, a contract was awarded by the Township Council at a meeting held September 11, 2023 to John Garcia Construction Co. Inc. for the Rutgers Avenue Water Main Replacement in the amount of \$223,454.62; and

WHEREAS, it has been determined that certain changes and modifications were needed, and

WHEREAS, Change Order 1 decreases the amount of the contract by \$38,773.05 which is 17.39% less than the original contract award; and

WHEREAS, the Maintenance Bond has been received, reviewed, and approved by the Township Manager.

NOW, THEREFORE BE IT HEREBY RESOLVED by the Township Council of the Township of Cedar hereby authorizes Change Order No. 1, which decreases the contract in the amount of \$38,773.05 for a total not to exceed \$184,681.57.

BE IT FURTHER RESOLVED by the Township Council of the Township of Cedar Grove hereby accepts Maintenance Bond No. CSC-229666M which is on file in the Office of the Township Clerk and hereby authorizes the release of Performance Bond No. CSC-229666 and that the final payment is hereby authorized to be released.

The Township Manager reported the Town saved \$36,000.00 to install new hydrants on Brunswick Road.

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

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

NO: None

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

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

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

APPLICANTS

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

EVENTS, DATES TIMES & PLACE

On-Premise 50/50 Raffle to be held
May 30, 2024 from 5:30 PM – 8:30 PM at
90 Rugby Road, Cedar Grove NJ 07009

On-Premise Merchandise Raffle to be held
May 30, 2024 from 5:30 PM – 8:30 PM at
90 Rugby Road, Cedar Grove NJ 07009

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

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

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

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

NO: None

- c) To consider resolution concerning approval of raffle application - Cedar Grove High School Association of Parents and Teachers.

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

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

APPLICANTS

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

EVENTS, DATES TIMES & PLACE

On-Premise 50/50 Raffle to be held
May 30, 2024 from 5:30 PM – 8:30 PM at
90 Rugby Road, Cedar Grove NJ 07009

On-Premise Merchandise Raffle to be held
May 30, 2024 from 5:30 PM – 8:30 PM at
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.

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

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

NO: None

- d) 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

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

EVENTS, DATES TIMES & PLACE

On-Premise Raffle to be held
August 23, 2024 at 7:00 p.m. at
405 Bowden Rd., Cedar Grove NJ 07009

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

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

Councilman Maceri moved adoption of the resolution, seconded by Deputy Mayor Skabich, and passed by the following vote.

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

NO: None

- e) To consider resolution authorizing the installation of automatic license plate readers on To consider resolution manifesting the Township's wishes and desires as it relates to property commonly known as 560 Fairview Avenue.

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

A RESOLUTION OF THE TOWNSHIP OF CEDAR GROVE, COUNTY OF ESSEX, STATE OF NEW JERSEY, MANIFESTING THE TOWNSHIP'S WISHES AND DESIRES AS IT RELATES TO THE PROPERTY COMMONLY KNOWN AS 560 FAIRVIEW AVENUE, CEDAR GROVE, NEW JERSEY, 07009, FORMALLY KNOWN AS BLOCK 180, LOT 261 AND LOT 376.

WHEREAS, real property known as Block 180, Lot 261 and Lot 376 in the Township of Cedar Grove (the "Property"), was purchased as part of a settlement from prior litigation previously heard in the United States District Court for the District of New Jersey Docket No. 2:20-cv-03530-WJM-MF captioned Rizzolant Realty, LLC v. the Mayor and Council of the Township of Cedar Grove, et. al.; and

WHEREAS, pursuant to a settlement agreement and release dated February 18, 2022, the sufficiency of which being acknowledged, provided, in part "that \$750,000 of the Settlement Sum shall be deemed consideration and fair market value for the sale of the Property to the Township of Cedar Grove"; and

WHEREAS, the Township owns the Property in fee and desires to retain the Property in its natural state, preserving open space and green space; and

WHEREAS, the Township Council wishes to effectuate the Property's preservation by authorizing a deed restriction on the Property so that the Property will only be used for passive recreation and conservation purposes, including but not limited to parks, open space, passive recreation, or similar uses for either public outdoor recreation or conservation of natural resources, or both; and

WHEREAS, this restriction shall benefit the residents of the Township of Cedar Grove by preserving land in its natural state, free from development.

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

- 1) The Property immediately be filed on the Green Acres Inventory, Recreation and Open Space Inventory ("ROSI")
- 2) The Township and its officials may file or cause to be filed a deed restriction on the Property;
- 3) The Property will now and forever hereafter remain in its natural state;
- 4) The Township and its officials may take any action necessary to accomplish the purposes set forth herein and to ensure open space status is afforded to the Property.

BE IT FURTHER RESOLVED by the Township Council of the Township of Cedar Grove that this resolution shall take effect immediately.

The Township Manager explained that the Township would maintain the property as an Open Spaces to be placed on Green Acres Inventory.

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

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

NO: None

- f) To consider resolution manifesting the Township's wishes and desires as it relates to property commonly known as 970 Pompton Avenue.

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

A RESOLUTION OF THE TOWNSHIP OF CEDAR GROVE, COUNTY OF ESSEX, STATE OF NEW JERSEY, MANIFESTING THE TOWNSHIP'S WISHES AND DESIRES AS IT RELATES TO THE PROPERTY COMMONLY KNOWN AS 970 POMPTON AVENUE, CEDAR GROVE, NEW JERSEY, 07009, FORMALLY KNOWN AS BLOCK 310, LOT 149 AND LOT 50.

WHEREAS, real property known as Block 310, Lot 149 and Lot 50 in the Township of Cedar Grove (the “Property”), was purchased pursuant to Passed Township Ordinance 22-902, allocating \$1,000,000 in funding for said purchase; and

WHEREAS, the Property was formerly owned by the Veterans of Foreign Wars (“VFW”) Post 6255 of 970 Pompton Avenue, Cedar Grove, New Jersey, 07009; and

WHEREAS, the Property previously had a condemned structure on site which has since been removed; and

WHEREAS, the Township is actively remediating the Property by cleaning the Property and preparing to remove the impervious surface with the goal and desire to plant trees to facilitate passive recreation thereon; and

WHEREAS, the Township owns the Property in fee and desires to return the Property to its natural state, preserving open space and green space; and

WHEREAS, the Township Council wishes to effectuate the Property’s preservation by authorizing a deed restriction on the Property so that the Property will only be used for passive recreation and conservation purposes, including but not limited to parks, open space, passive recreation, or similar uses for either public outdoor recreation or conservation of natural resources, or both; and

WHEREAS, this restriction shall benefit the residents of the Township of Cedar Grove by preserving land in its natural state, free from development.

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

- 1) The Property immediately be filed on the Green Acres Inventory, Recreation and Open Space Inventory (“ROSI”)
- 2) The Township and its officials may file or cause to be filed a deed restriction on the Property;
- 3) The Property will now and forever hereafter remain in its natural state;
- 4) The Township and its officials may take any action necessary to accomplish the purposes set forth herein and to ensure open space status is afforded to the Property.

BE IT FURTHER RESOLVED by the Township Council of the Township of Cedar Grove that this resolution shall take effect immediately.

The Township Manager reported that this resolution would also be placed on the Green Acres Inventory after site remediation, ripped up pavement and planted trees.

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

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

NO: None

- g) To consider resolution concerning approval of 2024 Pool Fees.

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

WHEREAS, the Township Council did adopt an ordinance on May 20, 1963 providing for the establishment of fees for the Cedar Grove Municipal Swimming Pool; and

WHEREAS, the following fees be established for the Cedar Grove Municipal Swimming Pool for the 2024 season as follows:

Resident Family	\$609.00
Resident Individual	\$434.00
Resident Couple/Parent-Child	\$519.00
Resident Senior Citizen	\$208.00
Babysitter/care giver Mon – Fri (not household resident)	\$160.00
Household resident; non-main family memberAdult	\$105.00
Child	\$ 80.00

WHEREAS, senior citizens who qualify for the State Pharmaceutical Assistance for the Aged Program (PAA) will be entitled to a reduced senior citizen rate of \$118.00.

WHEREAS, in addition, Cedar Grove residents who serve as First Responders (Police/Fire/EMS) receive a \$100 discount

NOW, THEREFORE, BE IT RESOLVED the following fees be established for Non-Residents for the Cedar Grove Municipal Swimming Pool for the 2024 season as follows:

Non-Resident Family	\$1600.00
Non-Resident Individual	\$ 850.00
Non-Resident Senior Citizen	\$ 585.00

BE IT FURTHER RESOLVED that the Guest Fee for 2024 will be \$12.00 per day for an adult and \$8 for child.

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

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

NO: None

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 \$3,599,008.51.

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

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

NO: None

9. PUBLIC COMMENT

Deputy Mayor Skabich opened this portion of the meeting to anyone wishing to be heard.

1. Zachary LeMasson – Mr. LeMasson asked if Green Acres property extended behind Ridge Road near Bowden Road.

The Township Manager described the areas in Green Acres inventory and explained the Township was doing all it could to take properties out of circulation.

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

10. ADJOURNMENT

There being nothing further to discuss, the staff council meeting adjourned at 7:21 p.m. by acclaim.