

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

**COUNCIL STAFF MEETING**

**MINUTES**

**MAY 20, 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 on December 14, 2023, 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 Skabich and Mayor Peterson  
Also Present: Township Manager Zichelli, Township Attorney Lagana, Township Clerk Forde

**2. APPROVAL OF MINUTES**

a) Executive Session – April 15, 2024 (1)

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

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

b) Staff Meeting – April 15, 2024

Deputy Mayor Skabich moved approval of the minutes as presented, seconded by Councilwoman Mega, and passed by the following vote:

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

c) Executive Session – April 15, 2024 (2)

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

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

3. **TOWNSHIP MANAGER** – The Township Manager reported that the Clean Sweep was scheduled for Saturday, June 1, 2024. The Township Manager requested an Executive Session to discuss potential litigation.
4. **TOWNSHIP ATTORNEY** – No Report. The Township Attorney requested an Executive Session to discuss the acquisition of property.
5. **TOWNSHIP CLERK** – The Clerk asked the Council for their decision regarding the new Mayor and Deputy Mayor in preparation of the Reorganization Meeting.

Mayor Peterson moved for the appointment of Deputy Mayor Skabich to serve as Mayor effective July 1, 2024, seconded by Councilman Maceri, and passed by the following vote:

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

Councilman Maceri moved for the appointment of Councilwoman Mega to serve as Deputy Mayor effective July 1, 2024, seconded by Councilman Zazzali and passed by the following vote:

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

## 6. COUNCIL REPORTS

Councilman Zazzali - No Report

Councilman Maceri – No Report.

Councilwoman Mega – Councilwoman Mega said she enjoy attending Junior Firefighter Day event.

Deputy Mayor Skabich – No Report.

Deputy Mayor Peterson – No Report.

## 7. CONSENT AGENDA

- a) To consider resolution concerning approval of raffle application – Cooperman Barnabas Medical Center.

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**

Cooperman Barnabas Medical Center  
94 Old Short Hills Road  
Livingston NJ 07052

On-Premise 50/50 Raffle to be held  
October 23, 2024 from 6:00 p.m. to 10:00 p.m. at  
691 Pompton 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 Zazzali moved adoption of the resolution, seconded by Councilman Maceri, and passed by the following vote:

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

- b) To consider resolution concerning appointment to the Zoning Board of Adjustment.

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 Brett Keepers be appointed to a four-year term as a Member of the Zoning Board of Adjustment, effective July 1, 2024 and expiring June 30, 2028.

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

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

- c) To consider resolution concerning appointment to the C.A.T.V.

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 Matthew Wooden be appointed as a member of the C.A.T.V for a three-year term, effective immediately and terminating December 31, 2027.

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

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

**8. NEW BUSINESS**

a) To consider resolution concerning overpayment of tax refunds.

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

**RE: AUTHORIZING REFUND OF 2024 TAXES DUE TO AN OVERPAYMENT BY THE MORTGAGE COMPANY**

WHEREAS, the Tax Collector has certified to the Township of Cedar Grove that a payment be refunded due to an overpayment made by the mortgage company; and

WHEREAS, the Governing Body has reviewed said certification and approved the same,

NOW THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Cedar Grove, that payment is refunded as follows:

Block /Lot/Qualifier	Refund to:	Amount:
150 / 12	Corelogic Real Estate Tax Services Centralized Refunds P.O. Box 9202 Coppell, TX 75019-9760	\$2,604.13
195 / 19	Corelogic Real Estate Tax Services Centralized Refunds P.O. Box 9202 Coppell, TX 75019-9760	\$3,173.76
200 / 69	Corelogic Real Estate Tax Services Centralized Refunds P.O. Box 9202 Coppell, TX 75019-9760	\$3,847.79
Total: \$9,625.68		

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

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

**9. 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 \$3,006,519.22.

The Township Manager reported that \$2.7 million was given to the Board of Education.

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

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

## 10. CONTRACTS AND AGREEMENTS

- a) To consider resolution awarding contract to Suburban Consulting Engineers for Land Remediation Services for the VFW.

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

**RESOLUTION AWARDING THE AWARD OF A NON-FAIR AND OPEN CONTRACT FOR PROFESSIONAL LAND REMEDIATION SERVICES TO SUBURBAN CONSULTING ENGINEERS, INC., 96 U.S. HIGHWAY 206, SUITE 101, FLANDERS, NJ, 07836, IN AN AMOUNT NOT TO EXCEED \$28,100.00**

**WHEREAS**, the Township of Cedar has purchased the former VFW property (“property”) located at 970 Pompton Avenue (Block 310, Lot 149), Cedar Grove, New Jersey, 07009; and

**WHEREAS**, the Township retained money from the seller of the property, held in escrow, to off-set remediation costs; and

**WHEREAS**, Suburban Consulting Engineers, Inc. 96 U.S. Highway 206, Suite 101, Flanders, NJ 07836 has submitted a proposal in an amount not to exceed \$28,100.00; and

**WHEREAS**, the seller has agreed to split the remediation cost with the Township of Cedar Grove.

**NOW, THEREFORE, BE IT RESOLVED** that the Township Council of the Township of Cedar Grove authorizes the Township Manager to enter into a contract with Suburban Consulting Engineers, Inc. as described herein; and,

**BE IT FURTHER RESOLVED** that an official notice of this action shall be published in accordance with the law.

The Township Manager reported the Township would split costs with the seller to remediate the VFW property. He explained the seller's cost would be paid from part of the retained escrow. The Township Manager reported the property would be placed on ROSI registration for open space for Green Acres. The Manager reported the Township would restore the site to its natural state.

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 and Mayor Peterson  
NO: None

- b) To consider resolution concerning temporary easement for 84 Bowden Road.

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

**A RESOLUTION AUTHORIZING A TEMPORARY CONSTRUCTION EASEMENT WITH THE PROPERTY OWNERS OF THE REAL PROPERTY LOCATED AT 84 BOWDEN ROAD FOR THE REPAIR OR REPLACEMENT OF AN EXISTING STORMWATER MANAGEMENT PIPE**

**WHEREAS**, Shawn and Amy Stacevicz, being the owners of real property located at 84 Bowden Road, Cedar Grove, New Jersey, 07009 (hereinafter the "Property") have agreed to enter into a Temporary Construction Easement and Indemnification Agreement (hereinafter "Easement Agreement") with the Township of Cedar Grove to allow access to an existing stormwater management pipe ("pipe") traversing the Property; and

**WHEREAS**, the Township Engineer has determined the pipe is deficient in areas and is in need of repair and/or replacement; and

**WHEREAS**, the Township is prepared to repair or replace the pipe and disturbed areas associated therewith; and

**WHEREAS**, there presently exists a deck and detached shed that was constructed on and is impermissibly existing over the Township's right-of-way, which will be removed by the property owners at no expense to the Township; and

**WHEREAS**, the Township will restore the land to its original condition, except for those structures that are impermissible located within the Township's right-of-way; and

**WHEREAS**, the property owners further agree to indemnify, hold harmless, and defend the Township from any loss, damage, or harm resulting from or in any way related to the repair and replacement of the pipe, except to the extent that such loss, damage, or harm resulted from Grantee's gross negligence or intentional misconduct;

**WHEREAS**, this easement will be extinguished once work is completed and approved by the Township Engineer;

**NOW, THEREFORE, BE IT RESOLVED** the Township Council of the Township of Cedar Grove hereby authorizes the execution of the Easement Agreement with the property owners of 84 Bowden Road for the repair or replacement of an existing stormwater management pipe located in a stormwater easement that traverses the Property.

The Township Manager reported the site was a liability to people traversing and the residents were aware they would have to remove their shed and deck.

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

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

- c) To consider resolution concerning temporary easement for 601 Pompton Ave.

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

**A RESOLUTION AUTHORIZING A TEMPORARY CONSTRUCTION EASEMENT WITH THE PROPERTY OWNER OF THE REAL PROPERTY LOCATED AT 601 POMPTON ROAD FOR THE REPAIR OR REPLACEMENT OF AN EXISTING STORMWATER MANAGEMENT PIPE**

**WHEREAS**, Frank Farro, being the owner of real property located at 601 Pompton Avenue, Cedar Grove, New Jersey, 07009 (hereinafter the "Property") has agreed to enter into a Temporary Construction Easement and Indemnification Agreement (hereinafter "Easement Agreement") with the Township of Cedar Grove to allow access to an existing stormwater management pipe ("pipe") traversing the Property; and

**WHEREAS**, the Township Engineer has determined the pipe to be deficient in areas and is in need of repair or replacement; and

**WHEREAS**, the Township is prepared to replace the pipe and disturbed areas associated thereto; and

**WHEREAS**, the Township will restore the land to its original condition including an existing vinyl privacy fence, which will be removed to allow access to the pipe, and reinstalled or replaced in-kind when the work is completed; and

**WHEREAS**, the property owner further agrees to indemnify, hold harmless, and defend the Township from any loss, damage, or harm resulting from or in any way related to the repair and replacement of the pipe, except to the extent that such loss, damage, or harm resulted from Grantee's gross negligence or intentional misconduct;

**WHEREAS**, the easement will be extinguished once work is completed and approved by the Township Engineer;

**NOW, THEREFORE, BE IT RESOLVED** the Township Council of the Township of Cedar Grove hereby authorizes the execution of the Easement Agreement with the property owners of 601 Pompton Avenue for the repair or replacement of an existing stormwater management pipe located in a stormwater easement that traverses the Property.

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 and Mayor Peterson

NO: None

- d) To consider resolution awarding contract to Signature Building & Development as Project Manager of the North End Fire House Demolition and Construction.

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

**A RESOLUTION AUTHORIZING AN AWARD TO SIGNATURE BUILDING & DEVELOPMENT AS PROJECT MANAGER OF THE NORTH END FIRE HOUSE DEMOLITION AND CONSTRUCTION THROUGH A NON-FAIR AND OPEN PROCESS FOR AN AMOUNT NOT TO EXCEED \$17,000.00**

**WHEREAS**, the Township of Cedar Grove has a need for a project manager to oversee the demolition of the North End Firehouse; and

**WHEREAS**, the Township of Cedar Grove has obtained two quotes from vendors for service relating to the oversight of demolition and reconstruction of the North End Firehouse and Signature Building & Development was the lowest quote; and

**WHEREAS**, funds are available in the capital line for the North End Firehouse Demolition; and

**NOW, THEREFORE, BE IT RESOLVED** that the Township Council of the Township of Cedar Grove authorizes an award to Signature Building & Development Inc. for an amount not to exceed \$17,000.

The Township Manager reported that the Project Manager would report to him daily.

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 and Mayor Peterson

NO: None

- e) To consider resolution awarding contract Affordable Housing Planner to CME Associates.



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 NON-FAIR AND OPEN CONTRACT FOR A PROFESSIONAL PLANNER FOR AFFORDABLE HOUSING TO CME ASSOCIATES OF HOWELL, NJ, IN AN AMOUNT NOT TO EXCEED \$39,000.00**

**WHEREAS**, the Township of Cedar Grove has need for the professional services of a planner for affordable housing; and

**WHEREAS**, CME Associates of Howell, NJ, has submitted a proposal in an amount not to exceed \$39,000.00; and

**WHEREAS**, the Township Manger has determined and certified in writing that the value of the acquisition will exceed \$17,500; and

**WHEREAS**, in accordance with N.J.S.A. 19:44A-20.5, CME Associates has completed and submitted a Business Entity Disclosure Certification which certifies they have not made any reportable contributions to a political candidate in Township of Cedar Grove in the previous one year, and that the contract will prohibit them from making any reportable contributions through the term of the contract; and

**WHEREAS** funds are available in budget account:

Affordable Housing Trust: 12-9999-0000-9700-2-90250

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Cedar Grove that the Mayor and Township Clerk may award a contract to CME Associates of Howell, NJ for an amount not to exceed \$39,000.00.

**BE IT FURTHER RESOLVED** that an official notice of this action shall be published in accordance with the statute.

The Township Manager reported that the Township's previous planner was unresponsive to his communications.

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

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

NO: None

## 11. PUBLIC COMMENT

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

1. Charles Devico – Mr. Devico asked why the Township was splitting costs to remediate a property when the seller is responsible for remediation. The Township Manager explained if the Town researched all the way back to when the property was sold, the Township may have to pay the entire amount.

Mr. Devico said he was able to read the budget on the Township website. He recalled the Township was generating \$5.9 million in pilot funds in the budget. He asked if there was documentation showing how funds were being properly used. The Township Manager did not object to providing a breakdown of PILOT funds as fund balance but explained PILOT funds are classified as miscellaneous revenues, not anticipated (MRNA), and that they were not anticipated as a funding source for the operating costs of the municipal budget for two reasons: 1) so it did not offset operating costs annually and 2) because there was no collection mechanism in the event a PILOT payment is not made, unlike the ability to go collect delinquent taxes.

Mr. Devico advised the Township Clerk that the November 20, 2023 Minutes were not on the website. The Township Clerk thanked Mr. Devico and said she would address the matter.

There being no one else present wishing to be heard, Deputy 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 May 20, 2024.
2. The general nature of the subject matters to be discussed are potential litigation, property acquisition and personnel.
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 for the approval of the minutes, seconded by Deputy Mayor Skabich, and passed by the following vote:

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

## **11. ADJOURNMENT**

There being nothing further to discuss, the staff council meeting adjourned at 7:20 p.m. by acclain.