

Minutes of a Regular Meeting of the Verona Township Council on Monday, June 3, 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, 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. Deputy Mayor Nochimson is absent.

Mayor's Report:

Mr. Ryan invites Jay Coltre, Essex County Liaison to the lectern. Mr. Coltre reports the County Summer Music Series will hold a concert on June 26 in Verona Park at 7:30 pm. Fireworks will be at Brookdale Park on June 28 and July 1 at Weequahic Park. Councilman Giblin requests Mr. Coltre report to the County that the flagpole at the south-side of the lake in Verona Park needs a flag. Mayor Ryan states there is a leakage problem under the benches on the Lakeside Avenue section of the park. Mr. Coltre will report back.

Mayor Ryan reads a proclamation for National Gun Violence Awareness week. Members from Mom's Demand Action are present. Katy McClure, a Fellow with the Gun Survivor Network approaches the lectern and presents an emotional and personal account of how gun violence affected her family.

Manager's Report:

Mr. Cavallo expresses his gratitude to the County for working with the Township for tonight's ordinance on for introduction that authorizes the acquisition of the "teardrop" property located at the corner of Linn Drive and Bloomfield Avenue from the County of Essex for one dollar plus use of the Community Center for public hearings at no charge. The Township currently has a 50-year lease on the property. This parcel is included in the Depot and Pine Redevelopment Area.

Ordinance G-2 is a Bond Ordinance authorizing \$1,260,000 from the General Capital Fund to fund the replacement of a Fire Engine (Engine 10 - Station 1) and an Ambulance (Rescue 9). Engine 10 is a 1999 Pierce Dash Pumper. Rescue 9 is a 2008 Ford Ambulance. I intend to purchase both vehicles under the HGAC Cooperative Contract. Under these contracts, Engine 10 is expected to cost approximately \$715,000 with equipment and Rescue 9 is expected to cost approximately \$345,000 with equipment.

Ordinance G-3 is an Ordinance codifying three on-street handicapped parking spots throughout the Township. Requested by the Police Department.

Ordinance 2019-16 adopts a Redevelopment Plan for the Depot and Pine Redevelopment Area. This Ordinance was referred to the Planning Board and it was found to be consistent with the Master Plan at their regular meeting on Thursday, May 23. A public hearing and adoption of the Redevelopment Plan is planned for the next regular meeting of the Township Council on Monday, June 17.

Resolution 2019-99 - Refers the Spectrum 360 property back to the Planning Board for a second review to determine if the property meets the requirements of a non-condemnation area in need of redevelopment. The Planning Board voted to hire Mr. Fred Suljuc, PP to conduct a new Area in Need of Redevelopment Survey of the property and we expect this survey to be completed

in the next two weeks.

Police Overtime from January – May 2019 saw a 70% reduction in OT hours / 64% reduction in OT pay. Dispatch Overtime from January – May saw an 87% reduction in OT hours / 85% reduction in OT pay.

The Do Not Knock Registry is now in effect. A currently list is posted to the Township Clerk's webpage.

Construction of the entrance awning by the Police Department started last week with the excavation of the footings required.

Stanziale has substantially completed the reconstruction of Brentwood Road. I expect this project to be closed out within the next few weeks. The Township's annual resurfacing project is scheduled to begin this Wednesday and be completed in ten days (weather permitting).

There are openings on several Boards and Commissions. In addition, there are some positions that are vacant on July 1 due to expiration of terms. Any resident who wishes to be considered for any position on a Board or Commission is requested to submit an application on the Township's website. Anyone with questions, please contact the Township Clerk's Office.

Primary Election Day – Tuesday, June 4. Polls open from 6:00 a.m. to 8:00 p.m.; Verona Pool opens full time on Friday, June 21; Fireworks at the Verona Community Center – Monday, July 1 (rain date Tuesday, July 2). The fireworks will be held at the Verona Community Center starting at dusk. Music and entertainment will begin at 7pm on Liberty Field off White Rock Road. Verona Summer Concert Series – July 10, 17, 24 and 31. Movie Under The Stars – Tuesday, August 20 (rain date Wednesday, August 21).

Steve Neale approaches the lectern and gives an overview presentation of the Township's website.

Councilmember Reports:

Councilman Roman reports that he visited the facilities and employees of the Township. He comments on how busy the Township is during the day, which he found quite impressive. He thanks the Township Manager, Department Heads and employees for the excellent service they provide the Township.

Councilman McEvoy expresses his condolences for the residents of Virginia Beach. He hopes our State legislature will sit down and try to change gun laws, although it is a nationwide problem. The Councilman thanks all who came out for the Memorial Day parade and all who gave their life so we can enjoy freedom here in the United States. He congratulates the Artist Frame Galley, who recently celebrated their 50th anniversary in the Township.

Councilman Giblin acknowledges the Mom's Demand Action group and states he found Ms. McClure's testimony compelling. He reports that he attended the VBSL pool party. He expresses his gratefulness to be able to have the opportunity to be a part of a great organization. He reports that he met last week with Superintendent Dionisio to discuss PILOT money.

ORDINANCE NO. 2019-17

BOND ORDINANCE PROVIDING FOR THE ACQUISITION OF AN AMBULANCE AND A FIRE ENGINE IN AND BY THE TOWNSHIP OF VERONA, IN THE COUNTY OF ESSEX, NEW JERSEY, APPROPRIATING \$1,260,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$1,199,000 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF

The Municipal Clerk reads Ordinance No. 2019-17 by title into record.

Public Hearing: Fred Tempesta, 81 Lynwood Road, Verona, NJ

Motion to adopt Ordinance No. 2019-17 is moved by Mayor Ryan; seconded by Councilman

McEvoy.

ROLL CALL:

AYES: Giblin, McEvoy, Roman, Ryan

NAYS:

ABSENT: Nochimson

Ordinance No. 2019-17 is adopted 4-0 and will be published according to law.

ORDINANCE No. 2019-18

**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. 2019-18 by title into record.

Public Hearing: none.

Motion to adopt Ordinance No. 2019-18 is moved by Councilman Roman; seconded by Mayor Ryan.

ROLL CALL:

AYES: Giblin, McEvoy, Roman, Ryan

NAYS:

ABSENT: Nochimson

Ordinance No. 2019-18 is adopted 4-0 and will be published according to law.

ORDINANCE No. 2019-19

**AUTHORIZING THE ACQUISITION OF PROPERTY IDENTIFIED AS
BLOCK 2301, LOT 19 ON THE TAX MAPS OF THE TOWNSHIP OF
VERONA FOR PURPOSES OF REDEVELOPMENT AND AUTHORIZING
THE EXECUTION OF AGREEMENTS IN CONNECTION THEREWITH**

The Municipal Clerk reads Ordinance No. 2019-19 by title into record.

Motion to introduce Ordinance No. 2019-19 is moved by Councilman McEvoy; seconded by Councilman Roman.

ROLL CALL:

AYES: Giblin, McEvoy, Roman, Ryan

NAYS:

ABSENT: Nochimson

Ordinance No. 2019-19 is adopted 4-0 and will be published according to law and a public hearing will be held on June 3, 2019.

RESOLUTION No. 2019-110

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

**ACCEPTING THE AWARD OF THE 2019 CLICK IT OR TICKET
ENFORCEMENT CAMPAIGN GRANT**

WHEREAS, the Township of Verona has been awarded a grant in the sum of \$5,500 from the NJ Division of Highway Traffic Safety for the 2019 Click It or Ticket Enforcement Campaign (CFMP) ; and

WHEREAS, the Township's contribution toward the grant will be the sum not to exceed two thousand dollars (\$2,000).

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of

Verona, in the County of Essex, New Jersey that the Township of Verona is hereby authorized to accept for this grant in the amount of \$5,500.

BE IT FURTHER RESOLVED that the Township Manager, Municipal Clerk and any other officer deemed appropriate are hereby authorized to execute any and all documents necessary to accept this grant.

ROLL CALL:

AYES: Giblin, McEvoy, Roman, Ryan

NAYS:

ABSENT: Nochimson

RESOLUTION No. 2019-111

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

**AUTHORIZING THE INSERTION INTO THE FY2019 MUNICIPAL
BUDGET PURSUANT TO N.J.S.A. 40A:4-87 (CHAPTER 159, P.L. 1948) OF A
SPECIAL ITEM OF REVENUE IN THE FORM OF CLICK IT OR TICKET
GRANT**

WHEREAS, N. J. S. 40A:4-87 provides that The Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such items shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget; and,

WHEREAS, said Director may also approve the insertion of an item of appropriation for an equal amount; and,

WHEREAS, The Township of Verona has received a State of New Jersey Click-it or Ticket Grant in the amount of \$5,500 wishes to amend its 2019 Municipal Budget to include this amount as a revenue.

NOW, THEREFORE, BE IT RESOLVED, that The Mayor and Council of the Township of Verona, The County of Essex, New Jersey hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2019 in the sum of \$5,500

Which is now available as revenue from:

Miscellaneous Revenues - Section F:

Special Items of General Revenue Anticipated with Prior Written Consent of
Director of Local Government Services - Public and Private Revenues Offset with
Appropriations: Click-it or Ticket Grant

BE IT FURTHER RESOLVED, that the like sum of \$5.500 is hereby appropriated under the caption of:

General Appropriations:

(A)Operations - Excluded from "CAPS"

Public and Private Revenues Offset with Appropriations:
Click-it or Ticket Grant.

BE IT FURTHER RESOLVED that a copy of this Resolution will be electronically filed with The Director of Local Government Services for approval.

ROLL CALL:

AYES: Giblin, McEvoy, Roman, Ryan

NAYS:

ABSENT: Nochimson

RESOLUTION No. 2019-112

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

ACCEPTING THE AWARD OF THE 2019 CLEAN COMMUNITIES GRANT

WHEREAS, the Township of Verona has been awarded a grant in the sum of \$26,620.80 from the New Jersey Department of Environmental Protection for the 2019 Clean Communities Program to help Verona conduct litter cleanups that improve the quality of life in New Jersey's communities; and

WHEREAS, the Township's contribution toward the grant will be the zero dollars.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Verona, in the County of Essex, New Jersey that the Township of Verona is hereby authorized to accept for this grant in the amount of \$26,620.80.

BE IT FURTHER RESOLVED that the Township Manager, Municipal Clerk and any other officer deemed appropriate are hereby authorized to execute any and all documents necessary to accept this grant.

ROLL CALL:

AYES: Giblin, McEvoy, Roman, Ryan

NAYS:

ABSENT: Nochimson

RESOLUTION No. 2019-113

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

AUTHORIZING THE INSERTION INTO THE FY2019 MUNICIPAL BUDGET PURSUANT TO N.J.S.A. 40A:4-87 (CHAPTER 159, P.L. 1948) OF A SPECIAL ITEM OF REVENUE IN THE FORM OF THE NJDEP CLEAN COMMUNITIES GRANT

WHEREAS, *N.J.S.A. 40A:4-87* provides that The Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such items shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget; and,

WHEREAS, said Director may also approve the insertion of an item of appropriation for an equal amount; and,

WHEREAS, The Township of Verona has received \$26,620.80 from the NJDEP Clean Communities Program and wishes to amend its 2019 Municipal Budget to include this amount as a revenue.

NOW, THEREFORE, BE IT RESOLVED, that The Mayor and Council of the Township of Verona, The County of Essex, New Jersey hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2019 in the sum of \$26,620.80

Which is now available as revenue from:

Miscellaneous Revenues - Section F:

Special Items of General Revenue Anticipated with Prior Written Consent
of Director of Local Government Services - Public and Private Revenues
Offset with Appropriations: Clean Communities Grant

BE IT FURTHER RESOLVED, that the like sum of **\$26,620.80** is hereby appropriated under the caption of:

General Appropriations:

(A)Operations - Excluded from "CAPS"
Public and Private Revenues Offset with Appropriations:
Clean Communities Grant and,

BE IT FURTHER RESOLVED that a copy of this Resolution will be electronically filed with The Director of Local Government Services for approval.

ROLL CALL:

AYES: Giblin, McEvoy, Roman, Ryan

NAYS:

ABSENT: Nochimson

RESOLUTION No. 2019-114

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

**APPROVING CONTRACT CHANGE NO. 1 AND CONTRACT CLOSE-OUT
CONTRACT NO. 16-09**

WHEREAS, Integrity Roofing, Inc. and the Township of Verona have heretofore entered into an Agreement, more particularly known as Contract No. 16-09 – "Wastewater Treatment Plant Roof Replacement and Related Work" for the furnishing of labor, equipment and materials in the amount of \$677,200.00, in accordance with the requirements of the Local Public Contract Law, *N.J.S.A. 40A:11-1, et seq.*; and

WHEREAS, the Council has received Contract Change No. 1 and Contract Close-Out for the within contract, dated April 9, 2019 in an amount of minus \$11,000.00, for a final contract amount of \$666,200.00; and

WHEREAS, the Contract Change No. 1 and Contract Close-Out do not expand the scope of the within contract; and

WHEREAS, Integrity Roofing, Inc. has filed the required Maintenance Bond and Release of Liens with the Township and such documents have been recorded in the Office of the Township Clerk; and

WHEREAS, the within Contract Change No. 1 and Contract Close-Out is in the best interests of the Township of Verona.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Verona, in the County of Essex, New Jersey that Contract Change No. 1, in the amount of (minus) \$11,000.00, for a final contract amount of \$666,200.00 be approved and Contract No. 16-09 be closed out; and

BE IT FURTHER RESOLVED that the Township Manager, the Township Engineer, the Township Clerk and any other officer as may be deemed appropriate are hereby authorized to execute Contract Change No. 1 and Contract Close-Out for Contract No. 16-19 on behalf of the Township.

ROLL CALL:

AYES: Giblin, McEvoy, Roman, Ryan

NAYS:

ABSENT: Nochimson

RESOLUTION NO. 2019-115

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

**CHANGING THE START TIME OF THE JULY 1, 2019
REORGANIZATION MEETING OF THE TOWNSHIP COUNCIL
(AMENDING RESOLUTION 2018-95)**

WHEREAS, Resolution No. 2018-95 established the schedule of Regular Meeting

dates and times the meeting dates and times of the Township Council through July 1, 2019, and;

WHEREAS, pursuant to the Open Public Meetings Act, *N.J.S.A. 10:4-18*, notice of the scheduled meetings was published on July 12, 2018 in the Verona-Cedar Grove Times and Newark Star Ledger; and

WHEREAS, the Township Council of the Township of Verona have decided to amend the schedule.

NOW THEREFORE BE IT RESOLVED by the Township Council of the Township of Verona, County of Essex, New Jersey, that schedule meetings of the Township Council is hereby amended as follows:

<u>Original Date & Time</u>	<u>Rescheduled Date & Time</u>
Monday, July 1, 2019 7:00 p.m.	Monday, July 1, 2019 5:30 p.m.

BE IT FURTHER RESOLVED that the Reorganization Meeting of the Township Council to be held on July 1, 2019 shall not be held in the Council Chambers of the Municipal Building but on the outside front steps on the Municipal Building with an alternate location due to inclement weather of the Ballroom of the Verona Community Center located at 880 Bloomfield Avenue, Verona, New Jersey.

BE IT FURTHER RESOLVED that the Municipal Clerk is hereby directed to transmit to Township's official newspapers, the Verona-Cedar Grove Times and the Newark Star Ledger.

ROLL CALL:

AYES: Giblin, McEvoy, Roman, Ryan

NAYS:

ABSENT: Nochimson

RESOLUTION No. 2019-116

A motion was made by Mayor Ryan; seconded by Councilman Giblin 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)*)
 - Docket No. ESX-L-003739-19
(First Ridge Alliance v. Township of Verona, Mayor and Council)
 - 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, Roman, Ryan

NAYS:

ABSENT: Nochimson

Public Participation:

Herb Lev, 45 Summit Road, Verona, NJ
Carol Thomas, 9 Balston Drive, Verona, NJ
Michele Gruet, 35 Fells Road, Verona, NJ
Jesse Lily, 52 Brookside Avenue, Verona, NJ
Steve Neale, 40 Lynwood Road, Verona, NJ

Adjournment:

Council goes into Closed Session at 8:32 p.m. is moved by Councilman Giblin; seconded by Mayor Ryan. Vote: 4 ayes.

Council comes out of Closed Session and the public meeting is adjourned at 9:25 p.m.

The next regular scheduled meeting is June 17, 2019 at 7:00 p.m.

Respectfully submitted,

Jennifer Kiernan
Jennifer Kiernan, Municipal Clerk

Kevin Ryan
Kevin Ryan, Mayor

APPROVED: June 17, 2019