

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

COUNCIL STAFF MEETING

MINUTES

OCTOBER 21, 2024

1. ROLL CALL – OPEN PUBLIC MEETING STATEMENT BY MAYOR

Mayor Skabich 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 Maceri, Peterson, Zazzali, Deputy Mayor Mega, Mayor Skabich

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

2. APPROVAL OF MINUTES

a) Executive Session – September 23, 2024

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

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

NO: None

b) Staff Meeting – September 23, 2024

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

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

NO: None

c) Executive Session – October 7, 2024

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

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

NO: None

3. TOWNSHIP MANAGER – The Township Manager reported he would like to propose a water/sewer rate increase ordinance at the November Public Meeting. The Township Manager

requested the directive of Council regarding the 2025 Paving Schedule. Mayor Skabich said Members could think on it and advise the Township Manager of their decision tomorrow. He reported water issues on Devonshire and Yorkshire. The Township Manager reported he decided to replace the mains/services on Devonshire and Yorkshire before replacing the Briarhill Water Main. The Township Manager reported 65% of meters were done. The Township Manager reported he held a Meeting to discuss the Jake's Law Grant Funding for ADA Design for Community Park. The Township Manager reported the Christmas Tree Lighting was scheduled for Friday, December 6, 2024, at Community Park. The Township Manager asked if Members of Council were interested in joining several towns opposed to Affordable Housing.

Councilman Maceri asked what the Township's next steps were if it were to join the other plaintiffs aside from financial obligation. The Township Manager reported the Council would have to adopt a resolution stating the Township of Cedar Grove was a plaintiff in the lawsuit.

The Township Manager requested an Executive Session to discuss contractual negotiation.

4. **TOWNSHIP ATTORNEY** – No Report. The Township Attorney requested an Executive Session to discuss potential litigation.
5. **TOWNSHIP CLERK** – No Report. The Township Clerk requested an Executive Session to discuss personnel.

6. COUNCIL REPORTS

Councilwoman Peterson – Councilwoman Peterson reported she attended the Morgan's Farm Fish and Chips Grab-N-Go Fundraiser. She commended the Historical Society on a wonderful job. Councilwoman Peterson reported she attended the Library Board Meeting. She reported the Board is currently working on its budget and it decided to serve as a polling location.

Deputy Mayor Mega – Deputy Mayor Mega reported she attended the Breast Cancer Walk. She reported it was successful.

Councilman Maceri – No Report.

Councilman Zazzali – No Report.

Mayor Skabich – Mayor Skabich reported residents expressed their concerns regarding bamboo. Township Attorney Lagana advised that the Council that the Township did not have an ordinance regarding bamboo. Township Attorney Lagana explained it was very difficult to regulate civil matters, but it would be costly.

7. NEW BUSINESS

- a) To consider resolution authorizing the transfer of a Police Motorcycle to the Town of Morristown.

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

WHEREAS, the Township of Cedar Grove owns two (2) Harley-Davidson Police Motorcycles; and

WHEREAS, the Township of Cedar Grove desires to sell one (1) of the motorcycles no longer being used; and

WHEREAS, the Town of Morristown has indicated a desire to purchase the motorcycle and the Township of Cedar Grove desires to sell to Morristown this motorcycle pursuant to N.J. Rev. Stat. §40A:11-36(2); and

WHEREAS, Cedar Grove agrees to convey this equipment, a 2015 Harley Davidson Police Motorcycle, License Plate FLHTP, Vehicle Identification Number 1JHD1FMM12FB653311 to the Town of Morristown for eight thousand dollars (\$8,000); and

WHEREAS, by adopting a similar resolution, the Town of Morristown agrees to tender such sum to the Township of Cedar Grove and will arrange for pickup/delivery of the equipment; and

WHEREAS, by adopting a same or similar resolution, the Town of Morristown agrees to indemnify and hold harmless the Township of Cedar Grove for any issues associated with or arising out of the transfer, delivery, or sale hereof; and

WHEREAS, the Township of Cedar Grove covenants that there are no warranties to be transferred, implied or actually existing.

NOW, THEREFORE, BE IT RESOLVED by Township Council of the Township of Cedar Grove, County of Essex, State of New Jersey, that the transfer of a Police Motorcycle, a 2015 Harley Davidson, Vehicle Identification Number 1JHD1FMM12FB653311 to the Town of Morristown for eight thousand dollars (\$8,000) be authorized.

The Township Manager reported Morris Plains backed out of the sale, but Morristown was interested. He said the Township would transfer the motorcycle to Morristown.

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

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

NO: None

- b) To consider resolution authorizing refund of taxes due to New Jersey Tax Court Judgments.

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

RESOLUTION AUTHORIZING REFUND OF TAXES DUE TO NEW JERSEY TAX COURT JUDGMENTS

WHEREAS, as a result of a New Jersey Tax Court Judgment, payments must be refunded due to an overpayment, and

WHEREAS, the Township Council has reviewed said certification and approved of the same.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Cedar Grove that the payment be refunded as follows.

Block/Lot/Qualifier	Refund To:	Amount:
Block 222 Lot 40 536 Ridge Rd.	Skoloff & Wolfe PC 293 Eisenhower Parkway Livingston, NJ 07039	\$4,662.62
Block 222 Lot 40 536 Ridge Rd.	Archer & Greiner, PC, Trustee for Complete Care at Waterview LLC 902 Carnegie Center, Suite 500 Princeton, NJ 08540	\$13,987.86

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

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

- c) To consider resolution authorizing and directing the Planning Board to conduct a preliminary investigation and determine whether 1201 Pompton Avenue constitutes a non-condemnation area in need of redevelopment pursuant to Local Redevelopment and Housing Law N.J.S.A 40A:12A-1 to 89.

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

RESOLUTION OF THE TOWNSHIP OF CEDAR GROVE, COUNTY OF ESSEX, NEW JERSEY AUTHORIZING AND DIRECTING THE PLANNING BOARD TO CONDUCT A PRELIMINARY INVESTIGATION TO DETERMINE WHETHER CERTAIN PROPERTY LOCATED AT 1201 POMPTON AVENUE, WITHIN THE TOWNSHIP, WHICH PROPERTY IS IDENTIFIED AS BLOCK 330, LOTS 16 AND 16.01, AS SHOWN ON THE OFFICIAL TAX MAP OF THE TOWNSHIP OF CEDAR GROVE, CONSTITUTES A NON-CONDEMNATION AREA IN NEED OF REDEVELOPMENT PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW, N.J.S.A. 40A:12A-1 TO -89

WHEREAS, the Township of Cedar Grove, in the County of Essex, New Jersey (the “Township”), a public body corporate and politic of the State of New Jersey, is authorized

pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 to -89 (the “Redevelopment Law”), to determine whether certain parcels of land within the Township constitute an area in need of rehabilitation and/or an area in need of redevelopment; and

WHEREAS, N.J.S.A. 40A:12A-6 authorizes the governing body of any municipality, by resolution, to have its Planning Board conduct a preliminary investigation to determine whether an area of the municipality is a non-condemnation “area in need of redevelopment” pursuant to the criteria contained in N.J.S.A. 40A:12A-5; and

WHEREAS, the Mayor and Township Council consider it to be in the Township’s best interest to have the Township of Cedar Grove Planning Board (the “Planning Board”) conduct such an investigation to determine if certain property located at 1201 Pompton Avenue, which property is identified as Block 42, Lot 8, as shown on the official Tax Map of the Township (the “Study Area”), constitutes a non-condemnation “area in need of redevelopment” in accordance with the Redevelopment Law; and

WHEREAS, the preliminary investigation will be designed to evaluate the area to determine whether designation of the Study Area as a non-condemnation “area in need of redevelopment” is appropriate and in conformance with the statutory criteria contained in N.J.S.A. 40A:12A-5; and

WHEREAS, the Township is desirous of continuing revitalization and redevelopment efforts in the Township.

NOW THEREFORE, BE IT RESOLVED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF CEDAR GROVE, ESSEX COUNTY, STATE OF NEW JERSEY, AS FOLLOWS:

Section 1. The aforementioned recitals are incorporated herein as though fully set forth at length.

Section 2. The Planning Board is hereby directed to conduct a preliminary investigation to determine whether the Study Area, or any portions thereof, constitute a non-condemnation “area in need of redevelopment according to the criteria set forth in N.J.S.A. 40A:12A-5.

Section 3. The Planning Board is hereby directed to study the area known as 1201 Pompton Avenue, which property is identified as Block 330, Lots 16 and 16.01, on the Township’s Tax Map; to develop a map reflecting the boundaries of the proposed non-condemnation redevelopment area; to provide public notice and conduct public hearings pursuant to N.J.S.A. 40A:12A-6; and to draft a report/Resolution to the Mayor and Township Council containing its findings.

Section 4. The results of such preliminary investigation shall be submitted to the Mayor and Township Council for review and approval in accordance with the provisions of the Redevelopment Law.

Section 5. This Resolution shall take effect immediately.

The Township Manager reported this resolution authorized the Planning Board to study 1201 Pompton Avenue, the Cedar Grove Garden Center, to determine if it qualified as an Area in

Need of Redevelopment which would allow for it to be entered into a PILOT Agreement. He reported the Township would retain an outside planner to assess and make a finding/recommendation/review to the Planning Board at a cost borne and reimbursed by the Developer's already existing escrow account. He explained this would be an assisted living facility with no children on the premises.

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

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

- d) To consider resolution concerning Best Practices Inventory.

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

WHEREAS, the State of New Jersey requires a Best Practices Inventory be completed by each municipality which is used by the Division of Local Government Services to determine if the municipality will receive the full amount of State Fiscal Year 2025 State Aid; and

WHEREAS, the Chief Financial Officer has completed and submitted the Best Practices Inventory to the Township Manager; and

WHEREAS, the Township Manager has provided a copy of said inventory to the Township Council; and

WHEREAS, the Township Council has reviewed the completed Inventory that is to be submitted to the Division;

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Cedar Grove that the Best Practices Inventory has reviewed by the Township Council and can be submitted to the State of New Jersey.

The Township Manager reported the Township submitted the best practices inventory to the Division of Local Government Services. He reported the Township score totaled 42 points which meant the Township would receive 100% of funding from the state because no funds were withheld.

Councilman Zazzali moved adoption of the resolution, seconded by Deputy Mayor Mega passed by the following vote:

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

- e) To consider resolution appointing a Student Liaison to the Recreation Advisory 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 Victoria Ventola be appointed as the Student Liaison to the Recreation Advisory Board filling an unexpired term, effective immediately and expiring December 31, 2026.

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

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

NO: None

8. PUBLIC COMMENT

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

1. Don Elting: Mr. Elting shared there was a company in Wycoff, New Jersey that saved trees. He indicated he had a neighbor obsessed with the water flowing to his house.
2. Rich Friaglia: Mr. Friaglia described a contentious relationship with his neighbor due to the neighbor's property getting flooded.
3. Sandra Friaglia: Mrs. Friaglia expounded on the relationship with her neighbor due to flooding on the neighbor's property.
4. Lucille Bellino: Mrs. Bellino complained about the Friaglia's neighbor.

There being no one else present wishing to be heard, Mayor Skabich 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 October 21, 2024.

2. The general nature of the subject matter to be discussed is contractual negotiation, potential litigation 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.

Deputy Mayor Mega moved adoption of the resolution, seconded by Councilman Zazzali. A voice vote was taken. All Members voted affirmatively.

9. ADJOURNMENT

There being nothing further to discuss, the staff council meeting adjourned at 8:15 p.m. by acclaim.