

Minutes of a Regular Meeting of the Verona Township Council on Monday, December 20, 2021, beginning at 7:00 p.m. via Zoom video conferencing platform <https://zoom.us/j/95262662770>.

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 and in person due to 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, Township Attorney Brian Aloia and Municipal Clerk Jennifer Kiernan are also present.

Mayor's Report:

Essex County Liaison Julius Coltre states that the sites are very busy. Testing, vaccines and booster shots are still being administered at Essex County College, Kmart and Sears in the Livingston Mall. Five - 11 year olds, Monday-Friday from 4-7pm, Saturdays 9am-5pm. Children ages 12+ are Monday-Friday from 9am-4pm, Saturdays 9am-5pm. Adults can come at any time. All appointments can be made at EssexCovid.org or call 973-877-8456. The sites will be closed on December 24, 25 and 26. This is an opportunity for townships to receive grants and other health assistance. Food distribution will take place on December 21 in Weequahic Park beginning at 9am. Holiday Lights will be held from December 10 through December 31 from 5-9pm. The Turtle Back Zoo will be closed on December 24 but is accepting food, coats and toy donations until that time.

Mayor Roman states that due to the uptick in the Covid numbers, this meeting is being held via Zoom and we will wait and see how to proceed for future meetings. He reports the Township has made excellent progress in regards to stormwater mitigation measures. Congresswoman Mikie Sherrill, the Commissioner of the DEP and deputy commissioners and the Army Corps of Engineers met with Township officials. The meeting was productive and the Mayor feels that the issues were made obvious and he is confident the Congresswoman, DEP and Army Corps of Engineers understood the concerns.

Manager's Report:

Verona has had 62 positive cases of COVID in the last week, 112 since our last meeting. Breakthrough cases amongst vaccinated and boosted individuals are happening. According to the CDC, the Omicron variant is extremely contagious and is now the most common variant in the United States. Get tested if you have symptoms. Get vaccinated! Get boosted!

The NJ Department of Health and Vault Medical Services have partnered to offer a free, at-home COVID-19 saliva test kit that is available to every New Jerseyan who thinks they need a test - even if you don't have symptoms. To order a free test kit, visit learn.vaulthealth.com/nj. The kit will be shipped through UPS with next-day delivery. Once received, you will connect over Zoom with a Vault healthcare professional who will walk you through the test and answer your questions. When complete, the test can be sent back in a prepaid package via UPS next-day shipping. You will receive your test results 24 to 48 hours after your sample arrives at the lab. You will not be charged for the test, and you will not be asked for your credit card information. In addition, in-person testing is available at locations across the state, including free testing. Learn

more about COVID-19 testing in New Jersey at covid19.nj.gov/testing.

Our engineers have been working to determine the appropriate media type that we plan to use for final remediation of the wells. Simultaneously with this task, site surveys are being completed so we can determine what infrastructure will be affected and what constraints we might be under when constructing final remediation. These two tasks should be completed no later than March 1. After that work on the preliminary design will move into full swing with that work completed by July 1. The Township's professionals met with representatives from the NJDEP on Tuesday, December 7. First I want to thank the representatives from NJDEP, especially Director Kerry Pflugh for taking time out of their schedules to meet with us and hear our concerns. The purpose of the meeting was two-fold. First was to continue to express our concerns about the quarterly notice requirement placed on the municipality by NJDEP especially the cost associated with the mailing, the misinformation that is created by sending these notices and the fact that it is our interpretation that the frequency that these notices can be sent can be lessened by the NJDEP in accordance with federal regulations. But more on this in a moment. The second matter we discussed with NJDEP is the timeline we are looking at at the present for final remediation and the fact that meeting the one year deadline is simply not going to happen. We are currently working through this deadline with our legal counsel and our professionals and we will have more on this at a later date.

Back to the topic about the public notice. At this time the NJDEP is firm on their position that the Public Notice must be sent again and must be sent going forward quarterly until final remediation is in place and the violation is abated. This is also a matter that we are reviewing with our legal counsel as well. That being said the next Public Notice has been drafted internally using the NJDEP template and approved by them and it will be sent along with a letter from Mayor Roman by January 4. The purpose of the letter from the Mayor is to try and provide a bit more background into the matter in hopes of lessening the number of phone calls that are received at Town Hall.

In October the Town Council and other Township Officials met with Congresswoman Mikie Sherrill to discuss the flooding and erosion issues along the Peckham River. Last Friday, that discussion continued onsite here in Verona with the US Army Corps of Engineers, the NJ DEP Commissioner and staff from his office. We will continue to push for assistance along the Peckham River and other areas that require attention. There is a lot of work to be done but we would like to thank all the representatives for taking the time to meet with us in person to see the damage and the situation we are facing in town. On behalf of the residents of Verona and the Township as a whole, I want to thank the Congresswoman, the Commissioner and the Corps for visiting us here in Verona and we look forward to further cooperation on this and other matters.

We are preparing a new Township Master Plan to shape the physical, social, environmental, and economic future of the community. The Master Plan provides a framework for preserving Verona's character, supporting investment, and promoting desired changes. The process will take several months to complete, with a goal to have the plan complete in mid-2022. The public survey is available for all residents to take. We look forward to hearing your opinion on all of the topics that the Master Plan will cover. In addition to the survey, Verona residents will be able to share their opinions at the Master Plan Community Workshop. Your opinions will help to shape the Master Plan as the drafting process moves along. We are working with the Verona Public Library to assist residents who have issues accessing the internet. We are also discussing the possibility of a post card mailer to each residence. More to come!

The restoration of the roadway on Franklin Street was completed last Friday. Engineering will be inspecting the roadway this week or next.

Included with the above referenced letter and public notice with regard to PFAS will be the required COVID-19 ratepayer notice pursuant to the law mentioned above that was passed earlier last year. The notice will also be posted on our website. The notice includes information on the Shutoff Moratorium which is currently in place until January 1 but may be extended by action of the Legislature or the Governor. It is important to note: It is policy of the Township of Verona that water not be shut off to residential customers for non-payment during the cold weather months of November through March. The notice also includes information about late payment penalties (interest) and lien enforcement, Bill Assistance programs that will be coming from the State and the possibility of payment installments.

NJDCA is now accepting applications for the Low Income Home Energy Assistance Program and Universal Service Fund. A link to this website is located on our website and will be included in the above mentioned Utility Ratepayer Relief Flier.

The Police Department changed the Municipal Lot Permit application process in an effort to be more equitable and in an attempt to maximize every spot. While some permit applicants only need day parking (for example employees of area businesses) others need 24 hour access. The PD and Steve Neale have met several times with the businesses and residents adjacent to the lots and will be designating certain spots for the hours requested, therefore opening the stall for customers patronizing our nighttime businesses. This is a 6-month trial of analyzing and maximizing "stall" usage and we look forward to assessing the results.

Those in need of overnight parking permits for 2022, please stop by or contact the Records Bureau

The bags will be removed the week of January 3 and enforcement will recommence once the bags have been removed.

The Verona Police Department reminds everyone to lock your vehicle and remove your keys fobs and valuables from the car, at all times when not occupied not just at night. There has been a rise in the rate of vehicle thefts around the region and they are not just occurring overnight. Be vigilant, protect yourselves by locking your doors and removing your key fobs from your vehicles. And as a reminder report suspicious activity to the Police Department immediately.

Essex County Executive Joseph N. DiVincenzo, Jr. invites Essex County residents to participate in an Essex County Community Health Assessment Survey. The results of the survey will help the Essex County Public Health Office identify health issues affecting the Essex County community and create a public health plan to raise awareness and promote wellness. Residents can access the on-line survey at www.EssexCountyNJ.org and clicking on the "Community Health Assessment Survey" link. Responses will be collected until March 31, 2022.

Residents linking to the survey will be asked a variety of general questions about their overall health, diet and exercise habits, access to affordable medical care and prescriptions, and if there are any barriers that they experience in obtaining health care. All responses are anonymous and confidential. The survey takes about 15 minutes to complete.

Essex County has contracted with Rutgers University School of Public Affairs and Administration to conduct the study. Participants in the study may choose to participate in a raffle from which they could win a variety of Amazon gift cards.

There is still time to enter! Verona Chamber of Commerce Member Aloia Law Firm Presents the Verona Holiday House Decorating Contest! All prizes will go to Verona non-profits. Each of the 3 winners will choose which of their favorite Verona non-profits receives the money. Email your photo submissions to veronanjchamber@gmail.com with the subject line "Holiday House Decorating Contest" or tag @veronanjchamber on Instagram or Facebook! The deadline to enter is December 23rd. 1st Place \$500 - 2nd Place \$300 - 3rd Place \$200 to the Verona Non-Profit of your choice.

The VFEE Annual Coat Drive is December 20 – January 12. Donate your clean, gently worn coats. All coats collected and will be donated locally. Drop your coat at 6 Belleclare Place or you can email them for a pickup. More information along with the email address are on the Township's webpage.

Town Hall Closed Friday, December 24, Monday, December 27 and Friday, December 31 in Observance of Christmas and New Year's.

Councilmembers' Reports:

Deputy Mayor McGrath is grateful for holding this meeting virtually and encourages everyone to get the vaccine or booster and thanks the County for providing free testing, vaccines and booster to residents. *The following statement was submitted by the Deputy Mayor from her oral report: "After Ida flooding, I promised residents that were impacted that I would do everything I could to help mitigate flooding issues in the future. Many of you know that I have a long relationship with Congresswoman Mikie Sherrill, and after the flooding I reached out for her help, specifically on how we*

could address the complex issues with the Peckman River. On Friday December 17th, the Congresswoman arranged a meeting that included multiple officials from the [New York District, U.S. Army Corps of Engineers](#) and the [New Jersey Department of Environmental Protection](#) This included Shawn LaTourette, the NJ DEP Commissioner. The Congresswoman arranged this visit for only three towns in her district, and Verona was one of them. I am personally incredibly grateful for her leadership, support, and recognition that Verona needs federal and state assistance to address this very complex issue of how to mitigate flooding with the Peckman River. This will not be an easy or fast issue to solve - but it's clear now we have support at the highest levels of government to address this significant issue facing our community."

The Deputy Mayor also reports that the Shade Tree Commission met and discussed pruning the Pin Oak trees in 2022. She, along with Councilwoman Holland and Municipal Clerk Jennifer Kiernan spoke with Girl Scout Troop #20636 about municipal government whereby the Troop received their Democracy badges. She reminds the public that the Master Plan Survey is available and urges everyone to participate.

Councilman McEvoy also encourages everyone to participate in the Survey. He thanks the Township Manager and Mikie Sherrill for organizing last Friday's meeting and thanks all who were present for their time. He advises the public that when shopping on Amazon, they can select Amazon Smile when making a purchase, and funds will be donated to an organization. He Thanks the Fire Department for taking Santa around town and commends the Verona Police Department for capturing the Grinch. He wishes everyone a Happy Hanukkah, Merry Christmas and Happy New Year.

Councilman Tamburro echoes the comments of his colleagues in regards to DEP and the Army Corps of Engineers. He states that if anyone is giving monetary donations in 2021 for tax purposes to please consider the Friends of the Library, Verona PBA, the Verona Volunteer Fire Department, Verona Volunteer Rescue Squad and the Children's Fund. He thanks the municipal employees for everything during all the challenges faced this past year - it is not an easy feat and feels it is important to note that this Council created a lot of projects the employees had to take on, yet it did not get in the way of them addressing their daily duties as well. He reminds the public to think of everyone working 24/7 through the holidays and he hopes for a less eventful 2022.

Councilwoman Holland submitted her report in writing. "As this is the last meeting of the year, let me start by wishing everyone happy holidays. I hope you are safe and warm this holiday season. With that in mind, I want to make a final plea to any residents in need - if you have unpaid electric or gas utility bills, the grace period comes to an end on December 31. Please communicate with PSE&G or the State Board of Public Utilities. Financial assistance and no-interest payment plans are available. Please get help, if you need it.

On December 13, it was my distinct pleasure to help the Junior Girl Scout Troop from FN Brown earn their Democracy badge. I am a lifetime member of Girl Scouting and strongly believe that these programs are very meaningful to girls.

On December 15, I also attended the meeting with Dr. Furnari and Dr. Miller from the Verona Public Schools. I found it to be a really worthwhile discussion and an opportunity for greater collaboration with the schools in 2022.

That same day was the closing day for applications for the Open Township Manager Position. I sincerely want to thank everyone who applied for the position. I look forward to meeting with candidates in the New Year!

We've had a busy few weeks with DEP: On December 7 and 15, the utilities subcommittee (and our engineering and utility staff) met. As mentioned by Manager Cavallo, the December 7 meeting included Staff from DEP. Some of the discussion was touched upon in Manager Cavallo's report. Some will be discussed in new business. On December 17, as referenced by others, Congresswoman Sherrill returned to Verona with the DEP Commissioner, Assistant Commissioner, and representatives from the Army Corps of Engineers. I personally want to thank DEP for being so responsive to the Township of Verona flooding and stormwater. At my request, the permit navigation team has met with us in October, the Assistant Commissioner offered me an individual consulting session at the League of Municipalities, in November, and then they came to our Township this past week - where they observed the issues first hand and

spoke to our engineering staff seeing some of the photos and videos of some of the devastation as it was happening. This is good government. They gave us good information about financing and I look forward to more collaboration.

Finally, as this is the last meeting of the year, I'd like to offer some closing remarks:

I took office on July 1, having run on a platform of infrastructure improvement to address future challenges. While some may not have foreseen these issues and even argued against me, they became immediately apparent - In July, Verona received water quality violations, turned off our wells, and switched our water supply. This is a costly remediative action, but important for public health. On September 1, so many of us suffered devastating flooding for the second time in three years - shining a harsh light on significant stormwater issues in this Township. In addition to the substantial bonding done by the prior Council to address affordable housing, we've had to bond for several critical infrastructure upgrades and a necessary Asset Management Plan. But we have now lost our Chief Financial Officer and will soon lose our Township Manager; the stakes are high. We cannot lose momentum. We can do that most effectively with experienced leadership; and, let's face it, there is much to be done in 2022. The people of Verona expect (and deserve) a government functioning at the highest quality. I hope my colleagues join me in a New Year resolution to ensure the people of Verona are well served during this tumultuous transition. Let us put their interests above our own. Thank you. That concludes my report."

Proposed Ordinances:

ORDINANCE No. 2021-29

CHAPTER 69 (OPEN SPACE, RECREATION AND FARMLAND AND HISTORIC PRESERVATION TRUST FUND), ARTICLE II (OPEN SPACE TRUST FUND ADVISORY COMMITTEE), SECTION 14 (POWERS AND DUTIES) TO CORRECT AN ERROR IN CODIFICATION

Motion to introduce Ordinance No. 2021-29 is moved by Councilman Tamburro; seconded by Councilman McEvoy.

Township Manager Matthew Cavallo states this corrects an error in codification and explains that Paragraph E of Chapter 69 (Open Space, Recreation and Farmland and Historic Preservation Trust Fund), Article II (Open Space Trust Fund Advisory Committee), Section 14 (Powers and duties) is hereby amended to delete "Township Manager" and replace with "Mayor".

ROLL CALL:

AYES: Holland, Tamburro, McEvoy, McGrath, Roman

NAYS:

Ordinance No. 2021-29 is introduced 5-0 and will be published according to law and a public hearing will be held at a Regular Meeting scheduled January 24, 2022.

Public Comment on Consent Agenda Items:

None.

The Minutes from the December 6, 2021 meeting are approved by an unanimous vote;

Tiena Cofoni of McManimon, Scotland and Baumann gives an overview to the Council of resolution K-1.

Councilwoman Holland motions to pull resolution K-1, "RESOLUTION DESIGNATING A REDEVELOPER AND AUTHORIZING THE EXECUTION OF A REDEVELOPMENT AGREEMENT WITH VERONA SUNSET URBAN RENEWAL, LLC CONCERNING PROPERTY IDENTIFIED AS BLOCK 303, LOT 4 ON THE TOWNSHIP TAX MAPS" from the consent agenda, which is unanimously approved by the Council.

RESOLUTION No. 2021-166

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

AUTHORIZING EXECUTION OF

2022 QUALIFIED PRIVATE COMMUNITY SERVICES AGREEMENTS

WHEREAS, in accordance with *N.J.S.A. 40:67-23.1 et seq.*, the Township is required either to perform certain specified services on public roads and streets in the Condominium, which is a qualified private community, or to reimburse said Condominium to the extent specified in that statute for the actual costs to the Association of providing said specified services; and

WHEREAS, Green Acres/Ardleigh Mews, Verona Bloomfield Association, 300 Claremont Avenue, 284 Claremont Avenue, Verona Invest., Kimberly Gardens, Kathleen Gardens, Beacon Hill, Kips Ridge, Wedgewood Gardens, Commons at Verona, and Huntington Park are Qualified Private Communities located within the Township of Verona; and

WHEREAS, the Township wishes to enter into a Qualified Private Community Services Agreement with the Qualified Private Communities for purposes of providing reimbursement for street ice and snow removal, street lighting, solid waste collection and leaf collection where applicable at a rate not to exceed the cost that would be incurred by the municipality in providing those services directly.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Verona, County of Essex, New Jersey that the Township is hereby authorized to enter into 2021 Qualified Private Community Service Agreements with the above listed the Qualified Private Communities for the purpose providing reimbursement for street ice and snow removal, street lighting, solid waste collection and leaf collection where applicable at a rate not to exceed the cost that would be incurred by the municipality in providing those services directly.

BE IT FURTHER RESOLVED that the Township Manager and the Township Clerk are hereby authorized to execute said agreements on behalf of the Township of Verona to effectuate same.

ROLL CALL:

AYES: Holland, Tamburro, McEvoy, McGrath, Roman

NAYS:

RESOLUTION No. 2021-167

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

**AUTHORIZING EXECUTION OF
2022 - 2024 QUALIFIED PRIVATE COMMUNITY SERVICES AGREEMENT
WITH CLARIDGE HOUSE II CONDOMINIUM ASSOCIATION**

WHEREAS, in accordance with *N.J.S.A. 40:67-23.1 et seq.*, the Township is required either to perform certain specified services on public roads and streets in the Condominium, which is a qualified private community, or to reimburse said Condominium to the extent specified in that statute for the actual costs to the Association of providing said specified services; and

WHEREAS, Claridge House II Condominium Association is a Qualified Private Community located within the Township of Verona; and

WHEREAS, the Township wishes to enter into a Qualified Private Community Services Agreement with Claridge House II Condominium Association for purposes of providing reimbursement for street ice and snow removal, street lighting, solid waste collection and leaf collection where applicable at a rate not to exceed the cost that would be incurred by the municipality in providing those services directly.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Verona, County of Essex, New Jersey that the Township is hereby authorized to enter into a 2022 - 2024 Qualified Private Community Service Agreement with Claridge House II Condominium Association for the purpose providing reimbursement for street ice and snow removal, street lighting, solid waste collection and leaf collection at a rate not to exceed the cost that would be incurred by the municipality in providing those services directly.

BE IT FURTHER RESOLVED that the Township Manager and the Township Clerk are

hereby authorized to execute said agreements on behalf of the Township of Verona to effectuate same.

ROLL CALL:

AYES: Holland, Tamburro, McEvoy, McGrath, Roman

NAYS:

RESOLUTION No. 2021-168

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

**AUTHORIZING EXECUTION OF
2022 - 2024 QUALIFIED PRIVATE COMMUNITY SERVICES AGREEMENT
WITH THE CLARIDGES, LLC**

WHEREAS, in accordance with *N.J.S.A. 40:67-23.1 et seq.*, the Township is required either to perform certain specified services on public roads and streets in the Condominium, which is a qualified private community, or to reimburse said Condominium to the extent specified in that statute for the actual costs to the Association of providing said specified services; and

WHEREAS, the Claridges, LLC is a Qualified Private Community located within the Township of Verona; and

WHEREAS, the Township wishes to enter into a Qualified Private Community Services Agreement with the Claridges, LLC for purposes of providing reimbursement for street ice and snow removal, street lighting, solid waste collection and leaf collection where applicable at a rate not to exceed the cost that would be incurred by the municipality in providing those services directly.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Verona, County of Essex, New Jersey that the Township is hereby authorized to enter into a 2022 - 2024 Qualified Private Community Service Agreement with the Claridges, LLC for the purpose providing reimbursement for street ice and snow removal and street lighting at a rate not to exceed the cost that would be incurred by the municipality in providing those services directly.

BE IT FURTHER RESOLVED that the Township Manager and the Township Clerk are hereby authorized to execute said agreements on behalf of the Township of Verona to effectuate same.

ROLL CALL:

AYES: Holland, Tamburro, McEvoy, McGrath, Roman

NAYS:

RESOLUTION NO. 2021-169

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

**AUTHORIZING THE SUBMISSION OF A STRATEGIC PLAN FOR THE
VERONA MUNICIPAL ALLIANCE GRANT FOR FISCAL YEAR 2023 (2022-23)**

WHEREAS, the Governor's Council on Alcoholism and Drug Abuse established the Municipal Alliances for the Prevention of Alcoholism and Drug Abuse in 1989 to educate and engage residents, local government and law enforcement officials, schools, nonprofit organizations, the faith community, parents, youth and other allies in efforts to prevent alcoholism and drug abuse in communities throughout New Jersey; and

WHEREAS, the Township Council recognizes that the abuse of alcohol and drugs is a serious problem in our society amongst persons of all ages; and therefore has an established Municipal Alliance Committee; and

WHEREAS, the Township Council further recognize that it is incumbent upon not only public officials but upon the entire community to take action to prevent such abuses in our

community; and

WHEREAS, the Township Council has applied for funding to the Governor's Council on Alcoholism and Drug Abuse through the County of Essex.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Verona, County of Essex, State of New Jersey does hereby authorize submission of a strategic plan for the Verona Municipal Alliance grant for Fiscal Year 2023 (2022-23) in the amount of:

| | |
|------------|-------------|
| DEDR | \$16,300.00 |
| Cash Match | \$ 4,075.00 |
| In-Kind | \$12,225.00 |

BE IT FURTHER RESOLVED that the Township Council acknowledges the terms and conditions for administering the Municipal Alliance grant, including the administrative compliance and audit requirements.

ROLL CALL:

AYES: Holland, Tamburro, McEvoy, McGrath, Roman

NAYS:

RESOLUTION No. 2021-170

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

**APPOINTMENT OF REPRESENTATIVE'S TO THE ESSEX COUNTY
COMMUNITY DEVELOPMENT BLOCK GRANT COMMITTEE**

BE IT RESOLVED by the Township Council of the Township of Verona, in the County of Essex, New Jersey, that Engineering Manager and the Township Manager are hereby appointed to serve as the Township's representatives to the Community Development Block Grant Committee for the year 2022.

ROLL CALL:

AYES: Holland, Tamburro, McEvoy, McGrath, Roman

NAYS:

RESOLUTION No. 2021-171

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

**AUTHORIZING USE OF COMPETITIVE CONTRACTING FOR THE
PROCUREMENT OF A POOL CONCESSIONAIRE**

WHEREAS, the Recreation Department wishes to solicit proposals from an outside vendor to operate the snack bar concession at the Verona Community Pool; and

WHEREAS, *N.J.S.A. 40A:11-4.1(b)(j)* permits competitive contracting to be utilized to procure concessions; and,

WHEREAS, *N.J.S.A. 40A:11-4.3(a)* requires that in order to use competitive contracting for the first time for a specified purpose, the governing body shall pass a resolution authorizing the use of competitive contracting for such purpose; and,

WHEREAS, *N.J.S.A. 40A:11-4.3(b)* requires that the competitive contracting process shall be administered by a designated Authorized Agent who may be a purchasing agent pursuant to *N.J.S.A. 40A:11-9*, or by legal counsel of the contracting unit, or by the chief administrative officer of the contracting unit; and,

WHEREAS, the Township Council has determined that the procurement of the concession through the use of competitive contracting is in the best interest of the Township.

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Verona, in the County of Essex, State of New Jersey that the Township Manager is authorized to initiate competitive contracting for the solicitation of proposals from an outside vendor to operate the snack bar concession at the Verona Community Pool pursuant to *N.J.S.A. 40A:11-4.1 et seq.*

ROLL CALL:

AYES: Holland, Tamburro, McEvoy, McGrath, Roman

NAYS:

RESOLUTION No. 2021-172

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

**AUTHORIZING A CONTRACT WITH
CAPITOL SUPPLY CONSTRUCTION PRODUCTS, INC.**

WHEREAS, the Township has a continued need to purchase water service materials; and

WHEREAS, Capitol Supply Construction Products, Inc. is the local distributor of Mueller Water Works Products used by the Water Utility; and

WHEREAS, the Township has already expended \$14,785.04 and has a need to purchase additional materials before year end estimated to cost approximately \$15,000; and

WHEREAS, the Township Manager/Qualified Purchasing Agent has determined that the value of said services has exceeded \$17,500.00 but will not exceed the Township's bid threshold of \$44,000; 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 Capitol Supply Construction Products, Inc. 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 Capitol Supply Construction Products, Inc. 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 Capitol Supply Construction Products, Inc., 149 Old Turnpike Road, Wayne, New Jersey 07470 is hereby awarded a contract for providing water service materials for use by the water utility not to exceed \$30,000.00.

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 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. 2021-173

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

AUTHORIZING MOVING TAX OVERPAYMENTS FROM

2017 TAXES TO BUDGET OPERATIONS

WHEREAS, monies for taxes resulting in overpayments are held in Tax Overpayment; and

WHEREAS, a listing of these accounts is on file in the Office of the Tax Collector.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Verona, in the County of Essex, New Jersey that the Tax Collector is hereby authorized to cancel the following Tax Overpayments to Budget Operations as follows:

2017 Tax Overpayments \$16,549.58

ROLL CALL:

AYES: Holland, Tamburro, McEvoy, McGrath, Roman

NAYS:

RESOLUTION No. 2021-174

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

**RESOLUTION AUTHORIZING THE TOWNSHIP MANAGER TO
EXECUTE AN AGREEMENT TO REIMBURSE PAYMENT OF
RETIREE HEALTH BENEFITS COSTS**

WHEREAS, a retirement application was filed for a former Verona police officer (EE# 964) with a retirement date of September 1, 2014; and

WHEREAS, between October of 2014 and September 2016, the employee was enrolled in the New Jersey State Health Benefits Plan and the premium for the health benefits was paid for by the State deducting the employee's pension payments; and

WHEREAS, the employee was a member of the PBA and eligible for paid health benefits upon retirement, per the collective bargaining agreement; and

WHEREAS, the Township deems it appropriate to reimburse the employee for the approximate \$29,000 in health care premiums paid by the employee that were the responsibility of the Township.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Verona, in the County of Essex, State of New Jersey, that the Township Manager and the Township Clerk is hereby authorized to execute an Agreement and General Release and take any additional action to effectuate the intent of this Resolution.

ROLL CALL:

AYES: Holland, Tamburro, McEvoy, McGrath, Roman

NAYS:

RESOLUTION No. 2021-175

A motion was made by Deputy Mayor; seconded by Mayor Roman 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)*
 - b. Personnel Matters pursuant to *N.J.S.A. 10:4-12(8)*
 - 2021 and 2022 Salary Ordinances - Exempt Employees
 - Planning Board vacancy
 - Township Manager vacancy - employment, appointment, terms & conditions of employment

ROLL CALL:

AYES: Holland, Tamburro, McEvoy, McGrath, Roman

NAYS:

RESOLUTION No. 2021-176

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

**RESOLUTION DESIGNATING A REDEVELOPER AND AUTHORIZING
THE EXECUTION OF A REDEVELOPMENT AGREEMENT WITH VERONA
SUNSET URBAN RENEWAL, LLC CONCERNING PROPERTY IDENTIFIED
AS BLOCK 303, LOT 4 ON THE TOWNSHIP TAX MAPS**

WHEREAS, by Resolution No. 2019-140 adopted on August 19, 2019, the Township Council of the Township (the "**Township Council**") designated Block 303, Lot 4, commonly known as 1 Sunset Avenue, as a non-condemnation area in need of redevelopment (the "**Redevelopment Area**") in accordance with the Local Redevelopment and Housing Law, *N.J.S.A. 40A:12A-1 et seq.* (the "**Redevelopment Law**"); and

WHEREAS, on January 31, 2020, the Township and Spectrum 360, LLC (the owner of the school located on the Redevelopment Area and an affiliate of Redeveloper) entered into that certain First Amended and Restated Settlement Agreement (the "**Settlement Agreement**") with respect to Spectrum 360, LLC's intervention in the matter entitled In the Matter of the Application of the Township of Verona, a municipal corporation of the State of New Jersey, Docket No. ESX-L-4773-15; and

WHEREAS, by the adoption of Ordinance No. 2020-01 on March 8, 2021, the Township Council duly adopted a redevelopment plan for the Redevelopment Area entitled, "The Sunset Avenue Redevelopment Area Redevelopment Plan", which was thereafter amended by the adoption of Ordinance No. 2021-14 on June 21, 2021 (as the same may be further amended and supplemented from time to time, the "**Redevelopment Plan**"); and

WHEREAS, an affiliate of Verona Sunset Urban Renewal, LLC (the "**Redeveloper**") is the owner of the Redevelopment Area; and

WHEREAS, on June 7, 2021, the Township adopted Resolution No. 2021-082 designating the Redeveloper as redeveloper of the Redevelopment Area in accordance with the Redevelopment Law for a period of 6 months during which time the Redeveloper must enter into a redevelopment agreement with the Township; and

WHEREAS, Redeveloper and the Township are in the process of executing a previously approved financial agreement providing for payments in lieu of taxes in accordance with the Long Term Tax Exemption Law, *N.J.S.A. 40A:20-1 et seq.*, in connection with the redevelopment of the Redevelopment Area (the "**Financial Agreement**"); and

WHEREAS, the Redeveloper has proposed to undertake the following actions, in accordance with the terms of this Agreement, the Redevelopment Plan and the Settlement Agreement, design, develop, finance, construct, operate and maintain: (i) a multi-family rental housing development including one, residential building of no more than four stories including parking, containing one hundred eighty-five (185) market-rate multi-family residential units (all

of which shall be either one-bedroom or two-bedroom units); (ii) fifteen (15) multifamily residential units affordable to very low, low and moderate income households located within the same building as the market-rate units; (iii) associated parking, including electric vehicle charging stations as required by the Redevelopment Plan; (iv) associated amenities for the residential units; and (v) all necessary infrastructure improvements, (collectively, the “**Project**”); and

WHEREAS, in order to effectuate the Redevelopment Plan and the redevelopment of the Redevelopment Area, the Township desires to designate Redeveloper as the redeveloper of the Redevelopment Area and to authorize the execution of a redevelopment agreement with the Redeveloper (in the form attached hereto as Exhibit A, the “**Redevelopment Agreement**”).

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 Redeveloper is hereby designated as the “redeveloper” of the Redevelopment Area pursuant to the Redevelopment Law.
3. The Township Manager and Municipal Clerk are hereby authorized and directed to execute the Redevelopment Agreement, 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.
4. This resolution shall take effect immediately.

ROLL CALL:

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

RESOLUTION No. 2021-177

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

**AUTHORIZE BUDGET TRANSFERS BETWEEN
 APPROPRIATION ACCOUNTS PURSUANT TO N.J.S.A. 40A:40-1**

WHEREAS, certain transfers of funds for various 2021 budget appropriations are necessary to cover anticipated expenditures; and

WHEREAS, *N.J.S.A. 40A:4-58* provides for transfer of appropriations with an excess over and above the amount deemed necessary to fulfil their purposes to those appropriations deemed to be insufficient; and

WHEREAS, the appropriations subject to fund transfers hereby are not within those restricted by *N.J.S.A. 40A:4-58* for transfer purposes.

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Verona, in the County of Essex, New Jersey that the Temporary Chief Financial Officer shall and is hereby authorized to make transfers between appropriations accounts of the 2021 Municipal Budget as follows:

| | TO | FROM |
|---|-----------|-------------|
| Building and Grounds – Salary and Wages | 10,000.00 | |
| Recycling – Salary and Wages | 2,000.00 | |
| Street and Highway – Salary and Wages | 28,000.00 | |
| Administration – Salary and Wages | | 5,000.00 |
| Recreation – Salary and Wages | | 15,000.00 |
| Tax Collection – Salary and Wages | | 20,000.00 |
| | 40,000.00 | 40,000.00 |

ROLL CALL:

AYES: Holland, Tamburro, McEvoy, McGrath, Roman

NAYS:

New/Unfinished Business:

A motion is made by Deputy Mayor McGrath; seconded by Councilman McEvoy that the following appointments are made:

Municipal Alliance Committee

- i. Kristina Oliver Public Member
- ii. Catherine Wolverton Public Member

Term Expires

Unexpired Term Ending 6/31/2023
Unexpired Term Ending 6/31/2023

Open Space Trust Fund Advisory Committee

- i. Chris Duffy Public Member

6/30/2024

Appointments are approved by a unanimous vote.

Council discusses the DEI subcommittee and stormwater management. Deputy Mayor McGrath states that she, along with Councilwoman Holland and Township Manager Matt Cavallo met with the Verona Board of Education Superintendent Dr. Lydia Furnari and Dr. Charlie Miller, Director of Curriculum, Instruction & Assessment to discuss the diversity, equity, and inclusion working group, mission statement, and proposed ongoing committee. The Deputy Mayor states that Dr. Furnari and Dr. Miller expressed their support and look forward to future collaboration.

Township Manager Matt Cavallo gives a presentation on the 2021 and 2022 proposed salary ordinances for exempt employees of the Township.

Public Comment:

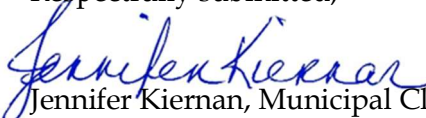
Kevin Ryan, [REDACTED]

Adjournment:

Council enters into Executive Session at 8:52 pm. Mayor Roman states that the Council will not be taking any official action after Executive Session. Motion to adjourn the meeting at 11:26 p.m. is made by Councilman Tamburro; seconded by Deputy Mayor McGrath.

The next regular scheduled meeting of the Township Council is January 3, 2022 at 7:00 p.m.

Respectfully submitted,


Jennifer Kiernan, Municipal Clerk


Alex Roman, Mayor

APPROVED: January 3, 2022