Minutes of a Regular Meeting of the Verona Township Council on Monday, July 19, 2021, beginning at 7:04 p.m. in the Municipal Building, 600 Bloomfield Avenue, Verona, New Jersey and via Zoom video conferencing platform.

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 of the Township Council which is being held via Zoom video conferencing due to restrictions on indoor public gatherings resulting from the COVID-19 pandemic. Specifically, the time and date were included in the public meeting notice. This information, along with the public internet link and telephone call-in information was posted in the Municipal Building, and sent the official newspapers of the Township, the Verona-Cedar Grove Times and the Star Ledger and MyVeronaNJ.com, TAPinto and the Verona/Cedar Grove PATCH, the official online news source(s) of the Township, at least 48 hours preceding the start time of this meeting. The agenda and public handouts for this meeting can be viewed online at www.veronanj.org/councilmeetings. A public comment period will be held in the order it is listed on the meeting agenda and instructions on how to comment will be provided at the appropriate time. This meeting is being recorded, both audibly and visually for retention purposes and for rebroadcast on the Township's YouTube.

Roll Call:

Mayor Alex Roman, Deputy Mayor Christine McGrath, Councilman Jack McEvoy, Councilwoman Cynthia Holland and Councilman Chris Tamburro. Township Manager Matthew Cavallo, Brian Aloia, Township Attorney and Municipal Clerk Jennifer Kiernan are also present.

Mayor's Report:

Essex County Liaison Julius Coltre reports that Kmart is distributing Moderna vaccines from 9:30 a.m. – 1:00 p.m. and Johnson & Johnson vaccines from 1:30 – 2:00 p.m., and Pfizer from 3 – 4:00 p.m. The County is still testing at those sites on Tuesdays and Saturdays from 10am – 4pm. The State courts will open on Monday, August 2. Given the amount of rain so far this summer, Mr. Coltre reminds the public that the Mosquito Hotline phone number is 973-239-3366, x2480.

Mayor Roman attended the Grove Park clean up along with the Girl Scouts and residents. He states the Girl Scout Fairy Trail is very impressive and he encourages all to visit the park. On Saturday the Council went to the Verona Barber Shop to wish Dino Ditizii a happy retirement and presented him with the Key to Verona. He reminds the public that National Night Out is August 3 at the Community Center.

Manager's Report:

Mr. Cavallo reminds the public to sign up for the Township's online monthly newsletter and AlertVerona.

Pool registrations have surpassed those of 2019 with 135 additional memberships this year totaling 3,926. We have collected \$13,105 more in registration fees this year totaling \$504,445 in memberships alone.

There is currently a mid-season pool survey that has been released and as of today there are 418 responses to the survey. Most of the responses are good and we will be working to address the complaints and gripes that people have expressed, hopefully some of them this year.

One of the number one negative responses that we have received in the survey and to the pool staff is the lack of the availability of life jackets. We placed an order for additional life jackets before the season began but due to supply chain issues, they have not arrived as of yet. As soon as they arrive we will get them out there for use.

We plan to meet a company regarding the proposal for the Splash Park and renovated Children's Pool in the next week or two and then I will be able to report back to the Council with an estimated timeline for when we can expect to go back out to bid. It is our hope that we will be able to finally do the work over the fall/winter/spring seasons.

The Planning Board Master Plan Committee is currently reviewing and scoring the 11 proposals for the Re-Examination of the Master Plan. The responses now goes to the Planning Board Master Plan Committee for review and scoring. He expects the Committee to meet again this Thursday after the regular Planning Board reorganization meeting and hopes to have recommendation approved by the entire Planning Board at their regular meeting in August.

Mr. Cavallo explains that the Township has a concept that is almost final for the replacement of the Playground right outside the VCC. He hopes to be able to introduce the final concept to the Recreation Committee at next month's meeting followed by a presentation to the entire Council and public input on Planet Civic. The plan is being formulated around a fully ADA accessible children's playground and the integration of an adult exercise area with equipment that was purchased through a grant from Partners in Health a few years ago.

The Township is in the process of installing several benches the sidewalk leading up White Rock Road. Several requests have been received from residents for a place where they can sit and relax while they are walking up the hill would be nice. The benches are on order and we expect them to be delivered in October. These too are backordered due to supply chain issues.

The Land Conservancy of New Jersey has submitted our grant to Green Acres with regard to the two pieces of Open Space that we purchased last year. Engineering is currently finalizing their feasibility report for the Commerce Court property so we can move ahead with planning what might be able to go there in the future. I hope that early fall we will be able to have an in depth discussions on this matter.

As you may already know, as of July 1 Kristine Gould, my Executive Assistant, has taken the helm as both the Rent Control Administrator and the Board Secretary. I want to thank her for taking on this very important role. Since April we have processed 33 requests for Vacancy Increases. She has also just sent notices to all the property owners who did not file their July 1 Rental Registrations. A detailed report will be provided to the Board and the Council summarizing the 2nd quarter activities this week. The Rent Control Board has tentatively scheduled their 3rd quarter meeting for September 14.

The Roadway Reconstruction project on Lynwood Road is at a small standstill. The grates and headers along with the piping for the storm sewer repairs are on an unexpected backorder. They are due in in the next couple of weeks and at that time the contractor will immediately return to install them followed shortly after by milling and paving the roadway. The only item left after that will be to replant the Township Shade Trees and backfill necessary areas with top soil and seed.

The Ann Street, Cypress Avenue, Willow Terrace and Steven Avenue Reconstruction project is almost completely designed and I will be coming to the Council at the next meeting with an overview of the project so we can allocate the necessary funds and move forward with the project once PSE&G is complete with their gas main replacement that is currently underway.

The Derwent Avenue Reconstruction project also is almost completely designed. Mr. Cavallo will be coming to the Council in the fall with an overview of the project allocation of necessary funds and move forward with this project in the spring.

The Township professionals are in the process of finalizing the Redeveloper's Agreement between the Township and the Redeveloper for the Sunset Avenue Redevelopment Area. We hope to have a final draft to the Council by early next week in order to consider approval at the next Council meeting.

Engineering is currently looking into what projects might be feasible to submit under this year's NJDOT Safe Routes to Schools Grant by October 14 so Mr. Cavallo expects to come before the Council in September with a presentation and request for approval.

The much anticipated regulations regarding the sale of cannabis in New Jersey are due to be released by the Cannabis Regulatory Commission in mid-August. Once they are released, I would expect starting in September in depth discussions with the Council and the Planning Board as to if and how they will be incorporated into Verona's Ordinances. We are also awaiting a revision

to Township's Policies and Procedures with regard to employment practices. The NJIIF Special Counsel is currently revising the model policy then we will incorporate them into ours.

Two more scheduled weeks of the Summer Concert Series still remain: July 21, Frontiers: Tribute to Journey and July 28, Strawberry Fields: A journey through the Beatles. The Township is looking at the availability of the Dad Band to reschedule the first concert cancelled due to the forecasted inclement weather.

Mr. Cavallo expresses sincere thanks to Investor's Bank for their generous donation of \$12,000 as the Primary Sponsor of this year's Summer Concert Series. I would also like to thank our other sponsors Hearth Realty, the Verona Chamber of Commerce, Verona UNICO, PKF O'Connor Davies, Verona PBA Local 72 and PSE&G.

National Night Out is Tuesday, August 3rd from 6:00 p.m. to 9:00 p.m.

Sue Portuese, Director of Health/Health Officer for the Township of Montclair has officially started her Terminal Leave and will be retiring next year from Montclair. Mr. Cavallo has come to personally know and work with Sue very closely over the past 18 months during the COVID pandemic. If it wasn't for the great work of the Montclair Health Department he does not think we would have gotten through the pandemic with as little casualties as we did. In the interim while Sue is on Terminal Leave, Keith Costello is acting as the Health Officer until an appropriate hiring process takes place. I wish Sue a long and happy retirement. Gail Sferrazza, the Bookkeeper at the Verona Community Center will be retiring as of August 1. Gail has worked for the Township since 1997 and Mr. Cavallo thank hers for her almost 24 years of service to the Township of Verona. Ann Jocelyn has decided to step down from her position as the Grant Coordinator for VMAC effective July 1. Ann will be staying on the VMAC Committee to help guide the new Coordinator, Claudine Pascale. Claudine as you know is the Library Director and Mr. Cavallo is confident that she will do an amazing job with VMAC. Rick Neale, the Township's Fire Official has advised of his intent to retire at the end of the year. In the next few weeks, the Township will be advertising for the position of Fire Official.

We currently have a job posting for a full-time Building Maintenance Worker at the Verona Community Center. Hours are Monday – Friday from 8am to 4pm. We are still looking for Site Managers to oversee the use of the Verona Community Center facility including the outdoor fields. \$15 per hour and you must be available nights and weekends. We are also looking for part-time bus drivers for our Senior Bus. Drivers are needed between 10-18 hours per week. We are still looking for additional School Crossing Guards and Part-Time Public Safety Telecommunicators. Please visit the Township Website for more information.

Library Director Claudine Pascale gives the Library Strategic Plan Presentation. CFO Matt Laracy gives a presentation on the American Rescue Plan monies and Engineer Manager Michael DeCarlo gives the annual FY2022 NJDOT Municipal Aid Grant Application.

The Township Manager make the following appointments:

1. Historic Preservation Commission		Term Expires
i. Joseph Hallock	Member (4 year term)	6/30/2025
ii. Diane Oster	Member (4 year term)	6/30/2025
iii. Martin Golan	Alternate #1 (2 year term)	6/30/2023
iv. Andrew North	Alternate #2 (unexpired term)	6/30/2022
2. Municipal Alliance Committee		Term Expires
i. Claudine Pascale	Grant Coordinator (1 year term)	6/30/2022

Deputy Mayor McGrath was present at the Verona Barber Shop for Dino's retirement. She states it was great to learn Mr. Ditizii's history. The Girl Scouts did an amazing job with the Fairy Trail in Grove Park. She attended the VMAC reorganization meeting. Wendi Caplan-Carroll was elected Chair and Rachel Klansky was elected Vice-Chair. The Commission will meet again in October. During the Green Team meeting, the committee discussed the recycling challenges at the Pool.

Councilman McEvoy reports that the Township did a great job with the fireworks in not cancelling it. He urges everyone to go to Grove Park to see what's been done. He thanks the Mayor for presenting the Key to Verona to Dino Ditizii, who was very touched by it. He wishes

Dino well.

Councilman Tamburro thanks Ms. Kiernan, Mr. Cavallo and Mr. Aloia for putting together the Reorganization Meeting. She also thanks Matt Valentine, the Fire Chief for taking his nephews out to show them the fire trucks. He sat with Department Heads to ask questions and offer insight. He'll be meeting with the Library staff on Wednesday. He thanks Building & Grounds for fixing the pool so quickly. The Councilman toured the Commerce Court property and looks forward to seeing what can be done there. He also attended the Grove Park event. He thanks the Environmental Commission for coordinating and reminds the public of the great importance of the Scouting community. HE congratulates Dino Ditizii and thanks him for his years of service. He is eager to attend the Neighborhood Traffic & Safety Advisory Committee meeting.

Councilwoman Holland thanks Matt Cavallo, Jen Kiernan and Brian Aloia for their work on the Reorganization Meeting. As a Girl Scout leader for two troops, Councilwoman Holland was excited to participate with Samantha Cunniff of the Girl Scouts and designer of the Fairy Trail. As liaison to the Environmental Commission, the Councilwoman states they are creating a program regarding the benefits of composting. The Parks & Recreation Advisory Committee will meet tomorrow night and discuss the pool, summer playgrounds and several other items.

ORDINANCE No. 2021-22

CAPITAL ORDINANCE APPROPRIATING \$40,000 FROM CAPITAL FUND BALANCE FOR ENGINEERING SERVICES ASSOCIATED WITH THE RECONSTRUCTION OF DERWENT AVENUE IN AND BY THE TOWNSHIP OF VERONA, IN THE COUNTY OF ESSEX, NEW JERSEY

Motion to introduce Ordinance No. 2021-22 is moved by Councilman McEvoy; seconded by Deputy Mayor McGrath.

ROLL CALL:

AYES: Holland, Tamburro, McEvoy, McGrath, Roman

Ordinance No. 2021-22 is introduced 5-0 and will be published according to law and a public hearing will be held on August 2, 2021.

The meeting minutes from June 21, 2021 are unanimously approved by a vote of 3-2 with Councilwoman Holland and Councilman Tamburro abstaining. Meeting minutes from the July 1 Reorganization Meeting are unanimously approved.

Public Comment on Consent Agenda:

None.

RESOLUTION No. 2021-098

A motion was made by Councilman Tamburro; seconded by Councilwoman Holland that the following resolution be adopted:

APPROVING THE SUBMISSION OF A GRANT APPLICATION TO THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR THE RECONSTRUCTION OF BALSTON DRIVE, WINDEMERE ROAD AND WHITNEY ROAD

BE IT RESOLVED that the Township Council of the Township of Verona, in the County of Essex, New Jersey does hereby approve the submission of a grant application to the New Jersey Department of Transportation for the reconstruction of Balston Drive, Windemere Road and Whitney Road.

BE IT FURTHER RESOLVED that any officer of the Township as may be deemed appropriate are hereby authorized to submit an electronic grant application identified as MA-2022 Reconstruction of Balston Drive, Windemere Road and Whitney Terrace to the New Jersey Department of Transportation on behalf of the Township of Verona.

BE IT FURTHER RESOLVED that the Township Manager and Township Clerk are hereby authorized to sign the grant agreement on behalf of the Township of Verona and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

ROLL CALL:

AYES: Holland, Tamburro, McEvoy, McGrath, Roman NAYS:

RESOLUTION No. 2021-099

A motion was made by Councilman Tamburro; seconded by Councilwoman Holland that the following resolution be adopted:

REFUNDING TAX LIEN REDEMPTION

WHEREAS, property located at owned by Estate of Dorothea Palmer, has been held in tax lien since December 5, 2019; and

WHEREAS, payment was received, in the amount of \$73,475.18 from the Hauptman Law Offices, clearing the lien as follows:

Certificate #19-00002	
Certificate Certificate	\$ 6,446.45
4% Redemption Penalty	\$ 257.86
Recording Fee	\$ 53.00
2019 Maintenance Liens plus Int.	\$ 25,424.18
-	
2019 Taxes plus Interest	\$ 23,822.10
2019 Utilities plus Interest	\$ 688.81
2019 6% Year End Penalty	\$ 2,298.09
2020 Taxes plus Interest	\$ 9,603.58
2020 Utilities plus Interest	\$ 754.42
2021 Taxes plus Interest	\$ 4,126.69
Premium	\$ 48,500.00
Total	\$121,975.18

WHEREAS, this certificate has been held by the Township of Verona 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, <u>from Trust</u>, \$121,975.18 to:

ATCF II New Jersey LLC PO Box 54972 New Orleans, LA 70154

Trust Check - ATCF II New Jersey LLC - \$121,975.18 Certificate #19-00002

ROLL CALL:

AYES: Holland, Tamburro, McEvoy, McGrath, Roman NAYS:

RESOLUTION No. 2021-100

A motion was made by Councilman Tamburro; seconded by Councilwoman Holland 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.
 - a. Pending, Ongoing, or Anticipated Litigation and Contract Negotiations pursuant to *N.J.S.A.* 10:4-12 (7)
 - Docket No. ESX-L-3739-19

(First Ridge Alliance v. Verona)

- Docket No. ESX-L-8973-20

(Mikelle Bliss v. Kompan, et. al.)

- Docket No. ESX-L-3530-21

(First Ridge Alliance v. Verona)

- Essex Fells Water
- Municipal Agreement Reimbursement
- Water Utility
- Contract Nos. 19-13 & 19-13A
- Personnel Complaint

ROLL CALL:

AYES: Holland, Tamburro, McEvoy, McGrath, Roman

NAYS:

RESOLUTION No. 2021-101

A motion was made by Councilman Tamburro; seconded by Councilwoman McGrath that the following resolution be adopted:

APPROVING CONTRACT CHANGE NO. 1 AND CONTRACT CLOSEOUT CONTRACT NO. 19-13 - ADA CURB RAMP IMPROVEMENTS

WHEREAS, Stanziale Construction and the Township of Verona have heretofore entered into an Agreement, more particularly known as Contract No. 19-13 – "ADA Curb Ramp Improvements" for the furnishing of labor, equipment and materials in the amount of \$74,643.25, in accordance with the requirements of the Local Public Contract Law, *N.J.S.A.* 40A:11-1, et seq.; and

WHEREAS, the Township has received Contract Change No. 1 and Contract Close-Out for the within contract in an amount of plus \$10,896.92 (minus \$17,282.80 and plus \$28,179.67); and

WHEREAS, the Engineering Manager has reviewed and recommends that Contract Change No. 1 for the within contract and that the Contract be closed out; and

WHEREAS, the Contract Change No. 1 and Contract Closeout do not expand the scope of the within contract and are in the best interest of the Township; and

WHEREAS, Chief Financial Officer has certified to the availability of funds for this contract, a copy of said Certification is annexed to this Resolution as Exhibit A.

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 plus \$10,896.92 be approved for a final contract amount of \$85,540.17 be approved and Contract No. 19-13 be closed out; and

BE IT FURTHER RESOLVED that the Township Manager, the Township Clerk and any other officer as may be deemed appropriate are hereby authorized to execute Contract Change No. 1 and Contract Closeout for Contract No. 19-13 on behalf of the Township.

ROLL CALL:

AYES: Holland, Tamburro, McEvoy, McGrath, Roman

NAYS:

RESOLUTION No. 2021-102

A motion was made by Councilman Tamburro; seconded by Councilwoman McGrath that the following resolution be adopted:

APPROVING CONTRACT CHANGE NO. 1 CONTRACT NO. 19-13A - ADA COMMUNITY CENTER IMPROVEMENTS IN ACCORDANCE WITH N.J.A.C. 5:30-11.9

WHEREAS, Stanziale Construction and the Township of Verona have heretofore entered into an Agreement, more particularly known as Contract No. 19-13A – "ADA Community Center Improvements" for the furnishing of labor, equipment and materials in the amount of \$73,868.30, in accordance with the requirements of the Local Public Contract Law, *N.J.S.A.* 40A:11-1, et seq.; and

WHEREAS, the Township has received Contract Change No. 1 for the within contract in an amount of plus \$24,644.00; and

WHEREAS, during construction of the access ramp to the playground area a water valve not previously uncovered during the planning and engineering phase caused a need to relocate the ramp approximately 4 feet which in turn required an additional retaining wall which was not expected; and

WHEREAS, it is the opinion of the Engineering Manager that it was not reasonably possible to rebid and execute a new contract since construction had already begun cancelling the project and rebidding would have caused substantial inconvenience to the public and substantial increases in cost and damages for canceling the original contract; and

WHEREAS, the Township Manager/Qualified Purchasing Agent recommends that that a Contract Change Order be issue for the within contract and his recommendation is attached to this resolution and referenced as Exhibit A; and

WHEREAS, in accordance with *N.J.A.C.* 5:30-11.9(b) the Engineering Manager has provided justification for the necessity for Change Order No. 1 as outlined in the attached certification referenced as Exhibit B; and

WHEREAS, the Township Manager/Qualified Purchasing Agent opines that Contract Change No. 1 does not expand the scope of the within contract and are in the best interest of the Township; and

WHEREAS, the Chief Financial Officer has certified to the availability of funds for this contract, a copy of said Certification is annexed to this Resolution as <u>Exhibit C</u>.

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 plus \$24,644.00 be approved for a final contract amount of \$98,512.30 be approved; and

BE IT FURTHER RESOLVED that the Township Manager, the Township Clerk and any other officer as may be deemed appropriate are hereby authorized to execute Contract Change No. 1 and the Township Attorney shall approve a written amendatory contract to be entered into covering the change(s) to be made; and

BE IT FURTHER RESOLVED that the Council hereby directs the Township Clerk to cause to be printed once, in an official newspaper, a brief notice indicating the additional amount to be expended, the original contract price, the nature of the original and additional work and why it was necessary to expend the additional funds. A copy of the advertisement shall also be kept on file with the Township Clerk and be available for inspection by the public; and

BE IT FURTHER RESOLVED that the Township Clerk shall report to the Director on an appendix to the Township's 2022 annual budget this change order and all change orders from the previous fiscal year which exceeded the 20 percent limitation. This report shall be made on a form

provided by the Director. A summary of the report shall be included as supplemental material in the annual audit of the contracting unit.

ROLL CALL:

AYES: Holland, Tamburro, McEvoy, McGrath, Roman NAYS:

New Business:

Motion to approve the following appointments is made by Councilwoman Holland; seconded by Councilman Tamburro: (Vote: 5-0)

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1. Neighborhood Traffic & Safety Advisory Committee			Term Expires	
i.	Nicole Quick	Member (2 year term)	6/30/2023	
ii.	George Manousos	Member (2 year term)	6/30/2023	
2. Parks & Recreation Advisory Committee				
i.	Steve Farrell	Member (3 year term)	6/30/2024	
ii.	Kieran Quinn	Member (3 year term)	6/30/2024	
3. Municipal Alliance Commission			Term Expires	
i.	Julianne Boyle	Member (3 year term)	6/30/2024	
ii.	Ann Jocelyn	Member (3 year term)	6/30/2024	

Mayor Roman states he has had individual conversations with each Councilmember about setting 2021-2023 goals of the Council. There will be a working group of two members. Each councilperson presents their ideas for goals. Eight points are agreed upon with two Councilmembers assigned to identify the scope of the goals and which Department to talk with, then create responsibilities and the path to achieving those goals. The eight identified goals and councilmembers to serve on each are as follows:

- <u>Utilities and Infrastructure</u> Mayor Roman and Councilwoman Holland
- Strategic Planning Deputy Mayor McGrath and Councilman Tamburro
- <u>Emergency Services Building</u> (*Fire Department and Rescue Squad*) Councilman McEvoy and Councilwoman Holland (*Police Department*) Deputy Mayor McGrath and Councilman Tamburro
- <u>Downtown Revitalization and Economic Development</u> Mayor Roman and Councilman McEvoy
- <u>Diversity, Equity and Inclusion</u> Deputy Mayor McGrath and Councilwoman Holland
- <u>Appointments Process/Community Engagement</u> Deputy Mayor McGrath and Councilman Tamburro
- <u>Health/Wellness</u> Mayor Roman and Deputy Mayor McGrath
- Shared Services Mayor Roman and Councilman Tamburro

Mr. Cavallo states the 5G ordinance has been updated but is still in draft form. He, along with Councilman Tamburro and Councilwoman Holland met with Special Counsel at McManimon, Scotland and Baumann. Mr. Cavallo will get a working draft to the Council to continue with the discussion.

Public Comment:



Adjournment:

Council enters into Executive Session at 9:07. Motion to adjourn the meeting at 11:21 p.m. is made by Councilman Tamburro; seconded by Deputy Mayor McGrath.

The next regular scheduled meeting of the Township Council is on August 2, 2021 at 7:00 p.m.

Respectfully submitted,

Jennifer Kiernan, Municipal Clerk

APPROVED: August 2, 2021

Alex Roman, Mayor