

Minutes of a Regular Meeting of the Verona Township Council on Monday, August 22, 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. Acting Township Manager Steven Neale, Township Attorney Victoria Lucido of the Aloia Law Firm and Municipal Clerk Jennifer Kiernan are also present. Township Manager Joseph D'Arco and Township Attorney Brian Aloia are not present.

Mayor's Report:

Mayor Roman invites Essex County Liaison Jay Coltre to the lectern. Mr. Coltre announces there will be a Monkey pox informational session tomorrow online at <http://bit.ly/3pB5fz.com> The Township also has the link posted on their website. The 9/11 Memorial Service will be held beginning at 8am on September 11, 2022 at Eagle Rock Reservation. The Brew at the Zoo will be on September 24 at the Turtle Back Zoo. Hazardous Waste Drop Off will be on October 1st at 99 Bradford Avenue in Cedar Grove from 8:30 am – 4:00 pm. The Deer Hunt will take place at Hilltop and South Mountain Reservations. Dates will be announced in the future.

Mayor Roman reports the Planning Board will review 1 Sunset Avenue. He wishes Councilwoman Holland a belated happy birthday.

Manager's Report:

Acting Township Manager Steven Neale reports that questions will be added to the pool survey that goes out which will focus on fees and memberships. One question to add is "if you are not a member of the pool, why are you not joining?" The Township employees are gathering information and reviewing their fees to determine if any should increase. An annual review will be sent to the Council sometime in October. The part time salary ordinance should be presented to the Council in October, as well. The Joint Flood Committee Ordinance is being sent to Cedar Grove for their input as the Township Attorney has updated it. A cannabis attorney will be present on the September 19 meeting for a financial conversation, zoning discussion and safety discussion. Chief Kiernan will also be present. A resolution to close out the demolition of Cameco will be on the next meeting agenda. The Township will reimburse PIRHL for the remediation. Construction designs for the pool project with 3D renderings has been received and the contractor plans to start as soon as possible. Proposals are being received for Water Engineer Consultants. The Township received the first payment from the National Opioid Settlement agreement in the amount of \$2,400.00.

Councilmember's Reports:

Deputy Mayor McGrath thanks the Junior Women's Club for hosting a dinner dance for seniors and appreciates the Junior's focus on seniors. She congratulates Kristin Dunleavy who was awarded Essex County Educator of the Year by Governor Murphy.

Councilman McEvoy states the Planning Board has completed their review of the Master Plan and will review it again during their September 13th Zoom meeting.

Councilman Tamburro reports he had a conversation with Mr. D'Arco regarding pool fees. He requests the public donate to the Verona Food Pantry and notes that they have a 24-hour drop box. He encourages residents to patronize Verona's businesses and wishes every a good Back to School day.

Councilwoman Holland attended VMAC's Movie Night with her family and thanks VMAC for that event. She also attended other Township sponsored events such as Yoga in the Park and the concert during Family Night at the Verona Pool.

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 Tamburro; seconded by Councilman McEvoy.

Public Hearing:

None.

Council discussion.

ROLL CALL:

AYES: Holland, Tamburro, McEvoy, McGrath, Roman

NAYS:

Ordinance No. 2022-28 is adopted 5-0 and will be published according to law.

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 Councilwoman Holland; seconded by Deputy Mayor McGrath.

Public Hearing:

None.

Council discussion:

None.

ROLL CALL:

AYES: Holland, Tamburro, McEvoy, McGrath, Roman

NAYS:

Ordinance No. 2022-29 is adopted 5-0 and will be published according to law.

ORDINANCE No. 2022-30

ORDINANCE APPROPRIATING \$25,000 FROM THE CAPITAL IMPROVEMENT FUND IN ORDER TO PROVIDE A SUPPLEMENTAL APPROPRIATION FOR ADA IMPROVEMENTS AT TOWN HALL AND OTHER VARIOUS LOCATIONS IN THE TOWNSHIP OF VERONA, IN THE COUNTY OF ESSEX, NEW JERSEY

Motion to introduce Ordinance No. 2022-30 is moved by Councilwoman Holland; seconded by Deputy Mayor McGrath.

ROLL CALL:

AYES: Holland, Tamburro, McEvoy, McGrath, Roman

NAYS:

Ordinance No. 2022-30 is introduced by a vote of 5-0. It will be published according to law and a public hearing will be held on September 19, 2022.

Public Comment on Consent Agenda Items:

None.

Mayor requests someone move and second for approval of the Consent Agenda without item K-2 as it will be voted on separately, and item K-11 is pulled as there is no need for Executive Session tonight. Motion to approve is made by Councilwoman Holland; seconded by Deputy Mayor McGrath.

RESOLUTION No. 2022-154

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

RESOLUTION OF THE TOWNSHIP OF VERONA, COUNTY OF ESSEX, STATE OF NEW JERSEY, CANCELLING FUNDED APPROPRIATION BALANCES UNDER CERTAIN BOND ORDINANCES PREVIOUSLY ADOPTED BY THE TOWNSHIP OF VERONA FOR VARIOUS CAPITAL IMPROVEMENT PROJECTS IN THE TOTAL AMOUNT OF \$51,249.03 FROM THE WATER AND SEWER GENERAL CAPITAL FUND

WHEREAS, the Township of Verona, Essex County, New Jersey previously adopted Bond Ordinances for the purpose of funding various capital projects and improvements of the Township as more fully specified in the Bond Ordinances and

WHEREAS, as of the date hereof, the projects have been completed and/or funded balances remain open and unexpended; and

WHEREAS, the Township now desires to cancel such appropriations and transfer the funded balances in their respect fund surplus;

ORDINANCE	AMOUNT TO BE CANCELLED
Water and Sewer Capital	
2018-21	\$51,249.03
TOTAL	\$51,249.03

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Verona, County of Essex, New Jersey as follows:

SECTION 1. The appropriation amounts associated with the Capital Projects under each of the following Bond Ordinances are funded as of the date hereof and are hereby cancelled as of the date of this Resolution:

SECTION 2. All resolutions or proceedings, or parts thereof, in conflict with the provisions of this Resolution are to the extent of such conflict hereby repealed.

ROLL CALL:

AYES: Holland, Tamburro, McEvoy, McGrath, Roman

NAYS:

RESOLUTION No. 2022-155

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

ACCEPTING THE AWARD OF THE 2022 NATIONAL OPIOID SETTLEMENT

WHEREAS, the Township of Verona has been awarded a grant in the sum of \$2,353.57 from the State of New Jersey for the 2022 National Opioid Settlement to help Verona with the abatement of the opioid epidemic across the country; and

WHEREAS, the Township's contribution toward the grant will be 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 \$2,353.57.

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: Holland, Tamburro, McEvoy, McGrath, Roman

NAYS:

RESOLUTION No. 2022-156

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

AUTHORIZING THE INSERTION INTO THE CY2022 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 NATIONAL OPIOID SETTLEMENT GRANT

WHEREAS, *N.J.S.A. 40A:4-87* provides that the Director of the Division of Local Government Services (the "Director") 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 \$2,353.57 from the State of New Jersey in the form of the National Opioid Settlement Grant and wishes to amend its CY2022 Municipal Budget to include this amount as a revenue.

NOW, THEREFORE, BE IT RESOLVED that the Township Council of the Township of Verona, in the County of Essex, State of New Jersey hereby requests the Director to approve the insertion of an item of revenue in the CY2022 Municipal Budget in the sum of \$2,353.57 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:
National Opioid Settlement Grant

BE IT FURTHER RESOLVED that the Director to approve the insertion of an item of revenue in the CY2022 Municipal Budget in the like sum of \$2,353.58 appropriated under the caption of:

General Appropriations:
(A) Operations - Excluded from "CAPS"
Public and Private Revenues Offset with Appropriations:
National Opioid Settlement Grant

BE IT FURTHER RESOLVED that a copy of this Resolution will be electronically filed with the Director for approval as required by law.

ROLL CALL:

AYES: Holland, Tamburro, McEvoy, McGrath, Roman

NAYS:

RESOLUTION No. 2022-157

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

AUTHORIZING A CONTRACT WITH BAKER & TAYLOR, LLC

WHEREAS, the Library purchases books or media that are accessible for use; and

WHEREAS, the Library Director has requested Baker & Taylor, a distributor of books and media to public libraries schools; and

WHEREAS, the Qualified Purchasing Agent has determined that the value of said services has exceeded \$17,500.00 which is annexed this Resolution as Exhibit A; and

WHEREAS, funds are available to award contracts for the services listed shall be charged to the budget accounts or capital ordinances listed on the availability of funds, a copy of said Certification is annexed to this Resolution as Exhibit B; and

WHEREAS, the award of the contract to Becker & Taylor 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 Becker & Taylor have been filed with the Township and are annexed to this Resolution as Exhibit C; and

THEREFORE, BE IT RESOLVED by the Township Council of the Township of Verona, in the County of Essex, New Jersey that Baker & Taylor, LLC, 2810 Coliseum Centre Drive, Suite 300, Charlotte, NC 28217 is hereby awarded a contract for providing books and media not to exceed \$70,500; 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 Municipal Clerk are hereby authorized to enter into any agreement necessary for the aforementioned services a copy of which shall be available for public inspection in the Office of the Municipal Clerk.

ROLL CALL:

AYES: Holland, Tamburro, McEvoy, McGrath, Roman

NAYS:

RESOLUTION No. 2022-158

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

**AUTHORIZING A CONTRACT WITH PERMADUR INDUSTRIES, INC
d/b/a SISCO MATERIAL HANDLING**

WHEREAS, the Waste Water Treatment Plant requires the replacement of the 2 ton capacity free standing jib crane and hoist; and

WHEREAS, the scope of the work includes removal of the existing jib crane and hoist, demolition of existing concrete leveling base, installation the replacement jib crane and hoist and replacement of leveling grout; and

WHEREAS, the Qualified Purchasing Agent has determined that the value of said services has exceeded \$17,500.00 which is annexed this Resolution as Exhibit A; and

WHEREAS, funds are available to award contracts for the services listed shall be charged to the budget accounts or capital ordinances listed on the availability of funds, a copy of said Certification is annexed to this Resolution as Exhibit B; and

WHEREAS, the award of the contract to Permadrur Industries d/b/a Sissco Material Handling, 186 Route 206 South, Hillsborough, NJ 08844 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 Permadrur Industries d/b/a Sissco Material Handling have been filed with the Township and are annexed to this Resolution as Exhibit C; and

THEREFORE, BE IT RESOLVED by the Township Council of the Township of Verona, in the County of Essex, New Jersey that Permadrur Industries d/b/a Sissco Material Handling is hereby awarded a contract for replacing the existing 2 ton free standing jib crane and hoist for an amount not to exceed \$28,000; 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 Municipal Clerk are hereby authorized to enter into any agreement necessary for the aforementioned services a copy of which shall be available for public inspection in the Office of the Municipal Clerk.

ROLL CALL:

AYES: Holland, Tamburro, McEvoy, McGrath, Roman

NAYS:

RESOLUTION No. 2022-159

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

**ACCEPTING THE AWARD
OF THE 2022 FEDERAL DEPARTMENT OF
TRANSPORTATION/NATIONAL HIGHWAY TRAFFIC SAFETY
ADMINISTRATION FOR THE 2022 DRIVE SOBER OR GET PULLED OVER
STATEWIDE LABOR DAY CRACKDOWN**

WHEREAS, the Township of Verona has received \$7,000 from the United States Department of Transportation/National Highway Traffic Safety Administration for the August 19, 2022 to September 5, 2022 project period; and

WHEREAS, the Township is not required to match the contribution provided by the Program.

NOW, THEREFORE, BE IT RESOLVED that the Township Council of the Township of Verona, in the County of Essex, State of New Jersey hereby authorizes the acceptance for the 2022 Drive Sober or Get Pulled Over Statewide Labor Day Crackdown Grant in the amount of \$7,000.

DL042023

BE IT FURTHER RESOLVED that the Township Manager, Chief of Police, 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: Holland, Tamburro, McEvoy, McGrath, Roman

NAYS:

RESOLUTION No. 2022-160

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

DISPOSAL OF OBSOLETE TOWNSHIP EQUIPMENT

WHEREAS, the Township Manager has advised the Township Council that there is obsolete equipment that is no longer needed for public use; and

WHEREAS, *N.J.S.A. 40A:11-36* authorizes the disposition of personal property not needed for public use; and

WHEREAS, it is in the best interest of the Township to dispose of said equipment specifically:

Aluminum Tool Box for Ford F350 and COATS Tire Machine 5050AX, S/N 183497

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Verona, in the County of Essex, New Jersey that the obsolete equipment referenced by the Township Manager which is no longer needed for public use by the Township shall be disposed of according to the manner as prescribed by law.

ROLL CALL:

AYES: Holland, Tamburro, McEvoy, McGrath, Roman

NAYS:

RESOLUTION No. 2022-161

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

REFUNDING ESCROW PAYMENT

WHEREAS, Escrow fees, for the Board of Adjustment, were received from Meghan Kelly, 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	\$202.45	\$297.55

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, \$297.55 to Meghan Kelly, [REDACTED]

ROLL CALL:

AYES: Holland, Tamburro, McEvoy, McGrath, Roman

NAYS:

RESOLUTION No. 2022-162

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

REFUNDING ESCROW PAYMENT

WHEREAS, Escrow fees, for the Board of Adjustment, were received from Michael Guglielmi, 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	\$189.45	\$310.55

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, \$310.55 to Michael Guglielmi, [REDACTED]

ROLL CALL:

AYES: Holland, Tamburro, McEvoy, McGrath, Roman

NAYS:

RESOLUTION No. 2022-163

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

AUTHORIZING A TOWNSHIP MANAGER TO EXECUTE SETTLEMENT AGREEMENT WITH 251 1/2 GROVE AVENUE, IN THE TOWNSHIP OF VERONA, NEW JERSEY, BLOCK 1201, LOT 12

WHEREAS, Marve currently owns certain real property commonly known as 251 1/2 Grove Avenue, formally identified as Block 1201, Lot 12 on the Tax and Assessment Map of the Township of Verona, Essex County, New Jersey (collectively, the "Site"); and

WHEREAS, the Site is approximately 5.5 acres and contains at least five (5) structures including an office/garage structure, a warehouse and garage structure, and three garages; and

WHEREAS, Marve and/or its predecessors, affiliates, and/or tenants have utilized the Site for industrial and/or commercial purposes including the outdoor parking and storage of trucks, buses and other vehicles, moveable containers and dumpsters, equipment and materials; commercial vehicle and bus repairs; fabrication and welding of vehicles, equipment and materials; and warehousing of equipment and materials; and

WHEREAS, on August 19, 2019, the Township issued twenty-eight (28) zoning violations to Marve alleging expansions of non-conforming uses for outdoor vehicle and equipment parking and storage, vehicle repairs, and storage of moveable containers at the Site (the "Zoning Violations"); and

WHEREAS, on September 20, 2019, Marve contested the Zoning Violations, filed an appeal of the zoning violations to the Township of Verona Board of Adjustment (the "Zoning Board"), and contended, among other things, that the uses subject of the Zoning Violations were pre-existing non-conforming uses and that the Superior Court previously determined that the uses subject of the Zoning Violations were legally protected non-conforming uses; and

WHEREAS, the Township alleges that the violations are non-conforming uses, wrongful expansions of pre-existing non-conforming uses and wrongful continuation of pre-existing non-conforming uses that should be brought into compliance; and

WHEREAS, the Parties seek to resolve the Zoning Violations and the dispute regarding the use of the Site as well as set forth the terms, conditions, responsibilities, and obligations of the Parties regarding the Site.

THEREFORE, BE IT RESOLVED by the Township Council of the Township of Verona, in the County of Essex, New Jersey that the Township Manager is hereby authorized to execute a settlement agreement that does the following:

1. Cause the removal of all self-storage pods from the Property by December 31, 2022
2. Cause any landscapers to vacate the Property by December 31, 2023
3. Cause any fabricators and vehicle repair contractors to vacate the Property by December 31, 2023
4. Not permit any new Tenants to utilize the Property in any manner that are in violation of the current zoning for the Property
5. Cause the Zoning Violations shall cease and any non-conforming uses to be brought into compliance with the current zoning for the Property by December 31, 2023

ROLL CALL:

AYES: Holland, Tamburro, McGrath, Roman

NAYS:

ABSTAIN: McEvoy

RESOLUTION No. 2022-164

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

AUTHORIZING A CONTRACT WITH CALL JOE, LLC

WHEREAS, the Township of Verona contacts with cleaning service providers for Town Hall, the Community Center, the Public Works offices and the Community Pool season; and

WHEREAS, the Township has obtained two (2) quotes for such services; and

WHEREAS, the Qualified Purchasing Agent has determined that the value of said services has exceeded \$17,500.00 which is annexed this Resolution as Exhibit A; and

WHEREAS, funds are available to award contracts for the services listed shall be charged to the budget accounts or capital ordinances listed on the availability of funds, a copy of said Certification is annexed to this Resolution as Exhibit B; and

WHEREAS, the award of the contract to Call Joe LLC 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 Call Joe LLC have been filed with the Township and are annexed to this Resolution as Exhibit C; and

THEREFORE, BE IT RESOLVED by the Township Council of the Township of Verona, in the County of Essex, New Jersey that Call Joe, LLC, 13 Hamilton Road, Verona, NJ 07044 is hereby awarded a contract for cleaning services for Town Hall, the Community Center and the Community Pool season and not to exceed \$31,500; 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 Municipal Clerk are hereby authorized to enter into any agreement necessary for the aforementioned services a copy of which shall be available for public inspection in the Office of the Municipal Clerk.

ROLL CALL:

AYES: Holland, Tamburro, McEvoy, McGrath, Roman

NAYS:

New Business:

Council discusses a Street Closing ordinance for block parties and debates whether residents should pay a fee to the Township as well as the definition of a “party” versus a charity event and how to codify such an ordinance that is fair to both the residents and Township while considering the elements of safety and the time allotted internally for processing permits.

RESOLUTION No. 2022-165

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

AUTHORIZING THE EXECUTION OF A SECOND AMENDMENT TO CONTRACT FOR SALE OF REAL ESTATE AND THIRD AMENDMENT TO REDEVELOPER AGREEMENT BY AND BETWEEN THE TOWNSHIP OF VERONA AND VERONA LIHTC URBAN RENEWAL LLC CONCERNING PROPERTY IDENTIFIED AS BLOCK 2301, LOTS 11, 12, 14, 15, 16, 17, A PORTION OF 18, AND 19 ON THE TOWNSHIP TAX MAPS

WHEREAS, Verona LIHTC Urban Renewal LLC (the “**Redeveloper**”) and the Township of Verona (the “**Township**”) are parties to that certain First Amendment to and Assignment of Contract for Sale of Real Estate, which amended and assigned that certain Contract for Sale of Real Estate dated June 9, 2020 (collectively the “**PSA**”), pursuant to which the Township agreed to convey to Redeveloper that property designated as Block 2301, Lots 11, 12, 14-17, 19, and a portion of Lot 18, to be consolidated and designated as new Block 2301, Lot 14.01 on the official tax map of the Township of Verona (collectively, the “**Property**”), as more particularly described in the PSA; and

WHEREAS, the Redeveloper and the Township are parties to that certain Second Amendment to and Assignment of Redeveloper Agreement dated February 7, 2022, which amended and assigned that certain Redeveloper Agreement dated January 9, 2020 and First Amendment to Redeveloper Agreement dated September 3, 2020 (collectively the “**Redeveloper Agreement**”), pursuant to which Redeveloper agreed to redevelop the Property, as more particularly described in the Redeveloper Agreement; and

WHEREAS, the Redeveloper and the Township desire to amend the PSA and the Redeveloper Agreement (1) to extend the date for conveyance of the Property to Redeveloper to April 30, 2023 to permit Redeveloper to secure certain financing, and (2) to clarify that Environmental Remediation may be performed by Redeveloper and the Township shall reimburse Redeveloper for such costs consistent with the Township’s original obligation to fund all Environmental Remediation of the Property.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Verona as follows:

1. The preamble to this Resolution is hereby incorporated as if more fully set forth herein.
2. The Township Manager and Township Clerk are hereby authorized to execute the Second Amendment to Contract for Sale of Real Estate, in the form attached hereto as Exhibit A, with such changes, omissions or amendments as the Township Manager deems appropriate in consultation with the Township’s redevelopment counsel, planning consultant and other professionals.
3. The Township Manager and Township Clerk are hereby authorized to execute the Third Amendment to Redeveloper Agreement, in the form attached hereto as Exhibit B, with such changes, omissions or amendments as the Township Manager deems appropriate in consultation with the Township’s redevelopment counsel, planning consultant and other professionals.
4. This resolution shall take effect immediately.

ROLL CALL:

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


Public Comment:

Staci Puleo, [REDACTED]

Adjournment:

A motion to adjourn the meeting is made by Councilman Tamburro; seconded by Councilman McEvoy at 9:01 p.m. The next regular scheduled meeting of the Township Council is September 19, 2022 at 7:00 p.m.

Respectfully submitted,


Jennifer Kiernan, Municipal Clerk


Alex Roman, Mayor

APPROVED: September 19, 2022