

Minutes of a Regular Meeting of the Verona Township Council on Monday, August 8, 2022, beginning at 7:00 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. 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 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.

Roll Call:

Mayor Alex Roman, Deputy Mayor Christine McGrath, Councilman Jack McEvoy, Councilwoman Cynthia Holland and Councilman Christopher Tamburro are present. Township Manager Joe D'Arco, Township Attorney Brian Aloia and Municipal Clerk Jennifer Kiernan are also present.

Mayor's Report:

Mayor Roman states that Michele Gruet, Chairperson of the Multicultural Inclusion and Accessibility Advisory Committee (MIAAC), has an update on the status of the MIAAC and presents the governing body with a suggested list of proclamations as well as a presentation for the public and governing body.

The Mayor states the Township held the last Summer Concert Series concert and thanks Kris Gould for assembling the line-up, Buildings & Grounds, DPW, the Police Department and Rescue Squad. He attended National Night Out which was a joint effort by the Verona Police and Cedar Grove and was held in Cedar Grove which has a tremendous turnout. He also announces two (2) birthdays: Deputy Mayor Christine McGrath and Jack McEvoy and wishes them a happy birthday

Manager's Report:

Township Manager Joeseeph D'Arco states that Attorney Jaime Placek from the DeCotiis Law Firm and Dan Hauben from DMR Architects are present this evening for introduction of the Town Center Mixed Use Zoning Ordinance which is first step in the Township's obligation to comply with the settlement with Fair Share Housing Center. Councilman McEvoy recuses himself from the discussion but remains in the public session. Mr. Placek explains that after introduction of the ordinance, it will be referred to the Planning Board for their August 25, 2022 meeting to determine that it is consistent with the Master Plan. Should the Board have any comments, the Council will consider those prior to adoption. Mr. Placek reminds the Council that unfortunately, their destiny is limited as this ordinance is the ninth (9th) and final document that is part of a declaratory judgement action, the purpose of which is to provide for an opportunity for the development of affordable housing. He cautions that there can be no further language changes.

Mayor Roman motions to move item H-2 on the agenda to a vote now, since the professionals are present. Seconded by Councilman Tamburro. Vote: 4 Ayes; 1 Abstention.

ORDINANCE No. 2022-27

AN ORDINANCE AMENDING SECTION §150, THE ZONING ORDINANCE OF THE CODE OF THE TOWNSHIP OF VERONA, BY ESTABLISHING THE A NEW SECTION §150-17.14A, CREATING A TOWN CENTER MIXED USE ZONING DISTRICT PERMITTING RESIDENTIAL USES WITH AN AFFORDABLE HOUSING ELEMENT AND ALSO AMENDING THE ZONING MAP OF THE TOWNSHIP OF VERONA

The Municipal Clerk reads Ordinance No. 2022-27 by title into record.

Motion to move Ordinance No. 2022-27 is moved by Deputy Mayor McGrath; seconded by Mayor Roman.

ROLL CALL:

AYES: Holland, Tamburro, McGrath, Roman

ABSTAIN: McEvoy

Ordinance No. 2022-27 is adopted 4-0 with 1 abstention. It will be sent to the Planning Board Secretary to be placed on their meeting agenda to determine whether it is consistent with the Master Plan. When the public hearing is scheduled, notice will be published accordingly.

Mr. D'Arco asks Steven Neale to update the Council on certain issues. Mr. Neale reports that the Township has negotiated with the contractor for the Pool project. The Township went out to bid twice for that project. Bids were over the budget set for the project and then no bids were received, which allowed the Township to negotiate with a contractor for the project. Mr. Neale also updates the Council on the ADA ramp at the Municipal Building. Work will begin on or about September 19th and take about eight (8) weeks. He also updates the Council on the project status of the PIRHL property and various grants that the Department Heads have been working on. The Green Acres application is moving forward as the Township has noticed the two (2) property owners that are encroaching on Township property to remedy the infraction and also in regards to the Claridge II water pressure concern, the report from the engineers is being finalized and will be complete by the end of the month.

Councilmember's Reports:

Deputy Mayor McGrath thanks the Verona Police Department and the Cedar Grove Police Department on National Night Out, which was held in Cedar Grove. VMAC has their quarterly meeting in July with their new coordinator, Lisa Szymbowski in attendance as well as the new school Superintendent, Diane DiGiuseppe. The Deputy Mayor states the Township needs to be more disciplined going forward with regards to setting rates over time, as with the water utility and pool fees. She looks forward to more conversations in the future.

Councilman McEvoy reports that National Night Out, which both the Verona and Cedar Grove police departments hold together, was a great night. He urges the public to attend Family Night at the Verona Community Pool on August 16th.

Councilman Tamburro thanks the residents' understanding while he was away for several weeks. He states he received a mailer from the Township that was an empty envelope, as did other residents, but understands the issue has been addressed. The Local Emergency Management Council met and the committee is up and running. He reports that last week there was a house fire on Grove Avenue. The response by the police and fire department completely stopped the fire from spreading. He thanks the police, rescue squad and fire department for their rapid response.

Councilwoman Holland states it was a great National Night Out and offers her appreciation to the Verona Fire Department in handling the early morning blaze. She acknowledges the professionalism of the first responders, especially with the extreme heat. She urges residents experiencing signs of heat related illnesses that the Verona Library has air conditioning and cautions that even being in the water, one still needs to hydrate. She also states that in order to improve energy efficiency, resources such as PSE&G recommend to use ceiling fans, close curtains in the sunlight and be mindful of water usage.

Hearing Adoption or Amendment Ordinances:

ORDINANCE No. 2022-21

**AN ORDINANCE SUPPLEMENTING THE CODE OF THE TOWNSHIP
OF VERONA TO ADD CHAPTER 525 "SMALL WIRELESS FACILITIES IN
THE RIGHT-OF-WAY" TO REGULATE SMALL CELL WIRELESS
FACILITIES WITHIN THE TOWNSHIP RIGHTS-OF-WAY**

The Municipal Clerk reads Ordinance No. 2022-21 by title into record.

Motion to move Ordinance No. 2022-21 is moved by Mayor Roman; seconded by Councilwoman Holland.

Public Hearing:

None.

Council discussion.

ROLL CALL:

AYES: Holland, Tamburro, McEvoy, McGrath, Roman

NAYS:

Ordinance No. 2022-21 is adopted 5-0 and will be published according to law.

ORDINANCE No. 2022-23

**AMENDING CHAPTER 519 WATER AND SEWERS, ARTICLE IV SEWERS,
TO PROHIBIT SUMP PUMP DISCHARGE INTO THE SANITARY SEWER
SYSTEM**

The Municipal Clerk reads Ordinance No. 2022-23 by title into record.

Motion to move Ordinance No. 2022-23 is moved by Councilman McEvoy; seconded by Councilwoman Holland.

Public Hearing:

None.

Council discussion.

ROLL CALL:

AYES: Holland, Tamburro, McEvoy, McGrath, Roman

NAYS:

Ordinance No. 2022-23 is adopted 5-0 and will be published according to law.

ORDINANCE No. 2022-24

CREATION OF CHAPTER 470 SUMP PUMP REGULATIONS

The Municipal Clerk reads Ordinance No. 2022-24 by title into record.

Motion to move Ordinance No. 2022-24 is moved by Councilwoman Holland; seconded by Councilman Tamburro.

Public Hearing:

None.

Council discussion.

ROLL CALL:

AYES: Holland, Tamburro, McEvoy, Roman

NAYS:

ABSTAIN: McGrath

Ordinance No. 2022-24 is adopted 4-0 with 1 abstention and will be published according to law.

ORDINANCE No. 2022-25

**AMENDING CHAPTER 140-38, SCHEDULE IV "TIME LIMIT PARKING" OF
THE CODE OF THE TOWNSHIP OF VERONA TO REPEAL CERTAIN**

SECTIONS

The Municipal Clerk reads Ordinance No. 2022-25 by title into record.

Motion to move Ordinance No. 2022-25 is moved by Deputy Mayor McGrath; seconded by Councilman Tamburro.

Public Hearing:

None.

Council discussion.

ROLL CALL:

AYES: Holland, Tamburro, McEvoy, McGrath, Roman

NAYS:

Ordinance No. 2022-25 is adopted 5-0 and will be published according to law.

ORDINANCE No. 2022-26

OPTING INTO THE EXAMINATION EXEMPTION OF THE CIVIL SERVICE HIRING PROCEDURES

The Municipal Clerk reads Ordinance No. 2022-26 by title into record.

Motion to move Ordinance No. 2022-26 is moved by Councilman Tamburro; seconded by Councilman McEvoy.

Public Hearing:

None.

Council discussion.

ROLL CALL:

AYES: Holland, Tamburro, McEvoy, McGrath, Roman

NAYS:

Ordinance No. 2022-26 is adopted 5-0 and will be published according to law.

ORDINANCE No. 2022-28

BOND ORDINANCE PROVIDING FOR THE ACQUISITION AND INSTALLATION OF EQUIPMENT FOR THE POLICE DEPARTMENT IN AND BY THE TOWNSHIP OF VERONA, IN THE COUNTY OF ESSEX, NEW JERSEY, APPROPRIATING \$340,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$323,000 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF.

The Municipal Clerk reads Ordinance No. 2022-28 by title into record.

Motion to move Ordinance No. 2022-28 is moved by Councilman McEvoy; seconded by Councilman Tamburro.

ROLL CALL:

AYES: Holland, Tamburro, McEvoy, McGrath, Roman

NAYS:

Ordinance No. 2022-28 is introduced 5-0 and will be published according to law and a public hearing will be held on August 22, 2022.

ORDINANCE No. 2022-29

AN ORDINANCE TO ESTABLISH CHAPTER 504 "VETERANS TAX EXEMPTION BASED UPON DISABILITY" OF THE CODE OF THE

**TOWNSHIP OF VERONA TO CODIFY REFUNDS IN CONNECTION WITH
THE CANCELLATION OF PROPERTY TAXES FOR VETERANS DEEMED
TO BE TOTALLY DISABLED**

The Municipal Clerk reads Ordinance No. 2022-29 by title into record.

Motion to move Ordinance No. 2022-29 is moved by Deputy Mayor McGrath; seconded by Councilman Tamburro.

ROLL CALL:

AYES: Holland, Tamburro, McEvoy, McGrath, Roman

NAYS:

Ordinance No. 2022-29 is introduced 5-0 and will be published according to law and a public hearing will be held on August 22, 2022.

Public Comment on Consent Agenda Items:

None.

The meeting minutes of July 25, 2022 are approved 3-0 with Councilman Tamburro and Deputy Mayor McGrath abstaining.

RESOLUTION No. 2022-148

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

REFUNDING ESCROW PAYMENT

WHEREAS, Escrow fees, for the Board of Adjustment, were received from Chandrakant Pardiwala, for property located at [REDACTED] 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:

ESCROW AMOUNT	EXPENSES	AMOUNT TO BE REFUNDED
\$500.00	\$139.08	\$360.92

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Verona, in the County of Essex New Jersey that the Chief Financial Officer and Tax Collector be authorized to refund, from the Trust Account, \$360.92 to Chandrakant Pardiwala, [REDACTED]

ROLL CALL:

AYES: Holland, Tamburro, McEvoy, McGrath, Roman

NAYS:

RESOLUTION No. 2022-149

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

REFUNDING ESCROW PAYMENT

WHEREAS, Escrow fees, for the Board of Adjustment, were received from Jonathan Guldin, for property located at 1 Rawding Court and the fees have been held in Trust; and

WHEREAS, Mr. Guldin has requested that his refund be applied to his utility account # 1010050-0, and

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

ESCROW AMOUNT	EXPENSES	AMOUNT TO BE REFUNDED
\$500.00	\$312.00	\$188.00

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Verona, in the County of Essex New Jersey that the Chief Financial Officer and Tax Collector be authorized to refund, from the Trust Account, \$188.00 to Township of Verona, 600 Bloomfield Avenue, Verona, NJ 07044

ROLL CALL:

AYES: Holland, Tamburro, McEvoy, McGrath, Roman

NAYS:

RESOLUTION No. 2022-150

A motion was made by Councilman McEvoy; 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 Council of the Township of Verona, County of Essex, State of New Jersey, as follows:

The public shall be excluded from discussion of an action upon the hereinafter specified subject matter.

1. Pending, Ongoing, or Anticipated Litigation and Contract Negotiations pursuant to *N.J.S.A. 10:4-12 (7)*
 - 251 ½ Grove Avenue
 - OPRA - ESX-L-9636-21/ESX-L-8549-21
 - Clairidge Water
 - Pool Construction
 - NJIIF Contract
2. Purchase, lease, or acquisition of real property with public funds pursuant to *N.J.S.A. 10:4-12 (5)*
 - 25 Commerce Court
 - 174 Sunset Avenue
 - Cook Lane

ROLL CALL:

AYES: Holland, Tamburro, McEvoy, McGrath, Roman

NAYS:

RESOLUTION No. 2022-151

A motion was made by Deputy Mayor McGrath; seconded by Councilwoman Holland that the following resolution be adopted:

**AUTHORIZING A CONTRACT WITH THE WEINER LAW GROUP FOR
LABOR ISSUES**

WHEREAS, the Township Attorney had determined a need for outside Special Counsel

to handle certain matters related to labor issues; and

WHEREAS, the previous Township Manager, concurring with the Township Attorney, referred the matter to the Weiner Law Group, LLP located at 629 Parsippany Road, Parsippany, New Jersey 07054; 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, the award of the contract to the Weiner Law Group, LLP is being made pursuant to *N.J.S.A. 19:44A-20.5* and the Business Entity Disclosure Certification and Political Contribution Disclosure Form completed by the Weiner Law Group, LLP are annexed to this Resolution as Exhibit B; and

WHEREAS, the cost for said legal services for labor issues shall be not to exceed \$25,000 for the calendar year without further authorization by the Township Council; and

WHEREAS, this expenditure shall be charged to Budget Account No. 02-01-20-155-028, and the availability of funds which shall be certified by the Temporary Chief Financial Officer upon presentation of a property executed Purchase Order.

THEREFORE, BE IT RESOLVED that the Determination of Value and Certification of Funds are to be placed on file with this Resolution.

BE IT FURTHER RESOLVED that this contract is being awarded as a non-fair and open contract, 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.

ROLL CALL:

AYES: Tamburro, McEvoy, Roman

NAYS: Holland, McGrath

RESOLUTION No. 2022-152

A motion was made by Deputy Mayor McGrath; seconded by Councilwoman Holland that the following resolution be adopted:

AUTHORIZING A CONTRACT WITH J&J PEST CONTROL

WHEREAS, there exists a need for ongoing pest control services; and

WHEREAS, services such as baiting, trapping and utilizing other pest control methods may be awarded without competitive bidding pursuant to *N.J.S.A. 40A:11-5(dd)*; and

WHEREAS, the Qualified Purchasing Agent concurs that J&J Pest Control shall be awarded a contract to provide said services; and

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

WHEREAS, the award of the contract to J&J Pest Control is being made pursuant to *N.J.S.A. 19:44A-20.5* and the Business Entity Disclosure Certification and Political Contribution Disclosure Form completed by J&J Pest Control have been filed with the Township and are annexed to this Resolution as Exhibit C.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Verona, in the County of Essex, New Jersey that J&J Pest Control, P.O. Box. Verona, NJ 07044 is hereby awarded a contract for pest control services not to exceed \$26,000.

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

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.

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: Holland, Tamburro, McEvoy, McGrath, Roman

NAYS:

RESOLUTION No. 2022-153

A motion was made by Deputy Mayor McGrath; seconded by Councilwoman Holland that the following resolution be adopted:

**ACCEPTING DONATION OF LAND LOCATED AT 174 SUNSET AVENUE
IN THE TOWNSHIP OF VERONA**

WHEREAS, P.T.Z. Realty L.L.C. owns real property located at 174 Sunset Avenue known as Block 709, Lot 27 in the Township of Verona, Essex County, New Jersey (hereinafter "the Property"); and

WHEREAS, P.T.Z. Realty L.L.C. desires to donate the Property to the Township of Verona; and

WHEREAS, pursuant to *N.J.S.A. 40:12-29*, municipalities are authorized to accept donations; and

WHEREAS, the Township Council wishes to authorize the acceptance of this generous donation; and

WHEREAS, the Township agrees to install a park bench in or around the location of the Verona Township Municipal Complex, as a memorial to Gale Zipp and Denise Frisoli. The bench shall be installed within one year of the transfer of the Property to Township; and

WHEREAS, the Township Council authorizes the Township Manager to execute any documents necessary to effectuate this resolution.

NOW, THEREFORE, BE IT RESOLVED that the Township Council of the Township of Verona, in the County of Essex, New Jersey hereby accepts the donation of 174 Sunset Avenue, Verona, New Jersey, Block 709, Lot 27.

BE IT FURTHER RESOLVED, the Township appreciates this generous donation.

BE IT FURTHER RESOLVED, it is understood that the Township will own the property located at 174 Sunset Avenue, Verona, New Jersey, Block 709, Lot 27.

ROLL CALL:

AYES: Holland, McEvoy, McGrath, Roman

NAYS:

ABSTAIN: Tamburro

New Business:

Council discusses the Master Plan. Councilman Tamburro encourages all residents to share their thoughts on the Master Plan. Councilman McEvoy requests the Tree Ordinance discussion

continue on the August 22nd meeting. Since the Township Manager will not be at that meeting and because most changes in the ordinance are related to fees and the Administration is performing an analysis of fees across the board for the entire Township, Mr. D'Arco is compiling that input from each Department to present a review of the comprehensive fees and will try to have something for the September meeting.

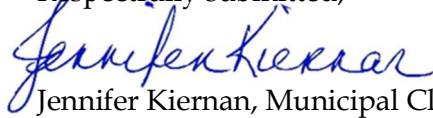
Public Comment:

Staci Puleo, [REDACTED]
Robert Puleo, [REDACTED]
Kevin Ryan, [REDACTED]

Adjournment:

Council goes into Executive Session at 9:15pm. A motion to adjourn the meeting is made by Councilman Tamburro; seconded by Councilwoman Holland at 10:17 p.m. The next regular scheduled meeting of the Township Council is August 22, 2022 at 7:00 p.m.

Respectfully submitted,


Jennifer Kiernan, Municipal Clerk


Alex Roman, Mayor

APPROVED: September 19, 2022