

Minutes of a Regular Meeting of the Verona Township Council on Monday, February 11, 2019 beginning at 7:00 p.m. in the Municipal Building, 600 Bloomfield Avenue, Verona, New Jersey.

Call to Order:

Municipal Clerk reads notice of Open Public Meetings law. The notice requirements of the Open Public Meetings Act have been satisfied with respect to this meeting; specifically, the time, date and location were included in the annual notice of meetings adopted by the governing body, posted in the Municipal Building, and sent to the official newspapers of the Township, the Verona Cedar Grove Times and the Star Ledger. Additionally, the agenda for this meeting was posted in the Municipal Building and sent to the two newspapers before 4:30 p.m. on the Friday preceding this meeting.

Roll Call:

Mayor Kevin Ryan, Deputy Mayor Nochimson, Councilman Roman, Councilman Ted Giblin and Councilman Jack McEvoy are present. Township Attorney Brian Aloia, Township Manager Matthew Cavallo and Municipal Clerk Jennifer Kiernan are also present.

Mayor Ryan leads the Pledge of Allegiance.

Mayor's Report:

Mayor Ryan reads a certificate of recognition for Bob Dickison acknowledging his long time service to the Township of Verona, especially on the Shade Tree Commission.

Mayor Ryan invites Essex County liaison Jay Coltre to the lectern. Mr. Coltre reports the County is prepared for the pending storm. Roads have been brined and salted. He states the dedication of the County parking deck will be February 19. The State of the County will be held on February 25.

Mayor Ryan reports that he attended a meeting with other mayors in the 11th Congressional district with Congresswoman Mikie Sherrill on flooding properties in the area. He also attended the 2019 NJ Conference of Mayors Winter Summit last Thursday with NJ Attorney General Grewal.

Manager's Report:

Mr. Cavallo reports that the Township has completed the first month of the new Pitman Schedule for the Police Officers and Dispatchers. He reports that we had a 75% reduction in overtime for January 2019 compared to January 2018. An update on the January overtime numbers, Township-wide, will be available after the February 15th payroll.

The green Tax Assessment Cards are delayed this year due to the Revaluation. They are expected to go out at the end of February. They are mailed out from the State of New Jersey not the Township Tax Assessor's or Collectors Office. This card is not needed in order to file income taxes. The Township Manager advises the public that they can request a statement of their 2018 tax payment from the Tax Collector's Office.

Work is complete on the repairs to the Fairview Avenue Well. The Township is waiting on the results from one more test before the well can be put back into operation. Results are expected today. The well processes 700 million gallons per day of water. For every day the well is offline, the Township needs to spend \$1,880 to acquire water from Passaic Valley Water Commission.

The Township expects mobilization of the Fairway Avenue Water Tank rehabilitation will occur the week of February 25 and work should be complete by the early June. DPW will be mailing out flyers to area residents within the next two weeks providing them an update on the project.

The leak in the 6-inch water main on Park Avenue which was reported at the last meeting still has a slow leak which is draining into a nearby storm drain. Repairs are planned for later this week weather permitting. Since our last meeting, there has been three new water main leaks that have required immediate attention by the DPW including a leak in the 6-inch main on

Stonewood Parkway, a leak of the 8-inch main on Pompton Avenue south of Linden Avenue and a service break on Belleclaire Place. Most of the repairs have been conducted during regular business hours, however there has been some overtime expended on these repairs. The emergency repair on Pompton Avenue occurred this past Saturday caused significant overtime in the Water utility.

The Essex County Clerk's Office Outreach services are no longer going to be meeting with residents in the Municipal Building Conference Room. Beginning this month the County will meet with residents in the Library 2nd Floor Conference Room. Upcoming Dates in Verona are Wednesday, February 13 from 9:30 a.m. to 3:00 p.m. and Monday, February 25 from 9:30 a.m. to 3:00 p.m.

There is still room in the AARP Smart Driver Class. Anyone interested should contact the Community Center.

The Planning Board held investigation meetings on the proposed Non-Condemnation Areas in Needs of Redevelopment that were referred to them by the Council at the January 7th meeting. The Planning Board objected to the proposed Area in Need of Redevelopment on the Spectrum 360 lot. The Planning Board is recommending an Area in Need of Redevelopment designation for the Cameco/Depot Street area and the Valente property. There are resolutions under New/Unfinished Business at tonight's meeting to act on these determinations.

On Monday, February 4, 2019, Governor Murphy signed into law Assembly Bill No. 15. That law now requires municipalities, who were up until the passage of this law exempt from State mandated minimum wage laws, to be subject to State mandated minimum wage. The minimum wage effective January 1, 2019 is \$8.85 per hour, up from \$7.25 per hour. As of July 1, the minimum wage increases to \$10 per hour. However, employees who are engaged in seasonal employment from May 1 to September 30 are subject to a different minimum wage of \$8.85 per hour effective January 1, 2019 and \$10.30 effective January 1, 2020.

Verona High School was recently recognized on the 2018 Jay Mathews Challenge Index in the top 1.5% of all schools in the U.S., #318 in the nation, #7 in N.J., and #2 among all conventional public high schools in N.J., our highest ranking ever. This ranking represents a significant climb from #1512, since 2016. (The Washington Post America's Most Challenging High Schools 2016). Also worth noting, our student performance on Advanced Placement exams have improved from 5 years ago, as student access and participation in rigorous coursework has increased. The Township Manager congratulates Superintendent of Verona Schools, Dr. Rui Dionisio and the Board of Education on this achievement.

With the reopening of the beautiful Verona Library, the Friends of the Library are now accepting donations of gently used books for our Book Sales in 2019. Book sales are the Friend's primary source of fundraising in addition to membership dues. All proceeds go to support the fantastic children's, adults and teen programming the Library hosts throughout the year. Any member of the community that want to donate items for the book sales can drop items on the appropriate cart in the basement of the Library.

The Township is hosting the Essex County Opioid Awareness Task Force Meeting at 12:30 p.m. Tomorrow, Tuesday, February 12, weather permitting, in the Community Center Ballroom. All are welcome.

Over 1,700 abused and neglected children in Essex County are currently without a permanent home. CASA volunteers work to ensure that essential services are made available to these children while helping to move them toward safe and permanent homes. All it takes is 1 hour to find out how you can make an impact on their lives. The meeting will be held on Wednesday, February 27 at 11:00 a.m. at the Community Center.

County Executive Joseph N. DiVincenzo, Jr. will deliver his 2019 State of the County Address on Monday, February 25 beginning at 7:00 p.m. at the Essex County Donald M. Payne, Sr. School of Technology in Newark.

The Township is still looking for School Crossing Guards. There are at least 3-4 full-time and multiple substitute positions available.

Verona Recreation Department is looking for summer help. Supervisor and Senior Counselor positions are available now. The Job Announcement for Summer Playgrounds Senior Counselor position is for a specific, more experienced counselor. Senior counselors will work directly with their Playground supervisor and will act as a positive role model for all children and counselors in the program. High School aged applicants can still apply for Recreation Playground Counselor positions. Those looking to apply can come to the recreation office to request a summer employment application or e-mail a request to DRowbotham@veronanj.org to be placed on the mailing list. Those who worked or volunteered for Summer Playgrounds last year are already on the mailing list to receive an application.

ParkMobile will go live on February 19.

Councilmember Reports:

Deputy Mayor Nochimson reports the Recreation Advisory Committee will meet at 7:30 pm in the Community Center tomorrow.

Councilman Roman addresses the marijuana legislation issue and states that he has a number of commercial properties that his company occupies in New York City. As soon as discussion of legalizing marijuana came up, the properties received amended rules pre-banning use or sales of marijuana.

Councilman McEvoy thanks Bob Dickison for his efforts, time and expertise in serving on the Shade Tree Commission. He reports that the Chamber of Commerce will have their first group gathering as a meet and greet on February 20 at Ariane Kitchen & Bar at 5:30pm. All business owners are welcome to attend.

Councilman Giblin reports that he attended the swearing in of Romaine Graham, who was appointed to fill the unexpired term of Lebby Jones. He urges the public to reach out to the members of the governing body with their thoughts on marijuana legislation. He asks Deputy Mayor Nochimson if there is an update to the Recreation Advisory Committee holding ski trips, which the Deputy Mayor mentioned a few months ago. The Deputy Mayor will follow up with the committee.

ORDINANCE No. 2019-05

**AN ORDINANCE TO AMEND CHAPTER 140 (VEHICLES AND TRAFFIC)
OF THE CODE OF THE TOWNSHIP OF VERONA BY AMENDING
CERTAIN SECTIONS**

The Municipal Clerk reads Ordinance No. 2019-05 by title into record.

Public Hearing: None.

Motion to adopt Ordinance No. 2019-05 is moved by Deputy Mayor Nochimson; seconded by Mayor Ryan.

ROLL CALL:

AYES: Giblin, McEvoy, Roman, Nochimson, Ryan

NAYS:

Ordinance No. 2019-05 is adopted 5-0 and will be published according to law.

ORDINANCE NO. 2019-06

**AN ORDINANCE TO AMEND CHAPTER A175 OF THE CODE OF THE
TOWNSHIP OF VERONA THEREOF ENTITLED FEES IN ORDER TO
AMEND THE ANNUAL SEWER USER CHARGE AND SEWER & WATER
CONNECTION FEES**

The Municipal Clerk reads Ordinance No. 2019-06 by title into record.

Public Hearing: None.

Motion to adopt Ordinance No. 2019-06 is moved by Deputy Mayor Nochimson; seconded by Councilman McEvoy.

ROLL CALL:

AYES: Giblin, McEvoy, Roman, Nochimson, Ryan

NAYS:

Ordinance No. 2019-06 is adopted 5-0 and will be published according to law.

ORDINANCE NO. 2019-07

ORDINANCE TO AMEND CHAPTER A175, FEES, OF THE CODE OF THE TOWNSHIP OF VERONA BY AMENDING CERTAIN SECTIONS

The Municipal Clerk reads Ordinance No. 2019-07 by title into record.

Public Hearing: None.

Motion to adopt Ordinance No. 2019-07 is moved by Councilman Giblin; seconded by Councilman McEvoy.

ROLL CALL:

AYES: Giblin, McEvoy, Roman, Nochimson, Ryan

NAYS:

Ordinance No. 2019-07 is adopted 5-0 and will be published according to law.

Motion to approve the January 28, 2019 meeting minutes is made by Mayor Ryan; seconded by Councilman McEvoy.

ROLL CALL:

AYES: Giblin, McEvoy, Nochimson, Ryan

NAYS:

ABSTAIN: Roman

RESOLUTION No. 2019-48

A motion was made by Mayor Ryan; seconded by Councilman McEvoy that the following resolution be adopted:

AUTHORIZING A CONTRACT WITH LaGUARDIA ASSOCIATES

WHEREAS, the Township annually holds its Summer Concert Series in the Verona Civic Center and several other civic events requiring live/ musical entertainment; and

WHEREAS, LaGuardia Associates, 388 Pompton Avenue, Cedar Grove, NJ 07009 has submitted a proposal to provide the aforementioned services; and

WHEREAS, LaGuardia Associates has extensive experience with similar projects throughout the area and has previously provided these services to the Township; and

WHEREAS, the Township Manager has recommended that the LaGuardia Associates be awarded a contract to provide the aforementioned services; and

WHEREAS, the award of the contract to LaGuardia Associates is being made pursuant to N.J.S.A. 19:44A-20.5; and

WHEREAS, the cost for said professional services not to exceed \$25,000 as outlined in the proposal without further authorization by the Township Council; and

THEREFORE, BE IT RESOLVED by the Township Council of the Township of Verona, in the County of Essex, New Jersey that LaGuardia Associates is hereby awarded a contract for organizing the 2019 Summer Concert Series.

BE IT FURTHER RESOLVED that the Business Entity Disclosure Certification and Determination of Value are to be placed on file with this Resolution; and

BE IT FURTHER RESOLVED that this contract is being awarded pursuant to *N.J.S.A. 19:44A-20.5*.

BE IT FURTHER RESOLVED that a notice of this action shall be published once in the Verona-Cedar Grove Times; and

BE IT FURTHER RESOLVED that the Township Manager and the Township Clerk are hereby authorized to enter into an agreement for the aforementioned services a copy of which shall be available for public inspection in the Office of the Township Clerk.

ROLL CALL:

AYES: Giblin, McEvoy, Roman, Nochimson, Ryan

NAYS:

RESOLUTION No. 2019-49

A motion was made by Mayor Ryan; seconded by Councilman McEvoy that the following resolution be adopted:

AUTHORIZING A CONTRACT WITH SOLO GRAPHICS, INC. d/b/a PIP PRINTING

WHEREAS, the Township has a need for outside printing services; and

WHEREAS, Solo Graphics, Inc. d/b/a PIP Printing, 465 West Mount Pleasant Avenue, Livingston, New Jersey 07039 has submitted a proposal to provide the aforementioned services; and

WHEREAS, Solo Graphics has extensive experience with such projects throughout the area and has previously provided these services to the Township; and

WHEREAS, the Township Manager has recommended that the Solo Graphics, Inc. d/b/a PIP Printing be awarded a contract to provide the aforementioned services; and

WHEREAS, the award of the contract to Solo Graphics, Inc. d/b/a PIP Printing is being made pursuant to *N.J.S.A. 19:44A-20.5*; and

WHEREAS, the cost for said professional services not to exceed \$40,000 as outlined in the proposal without further authorization by the Township Council; and

THEREFORE, BE IT RESOLVED by the Township Council of the Township of Verona, in the County of Essex, New Jersey that Solo Graphics, Inc. d/b/a PIP Printing is hereby awarded a contract for printing services.

BE IT FURTHER RESOLVED that the Business Entity Disclosure Certification and Determination of Value are to be placed on file with this Resolution; and

BE IT FURTHER RESOLVED that this contract is being awarded pursuant to *N.J.S.A. 19:44A-20.5*.

BE IT FURTHER RESOLVED that a notice of this action shall be published once in the Verona-Cedar Grove Times; and

BE IT FURTHER RESOLVED that the Township Manager and the Township Clerk are hereby authorized to enter into an agreement for the aforementioned services a copy of which shall be available for public inspection in the Office of the Township Clerk.

ROLL CALL:

AYES: Giblin, McEvoy, Roman, Nochimson, Ryan

NAYS:

RESOLUTION No. 2019-50

A motion was made by Mayor Ryan; seconded by Councilman McEvoy that the following resolution be adopted:

DISPOSAL OF OBSOLETE TOWNSHIP EQUIPMENT

WHEREAS, the Township Manager has advised the Township Council that there is obsolete equipment that is no longer needed for public use; and

WHEREAS, N.J.S.A. 40A:11-36(7) authorizes the disposition of personal property not needed for public use as part of a purchase to offset the price of the new purchase; and

WHEREAS, it is in the best interest of the Township to dispose of said equipment by trade-in specifically 1) 2008 Chevrolet Passenger Bus – VIN: 1GB1G316371222867 and 2) IT equipment – property ID tag numbers 239, 240, 2261, 2262 and 2263.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Verona, in the County of Essex, New Jersey that the obsolete equipment referenced by the Township Manager which is no longer needed for public use by the Township shall be disposed of according to the manner as prescribed by law.

ROLL CALL:

AYES: Giblin, McEvoy, Roman, Nochimson, Ryan

NAYS:

RESOLUTION No. 2019-51

A motion was made by Mayor Ryan; seconded by Councilman McEvoy that the following resolution be adopted:

REFUNDING ESCROW PAYMENT

WHEREAS, Escrow fees, for the Board of Adjustment, were received from Jennifer Critchley and Kieran Quinn, for property located at 108 Sunset Avenue and the fees have been held in Trust; and

WHEREAS, certification has been received from the Engineer to release these funds, from Trust, as follows:

<u>ESCROW AMOUNT</u>	<u>AMOUNT TO BE REFUNDED</u>
\$1,000.00	\$1,000.00

NOW, THEREFORE, BE IT RESOLVED, that the Chief Financial Officer/Tax Collector be authorized to refund, from the Trust Account, \$1,000.00 to:

Jennifer Critchley
108 Sunset Avenue
Verona, NJ 07044

ROLL CALL:

AYES: Giblin, McEvoy, Roman, Nochimson, Ryan

NAYS:

RESOLUTION No. 2019-52

A motion was made by Mayor Ryan; seconded by Councilman McEvoy that the following resolution be adopted:

REFUNDING TAX LIEN REDEMPTION

WHEREAS, property located at 36 Afterglow Avenue, Block 302 Lot 26, owned by North NJ House Buyers, has been held in tax lien since December 6, 2018; and

WHEREAS, payment was received, in the amount of \$44,321.45 from Evident Title, clearing the lien as follows:

Certificate #2018-3	
Certificate	\$18,946.49
Redemption Penalty 6%	\$ 1,136.79
Search Fee	\$ 12.00
2018 Taxes plus Interest	\$22,851.28
6% Year End Penalty	<u>\$ 1,374.89</u>
Total	\$44,321.45
Premium	\$108,600.00

WHEREAS, this certificate has been held by US Bank Cust for Towe DB VIII Trust 2018-1 and the certificate has been received and properly signed for cancellation.

NOW, THEREFORE, BE IT RESOLVED, that the Chief Financial Officer and Tax Collector be authorized to refund, from Trust, \$152,921.45 to:

US Bank Cust for Towe DB VIII Trust 2018-1
50 South 16th Street, Ste. 2050
Philadelphia, PA 19102

Trust Check – US Bank Cust for Towe DB VIII - \$152,921.45 Certificate #18-00003

ROLL CALL:

AYES: Giblin, McEvoy, Roman, Nochimson, Ryan

NAYS:

RESOLUTION No. 2019-53

A motion was made by Mayor Ryan; seconded by Councilman McEvoy that the following resolution be adopted:

PERMITTING ITEMS TO BE DISCUSSED IN EXECUTIVE SESSION

WHEREAS, Section 8 of the Open Public Meetings Act, Chapter 231, P.L. 1975, permits the exclusion of the Public from a meeting in certain circumstances; and

WHEREAS, this public body is of the opinion that such circumstances presently exists.

NOW, THEREFORE, BE IT RESOLVED by the Township of the Township of Verona, County of Essex, State of New Jersey, as follows:

1. The public shall be excluded from discussion of an action upon the hereinafter specified subject matter.
2. The general nature of the subject matter to be discussed is as follows:
 - a. Pending, Ongoing, or Anticipated Litigation pursuant to N.J.S.A. 10:4-12 (7)
 - Docket No. A-2051-16T4
 - Docket No. ESX-L-4773-15
 - Correspondence from Becker & Poliakoff dated October 15, 2018
 - b. Contract Negotiations pursuant to N.J.S.A. 10:4-12 (7)
 - Redevelopment (Block 2301 – Lots 1-19)

- Redevelopment (Block 2205 - Lot 6)
- Cell Tower Leases
- c. Purchase, Lease or Acquisition of Real Property pursuant to N.J.S.A. 10:4-12 (5)
 - Cameco Tract (Block 2301 - Lots 11, 12, 14 & 15)

3. It is anticipated at this time that the above stated subject matter will be made public when said subject has been fully discussed by the Council, and the attorney rules this matter may be brought before the public without jeopardizing any pending litigation.
4. This resolution shall take effect immediately.

ROLL CALL:

AYES: Giblin, McEvoy, Roman, Nochimson, Ryan

NAYS:

RESOLUTION No. 2019-54

A motion was made by Mayor Ryan; seconded by Councilman McEvoy that the following resolution be adopted:

**AMENDING FINAL ACCEPTANCE DATE OF THE VERONA PLACE
URBAN RENEWAL, LLC IN RESOLUTION No. 2017-94**

WHEREAS, on June 5, 2017 the Township Council adopted Resolution 2017-94, entitled "Release of Bond to Verona Place Urban Renewal, LLC" which required a Maintenance Guaranty in the amount of \$ 30,798.18 for a period of two (2) years from the date of the adoption of the resolution; and

WHEREAS, the Maintenance Guaranty should have been required for a period of two (2) years from the date of the final acceptance of the project, which was February 17, 2017, the date the final Certificates of Occupancies were issued by the Construction Code Official.

NOW, THEREFORE BE IT RESOLVED by the Township Council of the Township of Verona, in the County of Essex, New Jersey that for the reasons stated herein the final acceptance date of the Verona Place Urban Renewal, LLC project shall be February 17, 2017, not the date of the adoption of Resolution No. 2017-94.

ROLL CALL:

AYES: Giblin, McEvoy, Roman, Nochimson, Ryan

NAYS:

New/Unfinished Business:

Township Attorney Brian Aloia states that the Planning Board met in January 31, 2019 and objected to the Area of Redevelopment criteria. Therefore, he is asking the members of the Council to take no action on resolution M-1 on the agenda entitled, "Area in Need of Redevelopment Determination - Block 303, Lot 4 (1 Sunset Avenue)" due to ongoing litigation regarding COAH. The resolution is pulled from the agenda.

RESOLUTION No. 2019-55

A motion was made by Mayor Ryan; seconded by Councilman McEvoy that the following resolution be adopted:

**DETERMINING THAT THE PROPERTY IDENTIFIED AS
BLOCK 2301 LOTS 1-19 BE DESIGNATED AS A NON-CONDEMNATION
REDEVELOPMENT AREA IN ACCORDANCE WITH THE LOCAL
REDEVELOPMENT AND HOUSING LAW,
N.J.S.A. 40A:12A-1 ET SEQ.**

WHEREAS, the Local Redevelopment and Housing Law, *N.J.S.A. 40A:12A-1 et seq.* ("Redevelopment Law"), authorizes municipalities to determine whether certain parcels of land located therein constitute areas in need of redevelopment; and

WHEREAS, on January 7, 2019, the municipal council (the “Township Council”) of the Township of Verona (the “Township”) adopted Resolution No. 2019-30 authorizing and directing the Planning Board of the Township (the “Board”) to conduct a preliminary investigation to determine whether certain properties, identified as Block 2301, Lots 1-19 on the Township’s Tax Maps (collectively, the “Study Area”), meet the criteria set forth in the Redevelopment Law and should be designated as a Non-Condensation Redevelopment Area, as that term is defined by the Redevelopment Law; and

WHEREAS, the Board conducted a preliminary investigation of the Study Area to determine whether it should be designated as a Non-Condensation Redevelopment Area in accordance with the criteria and procedures set forth in *N.J.S.A. 40A:12A-5* and *N.J.S.A. 40A:12A-6*; and

WHEREAS, as part of its preliminary investigation, the Board caused Mr. Jason L. Kasler, AICP, P.P., the Township Planner, to prepare an Area In Need of Redevelopment Investigation Study for the Board for its consideration in determining whether the Study Area should be designated a Non-Condensation Redevelopment Area; and

WHEREAS, in addition to the foregoing, the Board prepared a map showing the boundaries of the proposed redevelopment area and locations of the parcels of property included therein, along with a statement setting forth the basis for its investigation in accordance with *N.J.S.A. 40A:12A-6(b)(1)*, which map and statement are on file with the Planning Board Clerk; and

WHEREAS, a public hearing was conducted by the Board on February 5, 2019, with notice having been properly given pursuant to *N.J.S.A. 40A:12A-6(b)(3)*; and

WHEREAS, at the public hearing, the Board reviewed the Area In Need of Redevelopment Investigation Study, the map and associated documents, and heard testimony from Mr. Kasler; and

WHEREAS, at the public hearing, members of the general public were given an opportunity to be heard and to address questions to the Board concerning the potential designation of the Study Area as a Non-Condensation Redevelopment Area; and

WHEREAS, after completing its investigation and public hearing on this matter, the Board concluded that there was sufficient credible evidence to support findings that satisfy the criteria set forth in the Redevelopment Law, particularly at *N.J.S.A. 40A:12A-5 et seq.*, for designating the Study Area as a Non-Condensation Redevelopment Area and that said designation is necessary for the effective redevelopment of the area comprising the Study Area; and

WHEREAS, in accordance with the Redevelopment Law and as memorialized by Memorandum, dated February 6, 2019, from Mrs. Ashley Neale, the Planning Board Secretary, the Board recommended to the Township Council that Block 2301, Lots 1-19 be designated as a Non-Condensation Redevelopment Area.

NOW, THEREFORE, BE IT RESOLVED that the Township Council of the Township of Verona, in the County of Essex, New Jersey hereby accepts the recommendation from the Planning Board of the Township of Verona and finds that Block 2301 Lots 1-19 as shown on the official tax map of the Township of Verona be and is hereby deemed to be a Non-Condensation Redevelopment Area pursuant to the Local Redevelopment and Housing Law, *N.J.S.A. 40A:12A-1 et seq.*

BE IT FURTHER RESOLVED, that the designation of Block 2301, Lots 1-19 as a Non-Condensation Redevelopment Area shall not authorize the Township to exercise the power of eminent domain to acquire any property in the Study Area.

BE IT FURTHER RESOLVED, that the Township hereby reserves all other authority and powers granted to it under the Redevelopment Law.

BE IT FURTHER RESOLVED, that the Township Manager, the Township Clerk and any other Township officials as may be appropriate and necessary are hereby authorized to take all actions and to execute any and all documents necessary to effectuate this Resolution, in

consultation with counsel.

BE IT FURTHER RESOLVED, that the Township Clerk shall forthwith transmit a copy of the within Resolution to the Commissioner of the Department of Community Affairs for review.

BE IT FURTHER RESOLVED, that within ten (10) days of the Township Council's adoption of the within Resolution, the Township Clerk shall serve notice of the Township Council's determination and the within Resolution upon all record owners of property within the Non-Condensation Redevelopment Area, those whose names are listed on the tax assessor's records, and upon each person who filed a written objection thereto and stated, in or upon the written submission, an address to which notice of the determination and Resolution may be sent and upon the Commission of the New Jersey Department of Community Affairs.

ROLL CALL:

AYES: Giblin, McEvoy, Roman, Nochimson, Ryan

NAYS:

RESOLUTION No. 2019-56

A motion was made by Mayor Ryan; seconded by Deputy Mayor Nochimson that the following resolution be adopted:

**DETERMINING THAT THE PROPERTY IDENTIFIED AS
BLOCK 2205 LOT 6 BE DESIGNATED AS A NON-CONDEMNATION
REDEVELOPMENT AREA IN ACCORDANCE WITH THE
LOCAL REDEVELOPMENT AND HOUSING LAW,
N.J.S.A. 40A:12A-1 ET SEQ.**

WHEREAS, the Local Redevelopment and Housing Law, *N.J.S.A. 40A:12A-1 et seq.* ("Redevelopment Law"), authorizes municipalities to determine whether certain parcels of land located therein constitute areas in need of redevelopment; and

WHEREAS, on January 7, 2019, the municipal council (the "Township Council") of the Township of Verona (the "Township") adopted Resolution No. 2019-31 authorizing and directing the Planning Board of the Township (the "Board") to conduct a preliminary investigation to determine whether a certain property, identified as Block 2205, Lot 6 on the Township's Tax Maps (the "Study Area"), meets the criteria set forth in the Redevelopment Law and should be designated as a Non-Condensation Redevelopment Area, as that term is defined by the Redevelopment Law; and

WHEREAS, the Board conducted a preliminary investigation of the Study Area to determine whether it should be designated as a Non-Condensation Redevelopment Area in accordance with the criteria and procedures set forth in *N.J.S.A. 40A:12A-5* and *N.J.S.A. 40A:12A-6*; and

WHEREAS, as part of its preliminary investigation, the Board caused Mr. Jason L. Kasler, AICP, P.P., the Township Planner, to prepare an Area In Need of Redevelopment Investigation Study for the Board for its consideration in determining whether the Study Area should be designated a Non-Condensation Redevelopment Area; and

WHEREAS, in addition to the foregoing, the Board prepared a map showing the boundaries of the proposed redevelopment area and locations of the parcels of property included therein, along with a statement setting forth the basis for its investigation in accordance with *N.J.S.A. 40A:12A-6(b)(1)*, which map and statement are on file with the Planning Board Clerk; and

WHEREAS, a public hearing was conducted by the Board on February 5, 2019, with notice having been properly given pursuant to *N.J.S.A. 40A:12A-6(b)(3)*; and

WHEREAS, at the public hearing, the Board reviewed the Area In Need of Redevelopment Investigation Study, the map and associated documents, and heard testimony from Mr. Kasler; and

WHEREAS, at the public hearing, members of the general public were given an opportunity to be heard and to address questions to the Board concerning the potential designation of the Study Area as a Non-Condensation Redevelopment Area; and

WHEREAS, after completing its investigation and public hearing on this matter, the Board concluded that there was sufficient credible evidence to support findings that satisfy the criteria set forth in the Redevelopment Law, particularly at *N.J.S.A. 40A:12A-5 et seq.*, for designating the Study Area as a Non-Condensation Redevelopment Area and that said designation is necessary for the effective redevelopment of the area comprising the Study Area; and

WHEREAS, in accordance with the Redevelopment Law and as memorialized by Memorandum, dated February 6, 2019, from Mrs. Ashley Neale, the Planning Board Secretary, the Board recommended to the Township Council that Block 2205, Lot 6 be designated as a Non-Condensation Redevelopment Area.

NOW, THEREFORE, BE IT RESOLVED that the Township Council of the Township of Verona, in the County of Essex, New Jersey hereby accepts the recommendation from the Planning Board of the Township of Verona and finds that Block 2205, Lot 6 as shown on the official tax map of the Township of Verona be and is hereby deemed to be a Non-Condensation Redevelopment Area pursuant to the Local Redevelopment and Housing Law, *N.J.S.A. 40A:12A-1 et seq.*

BE IT FURTHER RESOLVED, that the designation of Block 2205, Lot 6 as a Non-Condensation Redevelopment Area shall not authorize the Township to exercise the power of eminent domain to acquire any property in the Study Area.

BE IT FURTHER RESOLVED, that the Township hereby reserves all other authority and powers granted to it under the Redevelopment Law.

BE IT FURTHER RESOLVED, that the Township Manager, the Township Clerk and any other Township officials as may be appropriate and necessary are hereby authorized to take all actions and to execute any and all documents necessary to effectuate this Resolution, in consultation with counsel.

BE IT FURTHER RESOLVED, that the Township Clerk shall forthwith transmit a copy of the within Resolution to the Commissioner of the Department of Community Affairs for review.

BE IT FURTHER RESOLVED, that within ten (10) days of the Township Council's adoption of the within Resolution, the Township Clerk shall serve notice of the Township Council's determination and the within Resolution upon all record owners of property within the Non-Condensation Redevelopment Area, those whose names are listed on the tax assessor's records, and upon each person who filed a written objection thereto and stated, in or upon the written submission, an address to which notice of the determination and Resolution may be sent and upon the Commission of the New Jersey Department of Community Affairs.

ROLL CALL:

AYES: Giblin, McEvoy, Roman, Nochimson, Ryan

NAYS:

The Township Manager requests that item M-1 be pulled from the agenda for further discussion at a later date. The Mayor approved the request.

There is discussion on the Open Space Trust Fund which is being considered to be a referendum on the November election ballot. A requirement would be to pass an ordinance setting an Open Space Trust Fund Committee, which would consist of members of the public. There is unanimous consent among the governing body to introduce such an ordinance at the next meeting.

There is discussion about moving the Municipal Election from May to November. The Council is considering making the question a non-binding referendum on the November election ballot in order to take the pulse of the community.

A motion to cancel the February 25, 2019 meeting due to scheduling conflicts is moved by Mayor Ryan; seconded by Councilman McEvoy.

ROLL CALL:

AYES: Giblin, McEvoy, Roman, Nochimson, Ryan

NAYS:

The motion is approved 5-0. The meeting on February 25, 2019 will be cancelled.

Public Participation:

Wendy Powell, 9 Gordon Place, Verona, NJ
Charlie Gruet, 35 Fells Road, Verona, NJ
Alana Duerk, 90 Pease Avenue, Verona, NJ
Al DeOld, 15 Howard Street, Verona, NJ
Herb Lev, 45 Summit Road, Verona, NJ
Jessica Pearson, 20 Montclair Avenue, Verona, NJ

Adjournment:

Council goes into Closed Session at 8:19 p.m. is moved by Mayor Ryan; seconded by Councilman McEvoy. Vote: 5 ayes.

The next regular scheduled meeting is March 11, 2019 at 7:00 p.m.

Respectfully submitted,

Jennifer Kiernan
Jennifer Kiernan, Municipal Clerk

Kevin Ryan
Kevin Ryan, Mayor

APPROVED: March 11, 2019