

Minutes of a Regular Meeting of the Verona Township Council on Monday, April 8, 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 Ted Giblin and Councilman Jack McEvoy are present. Township Attorney Brian Aloia, Township Manager Matthew Cavallo and Municipal Clerk Jennifer Kiernan are also present. Councilman Roman is absent.

Mayor Ryan leads the Pledge of Allegiance.

Mayor's Report:

Mayor Ryan reads a proclamation for Child Abuse Prevention Month and presents it to Junior Woman's Club members Robyn Casella and Catherine Crevoiserat.

Mayor Ryan reports that he attended a meeting of the mayors of Essex County in Newark with the Governor and County Executive. The Governor rolled out the 2020 budget highlights. He also attended a breakfast hosted by the West Essex Chamber of Commerce where Senator Sweeney and Assemblyman Bramnick gave an update on the State Budget.

Mayor Ryan announces that the Council will go into closed session tonight to discuss Affordable Housing.

Manager's Report:

The Township Manager reports that there will be a case management conference on April 26, 2019 regarding Affordable Housing and a case management conference on June 7 where he expects the judge to set the trial or fairness hearing date.

This Saturday the Environmental Commission will have a clean-up in the Grove Avenue pocket park. The Verona Park Conservancy will have a clean-up on Saturday as well.

The PSEG Direct Energy Program determined the air conditioning unit in Town Hall needs to be replaced and it currently dismantled until a part is available.

With the completion of one quarter with the new Pitman Schedule for the Police Officers and Dispatchers the Township saw a 81% reduction in OT hours and a 76% reduction in pay for the Officers and an 81% reduction in OT hours and a 79% reduction in OT pay for the Dispatchers.

The Township will enter into a shared services agreement with Caldwell whereby the DPW will water their flower baskets along Bloomfield Avenue along with the monthly street sweeping, which has already begun.

The Municipal Roof replacement has begun. The new roofing material has been installed. Restoration of the cupola is underway. The construction of the entrance awning by the Police Department to begin in the next few weeks.

The Township Manager gives an update on the Verona Water Quality Report and addresses concerns. He reports that Verona's water is safe and has posted water quality reports back from 2009 in the Township website.

Glenn Houthuysen, Chairperson of the Historical Preservation Commission gives a

presentation on behalf of the Commission and encourages homeowners to designate their homes as historic if they are identified as landmarks in the Commission's report.

The Township Manager appoints Lenny Waterman to the SWAC to fulfill the unexpired term of Gerard Shimonaski.

Councilmember Reports:

Deputy Mayor Nochimson reports several residents have expressed concerns about closing the leaf dump. He suggests the Township should have a dumpster at the Recycling Center during the autumn months for residents to dispose of heavy brush.

Councilman McEvoy reports the Chamber of Commerce will hold a workshop from 8:00 am – 9:30 am at the VCC. He wishes the VBSL Verona youth a good season.

Councilman Giblin reports the VBSL parade was a success. He reminds residents that pool registration is open. He also requests an update on the Route 23 construction. The Township Manager states the project is scheduled for completion in January 2020.

ORDINANCE NO. 2019-10

**AN ORDINANCE TO EXCEED THE MUNICIPAL BUDGET
APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK
(N.J.S.A. 40A:4-45.14)**

The Municipal Clerk reads Ordinance No. 2019-10 by title into record.

Public Hearing: none

Motion to adopt Ordinance No. 2019-10 is moved by Councilman McEvoy; seconded by Mayor Ryan.

ROLL CALL:

AYES: Giblin, McEvoy, Nochimson, Ryan

NAYS:

ABSENT: Roman

Ordinance No. 2019-10 is adopted 4-0 and will be published according to law.

ORDINANCE NO. 2019-11

**CAPITAL ORDINANCE APPROPRIATING \$250,000 FROM CAPITAL FUND
BALANCE ACCOUNT FOR VARIOUS ROADWAY, CURB, AND
WALKWAY IMPROVEMENTS BY THE TOWNSHIP OF VERONA, IN THE
COUNTY OF ESSEX, NEW JERSEY**

The Municipal Clerk reads Ordinance No. 2019-11 by title into record.

Motion to introduce Ordinance No. 2019-11 is moved by Mayor Ryan; seconded by Councilman Giblin.

ROLL CALL:

AYES: Giblin, McEvoy, Nochimson, Ryan

NAYS:

ABSENT: Roman

Ordinance No. 2019-11 is introduced 4-0 and will be published according to law. A public hearing will be held on April 22, 2019.

ORDINANCE NO. 2019-12

**CAPITAL ORDINANCE APPROPRIATING \$75,000 FROM CAPITAL FUND
BALANCE ACCOUNT FOR THE PURCHASE OF VARIOUS EQUIPMENT
IN AND BY THE TOWNSHIP OF VERONA, IN THE COUNTY OF ESSEX,
NEW JERSEY**

The Municipal Clerk reads Ordinance No. 2019-12 by title into record.

Motion to introduce Ordinance No. 2019-12 is moved by Mayor Ryan; seconded by Councilman McEvoy.

ROLL CALL:

AYES: Giblin, McEvoy, Nochimson, Ryan

NAYS:

ABSENT: Roman

Ordinance No. 2019-12 is introduced 4-0 and will be published according to law. A public hearing will be held on April 22, 2019.

ORDINANCE NO. 2019-13

**WATER AND SEWER UTILITY CAPITAL ORDINANCE APPROPRIATING
\$35,000 FROM CAPITAL FUND BALANCE ACCOUNT FOR THE
PURCHASE OF VARIOUS EQUIPMENT IN AND BY THE TOWNSHIP OF
VERONA, IN THE COUNTY OF ESSEX, NEW JERSEY**

The Municipal Clerk reads Ordinance No. 2019-13 by title into record.

Motion to introduce Ordinance No. 2019-13 is moved by Mayor Ryan; seconded by Deputy Mayor Nochimson.

ROLL CALL:

AYES: Giblin, McEvoy, Nochimson, Ryan

NAYS:

ABSENT: Roman

Ordinance No. 2019-13 is introduced 4-0 and will be published according to law. A public hearing will be held on April 22, 2019.

ORDINANCE NO. 2019-14

**AN ORDINANCE TO REPEALING CHAPTER 104 (PEDDLERS AND
SOLICITORS), ESTABLISHING A NEW CHAPTER 104 (PEDDLERS AND
SOLICITORS), AND AMENDING CHAPTER A175-1 (SCHEDULE OF FEES)
OF THE CODE OF THE TOWNSHIP OF VERONA**

The Municipal Clerk reads Ordinance No. 2019-14 by title into record.

Motion to introduce Ordinance No. 2019-14 is moved by Mayor Ryan; seconded by Deputy Mayor Nochimson.

ROLL CALL:

AYES: Giblin, McEvoy, Nochimson, Ryan

NAYS:

ABSENT: Roman

Ordinance No. 2019-14 is introduced 4-0 and will be published according to law. A public hearing will be held on April 22, 2019.

The Council approves the following committee appointments unanimously:

- **Board of Adjustment** - Christi DiBartolo, Regular Member, unexpired term ending 6/30/2019; Genevieve Murphy-Bradacs, Alternate #1, unexpired term ending 6/30/2020.
- **Rent Control Board** - Willola Ashley, Regular Member, term expiring 6/30/2019; Marilynn English, Regular Member, term expiring 6/30/2021; Patrick Hanley, Regular Member, term expiring 6/30/2019; Gerard Tamburino, Regular Member, term expiring 6/30/2021.

RESOLUTION NO. 2019-71

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

PROPERTY MAINTENANCE LIEN

WHEREAS, the Construction Code Official determined that the owner of the Block 1001, Lot 36, commonly known as 87 Grove Avenue, Verona, New Jersey failed to comply with the Township property maintenance code, specifically by not removing a hazardous tree limb; and

WHEREAS, clean up was performed by Caputo on behalf of the Township on March 5, 2019 totaling the amount of \$1,300.00; and

WHEREAS, these charges shall be imposed on the property in the form of a municipal lien for above services pursuant to *N.J.S.A. 54:5-8* and to any other applicable State or Federal regulation.

NOW, THEREFORE BE IT RESOLVED by the Township Council of the Township of Verona, County of Essex, New Jersey, that the Tax Collector be and is hereby authorized and directed to take all appropriate actions to impose on the property commonly known as 87 Grove Avenue, Verona, New Jersey (Block 1001, Lot 36) a municipal lien in the amount of the tax lien certificate (\$1,300.00), where upon the Tax Collector shall, within ten (10) days of encumbering of the property, send official notice of said encumbrance via certified mail, return receipt requested and regular mail to any and all other lien holders or creditors with a secured interest in the property.

ROLL CALL:

AYES: Giblin, McEvoy, Nochimson, Ryan

NAYS:

ABSENT: Roman

RESOLUTION No. 2019-72

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 Marie Russomano, for property located at 460 Bloomfield 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</u> <u>AMOUNT</u>	<u>AMOUNT TO</u> <u>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:

Marie Russomano
17 Westover Avenue Unit A11
Caldwell, NJ 07006

ROLL CALL:

AYES: Giblin, McEvoy, Nochimson, Ryan

NAYS:

ABSENT: Roman

RESOLUTION No. 2019-73

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 1 Claridge Drive #425, Block 101 Lot 1 Qualifier C0425, owned by Jay & Estelle Friedrich, has been held in tax lien since December 1, 2016; and

WHEREAS, payment was received, in the amount of \$20,202.72 from Jay Joseph Friedrich, clearing the lien as follows:

Certificate #16-00001	
Certificate	\$4,008.57
2% Redemption Penalty	\$ 80.17
Search Fee	\$ 12.00
Recording Fee	\$ 43.00
Foreclosure Fee	\$1,307.00
2016 Taxes plus Interest	\$5,266.45
2017 Taxes plus Interest	\$4,575.99
2018 Taxes plus Interest	\$4,009.11
2019 Taxes plus Interest	\$ 900.43
<u>Total</u>	<u>\$20,202.72</u>
<u>Premium</u>	<u>\$11,800.00</u>

WHEREAS, this certificate has been held by D1 Softball Clinic, LLC 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, \$32,002.72 to:

D1 Softball Clinic, LLC
20 Glenside Terrace
Montclair, NJ 07043

ROLL CALL:

AYES: Giblin, McEvoy, Nochimson, Ryan

NAYS:

ABSENT: Roman

RESOLUTION No. 2019-74

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. ESX-L-4773-15

(In All Declaratory Judgement Actions Filed by Various Municipalities,
County of Essex, Pursuant to the Supreme Court's Decision in In re
Adoption of N.J.A.C. 5:96, 221 N.J. 1 (2015))

b. Contract Negotiations pursuant to *N.J.S.A. 10:4-12 (7)*

- Docket No. ESX-L-4773-15

(In All Declaratory Judgement Actions Filed by Various Municipalities,
County of Essex, Pursuant to the Supreme Court's Decision in In re
Adoption of N.J.A.C. 5:96, 221 N.J. 1 (2015))

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, Nochimson, Ryan

NAYS:

ABSENT: Roman

RESOLUTION No. 2019-75

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

TEMPORARY APPROPRIATIONS FOR OPERATING PURPOSES

WHEREAS, *N.J.S.A. 40A:4-20* provides that, in addition to temporary appropriations necessary for the period prior to the adoption of the budget and regular appropriations, the governing body may make emergency temporary appropriations for any purposes for which appropriations may lawfully be made for the period between the beginning of the current fiscal year and the date of the adoption of the budget for the current fiscal year and the date of the adoption of the budget for the current fiscal year; and

WHEREAS, the amount of such emergency temporary appropriations shall be included under corresponding headings in the budget as adopted or, if such appropriations are adopted after the introduction and approval of the budget and were not included in the budget as approved such appropriations shall be included by amendment in the budget as adopted without public advertisement or public hearing; and

WHEREAS, the Township has deemed certain emergency temporary appropriations to be necessary and such appropriations are conforming to the provisions of *N.J.S.A. 40A:4-20*;

NOW, THEREFORE, BE IT RESOLVED (not less than two-thirds of all members thereof affirmatively concurring) that pursuant to *N.J.S.A. 40A:4-20* an emergency temporary appropriation be and the same is hereby made for:

Current Fund: \$ 150,000

Water and Sewer Utility: \$ 50,000

BE IT FURTHER RESOLVED the said emergency temporary appropriations will be provided for in the 2019 Budget under the title of same.

BE IT FURTHER RESOLVED that the Chief Financial Officer is hereby directed to file a certified copy of the resolution with the Director of the Division of Local Government Services.

ROLL CALL:

AYES: Giblin, McEvoy, Nochimson, Ryan

NAYS:

ABSENT: Roman

Public Participation:

Christine McGrath, 57 Fairway Avenue, Verona, NJ
Maria Squilanti, 6 Belleclaire Place, Verona, NJ
Al DeOld, 15 Howard Street, Verona, NJ

Adjournment:

Council goes into Closed Session at 8:28 p.m. is moved by Councilman McEvoy; seconded by Mayor Ryan. Vote: 4 ayes.

The next regular scheduled meeting is April 22, 2019 at 7:00 p.m.

Respectfully submitted,

Jennifer Kiernan
Jennifer Kiernan, Municipal Clerk

Kevin Ryan
Kevin Ryan, Mayor

APPROVED: