

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

COUNCIL STAFF MEETING

MINUTES

JUNE 17, 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: Councilmember Mega, Deputy Mayor Skabich, Mayor Peterson
Also Present: Township Manager Zichelli, Township Attorney Lagana, Township Clerk Forde
Absent: Councilman Maceri and Councilman Zazzali

2. EXTRAORDINARY BUSINESS OF THE TOWNSHIP COUNCIL

a) Suburban Essex County Rec Track and Field

The Township Council honored the Suburban Track and Field Team who competed against 13 other towns in the Suburban Essex County Rec Track and Field Championships on Sunday June 2, 2024 at West Orange High School.

3. APPROVAL OF MINUTES

a) Executive Session (1) – May 20, 2024

The Township Clerk mentioned Deputy Mayor Skabich was not present during the first Executive Session. Therefore, there being no quorum present, the Executive Session Minutes were moved to the regular meeting in July.

b) Staff Meeting – May 20, 2024

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

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

c) Executive Session (2) – May 20, 2024

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

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

- 4. **TOWNSHIP MANAGER** – No Report.
- 5. **TOWNSHIP ATTORNEY** – No Report.
- 6. **TOWNSHIP CLERK** – No Report.

Members of Council discussed which Member would serve as Liaison to which Committees /Boards for the year 2024-2025.

7. COUNCIL REPORTS

Councilwoman Mega – No Report.

Deputy Mayor Skabich – No Report. Deputy Mayor Skabich thanked Mayor Peterson for all she had done during her tenure. She commended Mayor Peterson for setting a great example of leadership. Deputy Mayor Skabich reported a resident asked about the walkway that flanked Rugby and Ridge Rd. The Township Manager reported construction would begin in a year, but closer toward Reservoir Place.

Mayor Peterson – Mayor Peterson reported it was an honor and privilege to serve as the Mayor.

8. CONSENT AGENDA

- a) To consider resolution concerning annual renewal of active ABC licenses for 2024-2025.

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

WHEREAS, the following individuals and corporations have applied for the renewal of their Alcoholic Beverage Licenses for the period from July 1, 2024 through June 30, 2025, namely:

<u>LICENSE NO.</u>	<u>APPLICANT</u>	<u>TRADE NAME</u>	<u>FEE</u>
0704-31-012-001	Cedar Grove Lodge #2237 of B.P.O Elks 405 Bowden Road	Cedar Grove Elks Club	\$150.00
0704-33-003-004	Second Gen Catering Inc. 691 Pompton Ave.	The Grove	\$2,002.00
0704-33-008-009	Down Neck LLC 599 Pompton Ave.	Lombardi’s	\$2,002.00

0704-44-009-008	Cedar Grove Wine Cellar LLC 420 Pompton Ave.	Cedar Grove Wine Cellar	\$1,174.00
0704-33-006-002	Seger Restaurant Ent. 182 Stevens Ave.	LuNello's	\$2,002.00
0704-33-011-007	Caidie LLC 505 Pompton Ave.	DelMonico's	\$2,002.00
0704-44-001-009	Shree Nath, Inc. 597 Pompton Avenue	Cedar Grove Liquors	\$1,174.00
0704-33-002-006	Pompton Restaurant Assoc. 1131 Pompton Avenue	Il Tulipano	\$2,002.00
0704-33-007-006	Edward Fitzpatrick, Inc. 292 Grove Avenue	The Grasshopper	\$2,002.00

WHEREAS, the above individuals and corporations have submitted their municipal fee for renewal to the Township Clerk, and received the required tax clearance certificate; and

WHEREAS, said applications comply with the State Laws regulating the sale and distribution of alcoholic beverages; and

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Cedar Grove that the applications for renewal of existing alcoholic beverage licenses from the above mentioned individuals and corporations be approved; and

BE IT FURTHER RESOLVED that the Township Clerk be and is hereby authorized to issue said licenses to the applicants for the period from July 1, 2024 through June 30, 2025.

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

AYE: Councilmember Mega, Deputy Mayor Skabich, Mayor Peterson

NO: None

ABSENT: Councilman Maceri, Councilman Zazzali

- b) To consider resolution concerning annual renewal of inactive ABC licenses for 2024-2025.

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

WHEREAS, the following corporation has applied for the renewal of its Alcoholic Beverage License for the period from July 1, 2024 through June 30, 2025, namely:

<u>LICENSE NO.</u>	<u>APPLICANT</u>	<u>TRADENAME</u>	<u>FEE</u>
0704-33-005-011	30 Pompton Holdings, LLC 30 Pompton Ave.	N/A	\$2002.

WHEREAS, the above corporation has submitted application for renewal to the Township Clerk, and said application complies with the State Laws regulating the sale and distribution of alcoholic beverages; and

WHEREAS, the Division of Alcoholic Beverage Control of the State of New Jersey waived the requirement of filing a verified petition requesting authorization for the local issuing authority to consider its renewal application for the 2024-2025 license term pursuant to the provisions of N.J.S.A. 33:1-12.39; and

WHEREAS, the Division of Alcoholic Beverage Control of the State of New Jersey has authorized the Mayor and Council of the Township of Cedar Grove to consider the application of 30 Pompton Holdings, LLC for renewal of its license for the 2024-2025 license term as an inactive license and to grant or deny said application in the reasonable exercise of its discretion and;

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Cedar Grove that the application for renewal of existing alcoholic beverage licenses from 30 Pompton Holdings, LLC is approved; and

BE IT FURTHER RESOLVED that the Township Clerk be and is hereby authorized to issue said license to the applicant for the period from July 1, 2024 through June 30, 2025.

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

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

- c) To consider resolution concerning approval of raffle application – St. Kirils Macedonian and Metodij Orthodox Church.

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:

<u>APPLICANTS</u>	<u>EVENTS, DATES TIMES & PLACE</u>
Sts. Kiril and Metodij Macedonian Orthodox Church 1050 Pompton Ave. Cedar Grove, NJ 07009	On-Premise Merchandise Raffle to be held October 19, 2024 from 6:00 p.m. to 11:00 p.m. at 1050 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.

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

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

- 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 Road
 Cedar Grove NJ 07009

EVENTS, DATES TIMES & PLACE

On-Premise Raffle to be held
 July 12, 2024 at 8:00 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.

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

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

9. NEW BUSINESS

- a) To consider resolution authorizing Change Orders No. 1 and No. 2 to KM Construction Corp. for the Reconstruction of Sweetwood Drive and David Road, reflecting an Overall Decrease of \$63,960.64 Total Contract not to exceed \$214,180.86.

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

AUTHORIZING CHANGE ORDERS NO. 1 NO. 2 TO KM CONSTRUCTION CORP. FOR THE RECONSTRUCTION OF SWEETWOOD DRIVE & DAVID ROAD, REFLECTING AN OVERALL DECREASE OF \$63,960.64 TOTAL CONTRACT NOT TO EXCEED \$214,180.86.

WHEREAS, a contract was awarded by the Township Council at a meeting held on February 5, 2024 to KM Construction Corp. for the Reconstruction of Sweetwood Drive & David Road in the amount of \$302,017.50 Agenda Item #3(C); and

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

WHEREAS, Change Order 1 decreases the amount of the contract by \$63,960.64 which is 23% less than the original contract award;

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 \$63,960.64 for a total not to exceed \$214,180.86.

The Township Manager reported the project came in under budget.

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

AYE: Councilmember Mega, Deputy Mayor Skabich, Mayor Peterson

NO: None

ABSENT: Councilman Maceri, Councilman Zazzali

- b) To consider resolution concerning outstanding/cancelled checks.

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

WHEREAS, the Current Fund account reconciliations reflect the following stale dated outstanding checks:

<u>CURRENT FUND</u>		
<u>Check Number</u>	<u>Date</u>	<u>Amount</u>
75430	1/9/23	114.52
75553	1/23/23	1195.00
75714	2/6/23	548.05
76052	4/3/23	665.00
76190	4/17/23	25.00
76430	9/5/23	80.00
76607	6/5/23	230.00
76786	7/10/23	162.14
77011	8/7/23	216.00
77252	9/25/23	26.98
77268	9/25/23	65.95
77447	10/16/23	73.67
77663	11/6/23	408.24
77719	11/20/23	460.00
77960	12/4/23	943.59
78014	12/18/23	26.98
78057	12/18/23	25.00

PAYROLL ACCOUNT

<u>Check Number</u>	<u>Date</u>	<u>Amount</u>
22693	6/2/23	436.45
22698	6/2/23	295.99
22733	6/2/23	814.51
22746	6/2/23	296.55
22801	6/16/23	11.69
22804	6/16/23	11.69
22928	7/14/23	695.33
22974	7/14/23	81.8
23016	7/28/23	429.16
23081	7/28/23	228.01
23088	7/28/23	186.45
23139	8/11/23	429.16
23259	8/25/23	527.13
23288	8/25/23	52.59
23501	10/6/23	429.15
23535	10/20/23	818.34
23546	10/20/23	539.11
23615	11/17/23	875.14
23658	12/1/23	335.25
23682	12/1/23	441.26

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Cedar Grove, that the above listed checks are hereby voided and cancelled.

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

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

- c) To consider resolution authorizing return of monies remaining in Client’s Escrow Account.

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

AUTHORIZING RETURN OF MONIES REMAINING IN CLIENTS ESCROW ACCOUNT

WHEREAS, the following escrow accounts have completed the Planning Board/Zoning Board of Adjustments application process and

WHEREAS, the Township Engineer and Township Manager has certified these escrow accounts may now be released, and

NOW, THEREFORE BE IT RESOLVED the Mayor and Township Council authorize that the following escrow account(s) be closed, and the balance of all monies returned to the applicant(s)

Name	Balance	Account Type
Seger Realty/Lunello’s	\$2437.22	Planning Board Escrow
MEH Engineering LLC	\$1060.00	Developers Escrow
MEH Engineering, LLC	\$7,667.67	Tree Escrow
Joseph Maceri	\$250.00	Tree Escrow
Rosa Williams	\$1250.00	Tree Escrow
Alicia & Anthony Scarpelli	\$500.00	Tree Escrow
Norman Ahmed	\$685.00	Planning Board Escrow
Marzulli Enterprises/Donna Bond	\$610.00	Planning Board Escrow
Christian Zanin	\$250.00	Tree Escrow
DPE371 Cedar Grove Assoc, LLC	\$2667.50	Planning Board Escrow
Alexandra Samuelson	\$500.00	Tree Escrow
Anthony D’Antuono	\$1,175.00	Tree Escrow
Smitty’s Landscaping & Design	\$3595.00	Planning Board Escrow
Khalid Sawaged	\$750.00	Tree Escrow
Anthony Bruzzio	\$1,000.00	Tree Escrow
Matthew Peluso	\$3,000.00	Tree Escrow
Robert Cuniff	\$250.00	Tree Escrow
Matthew Lovett	\$250.00	Tree Escrow
Joe Lipari	\$725.00	Planning Board Escrow

75 Ourient Way, LLC (Joe Lipari)	\$7840.22	Tree Escrow
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The Township Manager reported the money was kept in escrow beyond the timeframe and would be returned to applicants. He reported there was no impact on the budget.

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

AYE: Councilmember Mega, Deputy Mayor Skabich, Mayor Peterson

NO: None

ABSENT: Councilman Maceri, Councilman Zazzali

- d) To consider resolution urging state leaders to pass legislation to authorize Counties, Municipalities, School Districts and all Local Governments to electronically publish legal notices in a newspaper, website or digital publication.

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

RESOLUTION URGING STATE LEADERS TO PASS LEGISLATION TO AUTHORIZE COUNTIES, MUNICIPALITIES, SCHOOL DISTRICTS AND ALL LOCAL GOVERNMENTS TO ELECTRONICALLY PUBLISH LEGAL NOTICES IN A NEWSPAPER, WEBSITE OR DIGITAL PUBLICATION

WHEREAS, Current law requires purchasing officials, clerks of the boards, planning departments, improvement authorities, sheriffs, and other local government professionals to publish printed legal notices in local newspaper publications; and

WHEREAS, Such legal notices typically include contract awards, contract addendums, sheriff sales and much more; and

WHEREAS, Local government officials have long decried that publishing these voluminous documents in print media is costly, time consuming and outdated; and

WHEREAS, Local government officials have found it increasingly difficult to comply with the notice requirements under current law as the newspaper industry has evolved into an online platform and struggled to retain staff, resources and publications; and

WHEREAS, Legislation to authorize the online publishing of legal notices will streamline the antiquated process and save valuable time, resources and property taxpayer dollars; and

NOW, THEREFORE BE IT RESOLVED, That the Township Council of the Township of Cedar Grove, does in fact, hereby urge state leaders to pass legislation to authorize counties, municipalities, school districts and all local governments to electronically publish legal notices in a newspaper's website or digital publication.

BE IT FURTHER RESOLVED, That certified copies of this Resolution shall be sent to Governor Philip Murphy, Senate President Nicholas Scutari, Speaker of the General Assembly Craig Coughlin, District 40 Legislative Delegation, the New Jersey Association of Counties and the New Jersey League of Municipalities.

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

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

10. 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 \$3,820,310.96.

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

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

11. CONTRACTS AND AGREEMENTS

- a) To consider resolution of the Township Council of the Township of Cedar Grove authorizing the Purchase of a Police Dispatch Desk and New Dispatch Communication Technology Associated Thereto and From PMC Wireless AKA Philip M. Casciano Association, Inc., through the NJ State Contract T0109, 83900, in an amount not to exceed \$235,799.91.

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 COUNCIL OF THE TOWNSHIP OF CEDAR GROVE AUTHORIZING THE PURCHASE OF A POLICE DISPATCH DESK AND NEW DISPATCH COMMUNICATION TECHNOLOGY ASSOCIATED THERETO FROM PMC WIRELESS, AKA PHILIP M. CASCIANO ASSOC., INC., THROUGH THE NJ STATE CONTRACT T0109, 83900, IN AN AMOUNT NOT TO EXCEED \$235,799.91.

WHEREAS, the Township of Cedar Grove suffered a lightning strike in September 2023 which caused severe damage to police communications and dispatch abilities; and

WHEREAS, the Township of Cedar Grove has to purchase a new police dispatch desk and dispatch communication technology associated thereto which is available through the NJ State Contract T0109, 83900, awarded to PMC Wireless, aka Philip M. Casciano Assoc., Inc.; and

WHEREAS, funds are available for this purchase in the amount of \$187,930 from the self-insurance trust fund and \$47,869.91 in general capital for the police desk upgrades.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Cedar Grove, County of Essex, State of New Jersey that a contract be awarded to PMC Wireless in an amount **not to exceed \$235,799.91**.

The Township Manager reported money recovered through the insurance fund due to the lightning strike that the Town suffered. He reported this would provide all new radio technology for dispatch.

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

AYE: Councilmember Mega, Deputy Mayor Skabich, Mayor Peterson

NO: None

ABSENT: Councilman Maceri, Councilman Zazzali

- b) To consider resolution authorizing the award of a non-fair and open contract for professional engineering services for the design of the Briarhill Road Water Main Replacement Project in an amount not to exceed \$89,000.

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 ENGINEERING SERVICES FOR THE DESIGN OF THE BRIARHILL ROAD WATER MAIN REPLACEMENT PROJECT IN AN AMOUNT NOT TO EXCEED \$89,000

WHEREAS, the Township of Cedar Grove has a need to acquire professional services of an Engineer for the design of the Briarhill Road Water main Replacement Project pursuant to the provisions of N.J.S.A. 19:44A-20.5; and

WHEREAS, engineering is a recognized professional, regulated by law requiring extensive and specialized training and, as such, is an exception to the bidding requirements set forth in N.J.S.A. 40A:11-5 et. seq; and

WHEREAS, the anticipated term of this contract is until the project is fully completed; and

WHEREAS, CP Engineering of Sparta, New Jersey, has submitted a proposal in an amount not to exceed \$89,000.00; 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, CP Engineering 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 the Briarhill Water Main Replacement Capital Account.

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 CP Engineering of Sparta, NJ for an amount not to exceed \$89,000.00.

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

The Township Manager reported this contract would serve for the duration of the project on Briarhill.

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

AYE: Councilmember Mega, Deputy Mayor Skabich, Mayor Peterson

NO: None

ABSENT: Councilman Maceri, Councilman Zazzali

12. PUBLIC COMMENT

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

1. Salvatore Minieri: Mr. Minieri shared that his organization expanded the flag initiative to include Juneteenth.

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

11. ADJOURNMENT

There being nothing further to discuss, the staff council meeting adjourned at 7:29 p.m. by acclaim.