

Minutes of a Regular Meeting of the Verona Township Council on Monday, September 23, 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 Jack McEvoy, Deputy Mayor Alex Roman, Councilman Kevin Ryan; Councilman Ted Giblin and Councilwoman Christine McGrath. Township Attorney Brian Aloia, Township Manager Matthew Cavallo and Municipal Clerk Jennifer Kiernan are also present.

Mayor's Report:

Mayor McEvoy calls for the pledge of allegiance.

Mr. McEvoy proclaims Restaurant Week was a success. He reminds the public that the Minette Angel's Walk is September 29 in Verona Park at 11am. He explains that the Historical Preservation Commission is trying to designate White Rock has a historic site and the HPC has secured funding for moving the freight shed on Depot Street. He reminds the public that Walk to School Day is October 2. He attended the Newman Cares block party, celebrating its 7th year raising a combined amount of over \$75,000 for charities.

Mayor McEvoy appoints the following to the Library Board of Trustees, motioned by Mayor McEvoy; seconded by Mayor Ryan. Roll: 5-0

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| i. Kate Kelly | Regular Member | Unexpired Term Ending 12/31/2023 |
| ii. Lester Anderson | Mayor's Alternate | Unexpired Term Ending 6/30/2021 |

Mr. McEvoy invites Essex County Liaison Julius Coltre to the lectern. Mr. Coltre reports that the County, along with the DOT will repave the section of Pompton Avenue between Claremont and Bloomfield Avenues late this year or early next year. Essex County Senior Wellness day is September 24 from 10am – 2pm at Codey Arena. The Essex County Environmental Center will hold its Family Festival on September 28 from 11am – 4pm. Household Hazardous Waste Collection Day will be at 99 W. Bradford Avenue, Cedar Grove on October 5 from 8:30am – 4pm.

Manager's Report:

Mr. Cavallo explains that the representatives from Bowman Consulting, designers of the splash pad and renovations to the baby pool at the Community Pool are present tonight to give an overview of the project.

Cat licenses expire on September 30. Forms are available on the Verona website.

Concrete work is currently underway for this project. Paving is underway.

The Neighborhood Traffic & Safety Committee sponsored a presentation called the Need for Speed on September 17. The presentation was not very well attended. A video of the presentation is currently being edited and will be posted to YouTube tomorrow.

The 2019 Pool Survey was released on Friday to the public via a link emailed to all registered recipients. A follow up email will be sent today. As of this morning, there have been over 500 responses to the survey out of approximately 1,300 memberships.

This Saturday, September 28 Verona Arts and the Township are hosting a Chalk Fest at the Civic Center. Join us as we beautify our town with creative and cool chalk designs, while enjoying live

music and delicious offerings from a variety of food trucks.

Montclair Health Department is proud to provide free consumer product testing for lead for residents of Montclair, Cedar Grove, Nutley, and Verona. Protect your child from lead exposure. Lead can be found in painted products, toys, ceramics, metals, plastics, makeup, spices, wood, and soil. To ensure your child is not exposed to lead, please bring items and samples you may have concerns about to Montclair Municipal Building - 205 Claremont Avenue Health Department, 3rd Floor, Tuesday, September 24, 10 a.m. - 12 p.m.

The Verona Park Conservancy is holding its Fall Clean-up on October 19 from 9 a.m. to 11 a.m. Rain date Saturday, October 26.

Sunday, October 13 from 3 p.m. -7 p.m. Verona Community Center. The event will be held rain or shine. There will also be a Beer Garden sponsored by the Verona Fire Department Association as a fundraiser.

Mr. Cavallo reminds all residents that the leaf dump is permanently closed. All leaves for disposal must be placed in bio-degradable bags at the curb for collection. There is no disposal of leaves at the Recycling Center or the DPW Garage.

Linn Drive Resurfacing is currently out to bid. Bids are due back on October 8. Mr. Cavallo states that the Township hopes to award at our October 17 meeting.

Following up on a request made at the last Council Meeting, Mr. Cavallo states that the Township has created a Public Notice webpage that will post all the notices we send to the Township's Official Newspapers. This page is going to be maintained by the Township Clerk. A QuickLink was created on the Township's Home Page for ease of access.

Overnight parking restrictions are suspended for Rosh Hashanah & Yom Kippur. Those dates are Friday, September 27 through Tuesday, October 1 and Tuesday, October 8 and Wednesday, October 9.

Mr. Cavallo reports that at the November 5 General Election, Verona Residents will be asked to vote on a referendum to permit the Township to create a Municipal Open Space, Recreation and Farmland and Historic Preservation Trust Fund. A webpage has been created on the Verona website to answer some frequently asked questions. Residents are encouraged to reach out to their neighbors and ask them to support this initiative.

Mr. Cavallo reports that in light of the ongoing issues with the City of Newark's water, the Township of Verona reminds residents that our water continues to be safe. The Township of Verona does not now and has never received water from the City of Newark. Verona's water is a combination of water produced from our own wells and water purchased from the Passaic Valley Water Commission. The Township of Verona Water Utility routinely tests and monitors the drinking water and it is compliant with all applicable state and federal standards. Our Water Quality Reports (past and current) are available online at www.VeronaNJ.org and printed copies are available upon request. Lead is not an issue in the treated water produced by the Township of Verona's wells or in the water we purchase from the Passaic Valley Water Commission. Lead is also not an issue in the water mains in the Township's distribution system.

Cat licenses expire on September 30. Forms are available on the Verona website.

In regards to the reconstruction of Park Avenue, South Prospect Street and Harrison Street, concrete work is currently underway for this project. Paving is underway.

The six new STOP signs have been installed on/near Elmwood Road.

The STOP sign studies have been completed for the Forest Avenue corridor. They are currently being reviewed in Engineering and the Police Department.

The solicitation of bids for lease extensions on the Linn Drive Tower closed on August 13. Four bids were received from our current tenants (Verizon, AT&T, T-Mobile and Sprint) for \$40,000 annually. The bids have been reviewed by our Consultant. A resolution accepting the bids is on the agenda for Monday. Ordinances authorizing the leases will be presented for Introduction

once the bid exceptions are finalized.

Mr. Cavallo encourages the public to join the Neighborhood Traffic & Safety Committee for a discussion on the Need for Speed on September 17 at 7:30 p.m. at the Community Center.

The new Library Director Claudine Pascale hired to replace Cheryl Ashley has started her tenure here in Verona. Everyone is encouraged to stop in a meet Claudine when you are around the Library.

The Township is in the process of Rebranding Verona Recreation. A new logo has been introduced on fall flyers. We are also working on getting Recreation Department events added to the Recreation Calendar on the website.

Verona Restaurant Week 2019 is being held September 15-19. More information is available on the Verona website. Flyers are available at Town Hall as well.

New submission deadlines have been implemented by the Verona Cedar Grove Times. The deadlines are now Mondays - noon. Therefore, the Township is limited in publishing legal ads in that newspaper. Going forward, all necessary publications will be published in the Star Ledger. The Township is also creating a Public Notice section of its website.

Councilmember Reports:

Deputy Mayor Roman reports that he's been keeping an eye on the route 23 paving project. The light replacement on Pompton and Cambridge Road is fully complete, as are the sidewalks and it appears that minor drainage work ongoing.

Councilman Ryan comments that he found Ms. Qualici's case compelling from last meeting. He asks if the Township can ask the State to look at the intersection for more meaningful traffic control. Mr. Cavallo responds that the County acknowledges there is a sight issue, but due to the proximity of the traffic light on Bloomfield Avenue, but will look into it.

Councilman Giblin compliments the Mayor did a great job at the 9/11 Ceremony. He urges everyone to watch the Need for Speed presentation on YouTube. Out of concern for the KHov development near the pool, he suggests a restricted left turn be implemented at Sampson Drive and Fairview Avenue. Mr. Cavallo states that studies have been done, and there is not enough traffic throughout the entire day to warrant it. Councilman Giblin reports that there will be a 50th anniversary event on October 10 from 6-8pm at il Tulipano for the Cedar Grove-Verona Chamber of Commerce.

Councilwoman McGrath reports she will be at the Minette Angel's Walk. She states October 20 will kick off Verona Fights Hunger Week. Residents can stop into Kings Supermarket and get a list of necessities and also drop off groceries there. The Junior Woman's Club will also be hosting several "dine in" events at local restaurants including Blue Hippo, the Verona Inn, the Guac Spot, etc. Then, on October 26 between 9am and 10:30am the trucks will be loaded up with the donated food. She attended her first Recreation Advisory Committee meeting where they discussed the pool survey. The Councilwoman states that they will extend the concept of surveying to other recreation classes to get a line of site and customer satisfaction levels. She also stresses the importance of the public question on the ballot about Open Space Trust. Mr. Cavallo assures her that the Township will utilize all platforms of social media to inform the public. Ms. McGrath asks the Township Manager to give an update as to where the Township is with the redevelopment of the Cameco and Spectrum 360 properties. Mr. Cavallo states that regarding Spectrum, the Council will receive an update from the consultants tonight in closed session and he expects a concept presentation during a special meeting of the governing body on October 28 in closed session and hopefully introducing the redevelopment plan the following week. Then the Planning Board will review the plan to determine if it is or is not consistent with the Master Plan. The governing body can then adopt the redevelopment plan at the December 2 meeting and designate a redeveloper. The Township then has the Fairness Hearing on December 16 to determine if we are satisfying the requirements. The Planning Board will then perform a site plan review, sometime in the first quarter of 2020. He states that Spectrum plans to stay in Verona through the 2022-23 school year. As for Cameco, he hopes to present a planning concept to the Council by October 7, then follow the same process. The redevelopment plan is already adopted, but may need to be amended.

Approval of Minutes:

The minutes from the September 9, 2019 meeting are approved by a motion from Councilman Giblin; seconded by Councilman Ryan.

ROLL CALL:

AYES: McGrath, Giblin, Ryan, Roman, McEvoy

NAYS:

ORDINANCE NO. 2019-28

AN ORDINANCE ESTABLISHING A NEW CHAPTER 136 (TREE PROTECTION, REMOVAL AND REPLACEMENT) AND AMENDING CHAPTER A175 (SCHEDULE OF FEES) OF THE CODE OF THE TOWNSHIP OF VERONA

The Municipal Clerk reads Ordinance No. 2019-28 by title into record.

Motion to introduce Ordinance No. 2019-28 is moved by Mayor McEvoy; seconded by Councilwoman McGrath.

ROLL CALL:

AYES: McGrath, Giblin, Ryan, Roman, McEvoy

NAYS:

Ordinance No. 2019-28 is adopted 5-0 and will be published according to law and a public hearing will be held on October 7, 2019.

ORDINANCE NO. 2019-29

AN ORDINANCE PROVIDING FOR THE EXTENSION OF A SITE LEASE FOR THE OPERATION OF WIRELESS COMMUNICATION ANTENNAS AND RELATED FACILITIES AT 880 BLOOMFIELD AVENUE, VERONA, NJ TO NEW CINGULAR WIRELESS PCS, LLC D/B/A AT&T MOBILITY

The Municipal Clerk reads Ordinance No. 2019-29 by title into record.

Motion to introduce Ordinance No. 2019-29 is moved by Deputy Mayor Roman; seconded by Councilman Ryan.

ROLL CALL:

AYES: McGrath, Giblin, Ryan, Roman, McEvoy

NAYS:

Ordinance No. 2019-29 is adopted 5-0 and will be published according to law and a public hearing will be held on October 7, 2019.

ORDINANCE NO. 2019-30

AN ORDINANCE PROVIDING FOR THE EXTENSION OF A SITE LEASE FOR THE OPERATION OF WIRELESS COMMUNICATION ANTENNAS AND RELATED FACILITIES AT 880 BLOOMFIELD AVENUE, VERONA, NJ TO SPRINT SPECTRUM, L.P.

The Municipal Clerk reads Ordinance No. 2019-30 by title into record.

Motion to introduce Ordinance No. 2019-30 is moved by Deputy Mayor Roman; seconded by Councilman Giblin.

ROLL CALL:

AYES: McGrath, Giblin, Ryan, Roman, McEvoy

NAYS:

Ordinance No. 2019-30 is adopted 5-0 and will be published according to law and a public hearing will be held on October 7, 2019.

ORDINANCE NO. 2019-31

**AN ORDINANCE PROVIDING FOR THE EXTENSION OF A SITE LEASE
FOR THE OPERATION OF WIRELESS COMMUNICATION ANTENNAS
AND RELATED FACILITIES AT 880 BLOOMFIELD AVENUE, VERONA, NJ
TO T-MOBILE NORTHEAST LLC**

The Municipal Clerk reads Ordinance No. 2019-31 by title into record.

Motion to introduce Ordinance No. 2019-31 is moved by Deputy Mayor Roman; seconded by Mayor McEvoy.

ROLL CALL:

AYES: McGrath, Giblin, Ryan, Roman, McEvoy

NAYS:

Ordinance No. 2019-31 is adopted 5-0 and will be published according to law and a public hearing will be held on October 7, 2019.

ORDINANCE NO. 2019-32

**AN ORDINANCE PROVIDING FOR THE EXTENSION OF A SITE LEASE
FOR THE OPERATION OF WIRELESS COMMUNICATION ANTENNAS
AND RELATED FACILITIES AT 880 BLOOMFIELD AVENUE, VERONA, NJ
TO NEW YORK SMSA LIMITED PARTNERSHIP D/B/A VERIZON
WIRELESS**

The Municipal Clerk reads Ordinance No. 2019-32 by title into record.

Motion to introduce Ordinance No. 2019-32 is moved by Mayor McEvoy; seconded by Deputy Mayor Roman.

ROLL CALL:

AYES: McGrath, Giblin, Ryan, Roman, McEvoy

NAYS:

Ordinance No. 2019-32 is adopted 5-0 and will be published according to law and a public hearing will be held on October 7, 2019.

RESOLUTION No. 2019-161

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

**AUTHORIZING A CONTRACT WITH
PARTNER ENGINEERING AND SCIENCE, INC.**

WHEREAS, the Township has a need to conduct Phase II environmental assessment of real property, specifically the site of the former Cameco Factory Building (100 Pine Street, Block 2301, Lot 14) prior to redevelopment of the property; and

WHEREAS, the Township Manager has determined that the value of said services will exceed \$17,500.00; and

WHEREAS, the Local Public Contracts Law (*N.J.S.A. 40A:11-5(a)(1)(i)*) permits contracts for professional services to be negotiated and awarded by the governing body without public advertising for bids and requires that the resolution authorizing the award of a contract for professional services without competitive bids and the contract itself be available for public inspection; and

WHEREAS, Partner Engineering and Science, Inc. previously conducted the Phase I environmental assessments for the Township; and

WHEREAS, the Township Manager has recommended that Partner Assessment

Corporation DBA Partner Engineering and Science, Inc., 611 Industrial Way West, Eatontown, NJ 07724 be awarded a contract to provide said environmental assessments for the Township.

THEREFORE, BE IT RESOLVED by the Township Council of the Township of Verona, in the County of Essex, New Jersey that Partner Engineering and Science, Inc. is hereby awarded a contract to conduct Phase II environmental assessment of real property, specifically the site of the former Cameco Factory Building (100 Pine Street, Block 2301, Lot 14) prior to redevelopment of the property not to exceed \$45,000.00 without further authorization of the Governing Body.

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: McGrath, Giblin, Ryan, Roman, McEvoy

NAYS:

RESOLUTION No. 2019-162

A motion was made by Councilman Giblin ; seconded by Councilman Ryan 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-7289-15 - Lars Sternas v. DMH2, LLC, and the Planning Board of the Township of Verona
 - Water Utility
 - 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)*)
 - Spectrum Redevelopment - Block 303, Lot 4
 - Cameco Redevelopment - Block 2301, Lots 1-19
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: McGrath, Giblin, Ryan, Roman, McEvoy

NAYS:

Licenses & Permits:

Request from the Verona Fire Department Benevolent Association for permission to hold a beer garden fundraiser on Sunday, October 13, 2019 from 3:00 p.m. to 7:00 p.m. on Veteran's Field at the Verona Community Center subject to approval of a Social Affairs Permit issued by the New Jersey Alcoholic Beverage Commission and submission of necessary insurance. (§102-2 of the Code of the Township of Verona) is granted by the Township Council. Moved by Councilman Giblin; seconded by Councilman Ryan.

ROLL CALL:

AYES: McGrath, Giblin, Ryan, Roman, McEvoy

NAYS:

New Business:

Steven Neale gives a presentation on plastic bag prohibition and there is discussion among the Council.

Public Participation:

Ana Flores, 119 Fairway Avenue, Verona, NJ
Kathleen Laterza, 810 Bloomfield Avenue, Verona, NJ

Adjournment:

Motion to enter into Executive Session is moved by Councilman Giblin; seconded by Deputy Mayor Roman at 9:20 p.m. Motion to adjourn the meeting at 10:40 pm is motioned by Councilman Giblin; seconded by Deputy Mayor Roman.

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

Respectfully submitted,

Jennifer Kiernan
Jennifer Kiernan, Municipal Clerk

Jack McEvoy
Jack McEvoy, Mayor

APPROVED: October 7, 2019