

Minutes of a Regular Meeting of the Verona Township Council on Monday, January 4, 2021, beginning at 7:03 p.m. via Zoom video conferencing platform.

Call to Order:

Municipal Clerk reads notice of Open Public Meetings law. The notice requirements of the Open Public Meetings Act have been satisfied with respect to this meeting of the Township Council which is being held via Zoom video conferencing due to restrictions on indoor public gatherings resulting from the COVID-19 pandemic. Specifically, the time and date were included in the public meeting notice. This information, along with the public internet link and telephone call-in information was posted in the Municipal Building, and sent the official newspapers of the Township, the Verona-Cedar Grove Times and the Star Ledger and MyVeronaNJ.com and TAPinto, 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 Jack McEvoy, Deputy Mayor Alex Roman, Councilman Kevin Ryan, Councilman Ted Giblin and Councilwoman Christine McGrath. Township Manager Matthew Cavallo, Brian Aloia, Township Attorney and Municipal Clerk Jennifer Kiernan are also present.

Mayor's Report:

Essex County Liaison Julius Coltre reports that the County will be vaccinating at four (4) sites, and adding a 5th site on January 18, 2021. Right now group 1A includes health care workers and anyone in that profession including secretaries and food service workers in hospitals and nursing homes. Vaccination sites are Essex County College, 498 West Market Street from 10am - 6pm Monday through Saturdays, the Kmart located at 235 Prospect Avenue in West Orange from 10am - 6pm, the Sears building at the Livingston Mall on Eisenhower Parkway from 10am - 6pm, The County Vocational School in West Caldwell on Passaic Avenue from Noon - 7pm and the Donald Payne School in Newark beginning on January 18. Food distribution continues on Thursdays in Weequahic Park. COVID testing continues with over 800 kits being utilized 3 days a week. Call 973-877-8456 for info or visit EssexCovid.org.

Mayor McEvoy appoints Chris Barrows as a regular member to the Library Board of Trustees for a term ending 12/31/2025, with the consent of the Council. The motion is made by Mayor McEvoy; seconded by Councilwoman McGrath.

ROLL CALL:

AYES: McGrath, Giblin, Ryan, Roman, McEvoy

NAYS:

Mayor McEvoy also reports that Rescue Squad Chief Ricky Tempesta has stepped down as of 12/31/2020. Mr. Tempesta served as Chief for years. Mayor McEvoy thanks Ricky Tempesta for his service.

Manager's Report:

The number of Verona residents diagnosed with COVID-19 has continued to increase. Since our last Council Meeting on December 21, 2020, Verona has seen an additional 70 new confirmed positive test results.

The Township received a lot of amazing submissions for the Holiday House Decorating Contest.

1st Place winner, \$500 was donated to the Forest Avenue School SCA on behalf of the Colalillo Family; 2nd Place winner, \$150 was donated to the Junior Woman's Club of Verona and \$150 to the Verona Boy Scouts Troop 2 on behalf of the Prout Family; 3rd Place winner, \$200 was donated to the Brookdale Avenue School SCA on behalf of the Filoso Family. The special winner, \$50 was donated to the HB Whitehorne Middle School SCA and \$50 to the Verona Rescue Squad on behalf of Verona Rocks.

The Township has officially closed on the Kruvant - Bobcar Corporation Properties. The Township is continuing to work with The Land Conservancy of New Jersey to obtain Green Acres funding for the

two lots.

Mr. Cavallo states that if anyone forgot to apply for the Senior Freeze property tax reimbursement, don't worry. The deadline has been extended to February 1, 2021. For more information please call the Tax Office.

The next election is the Municipal Election on Tuesday, May 11, 2021. Verona residents interested in running for Township Council in this Municipal Election must be a registered voter in the Township of Verona and have been a resident of the Township for at least 1 year. Three seats will be open for a four-year term. Interested residents can request a packet via the link on the Township's website homepage starting today. Packets will then be sent to the requestors via email and regular mail. Hard copies are not available at Town Hall as the building is closed to the public. The deadline for submitting a complete candidate packet to be on the ballot is March 8, 2021. Contact the Township Clerk for more information.

Mr. Cavallo reminds residents to sign up for the Township's Online Monthly Newsletter.

Suspension of the overnight parking ordinance has been extended until March 31.

Mr. Cavallo personally thanks Fred "Ricky" Tempesta who served as the Chief of the Verona Rescue Squad for the past six years and really turned the Squad around making the Verona Rescue Squad an elite volunteer EMS agency in New Jersey with his hard work and dedication. In 2020 the Verona Rescue Squad received 1286 calls for assistance. This included 189 calls for mutual aid to other towns. Verona used mutual aid 13 times. The call total is down 24% from last year when the squad received 1,705 calls for assistance.

Verona Rescue Squad vehicles traveled a total of 14,520 miles while expending 4,382 person hours responding to calls. VRS members spent a total of 21,206 hours on duty and ready to respond to your calls for assistance.

Mr. Cavallo also thanks Matt Gifford who served as the Fire Chief of the Verona Township Fire Department for the past two years and welcomes Matt Valentine as the new Chief.

Mr. Cavallo reports that he is planning to have the Police Chief present the annual report of the Police Department to the Council in February.

Mr. Cavallo makes the following appointments:

			Term Expires
a.	Shade Tree Commission		
	ii. Michael Broadwell	Alternate #2	12/31/2025
b.	Planning Board		
	iii. Steven Neale	Class II Member	12/31/2021
c.	NJIIF		
	iv. Matthew Cavallo	Commissioner	12/31/2021
	v. Steven Neale	Alt. Commissioner	12/31/2021
d.	BMED		
	vi. Matthew Cavallo	Commissioner	12/31/2021
	vii. Matthew Laracy	Alt. Commissioner	12/31/2021

Councilmember's Reports:

Deputy Mayor Roman states that volunteerism is such an important part of society. He states Ricky Tempesta worked diligently to improve staffing and strengthen the Squad. He wishes Ricky the best.

Councilman Ryan wishes all a happy and healthy 2021. He thanks Mr. Tempesta for the fine job with the Rescue Squad. He also thanks Dr. Elizabeth Giblin for your yoman-like service to the Library Board of Trustees. He also reports that he is receiving communications from individuals wanting to make sure the COVID vaccine is purely voluntary. He comments that the Council has no authority on this issue but reiterates that getting the vaccine is voluntary.

Councilman Giblin wishes everyone a happy new year. He asks the Township Manager when the Township plans on removing the bags on the parking meters and begin charging again. Mr. Cavallo states the free parking will continue in place as long as the Township continues to allow for overnight parking.

Councilwoman McGrath has no report this evening but does want to thank Ricky Tempesta for his service and for the amazing job he has done with the Rescue Squad, especially during this COVID pandemic. She reminds the residents how much money they are saved by the volunteer Rescue Squad and the tremendous job all the volunteers do to tend to the needs of our residents when called upon.

ORDINANCE No. 2021-01

ADOPTING THE REDEVELOPMENT PLAN ENTITLED "THE SUNSET AVENUE REDEVELOPMENT AREA" PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW N.J.S.A. 40A:12A-1 ET SEQ.

The Municipal Clerk reads Ordinance No. 2021-01 by title into record.

Motion to introduce Ordinance No. 2021-01 is moved by Councilman Ryan; seconded by Councilman Giblin.

Mr. Cavallo states that this first reading of the ordinance. It will be referred to the Planning Board for review and a public hearing. The Planning Board will then make recommendations to the Council and this Council will review and it is the intention that this ordinance will be on the March 8 agenda for adoption.

ROLL CALL:

AYES: McGrath, Giblin, Ryan, Roman, McEvoy

NAYS:

Ordinance No. 2021-01 is introduced 5-0 and will be referred to the Planning Board.

Mr. Cavallo states that H-2 on tonight's agenda has been pulled as there were last minute corrections requested by the Court Special Master. He hopes to have an update at the next meeting.

Public Comment on Consent Agenda:

None

Approval of minutes from the December 21, 2020 regular meeting and the year-end reports submitted to the Council by the Municipal Clerk for raffles and granted Rent Board vacancy increases are approved unanimously by the Council.

RESOLUTION No. 2021-002

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

ADOPTING CASH MANAGEMENT PLAN OF THE TOWNSHIP OF VERONA

WHEREAS, it is in the best interest of the Township of Verona to earn additional revenue through the investment and prudent management of its cash receipts; and

WHEREAS, the Local Fiscal Affairs Law requires that each local unit shall adopt a cash management plan.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Verona, in the County of Essex, New Jersey that the following shall constitute the Cash Management Plan for the Township of Verona and the Township of Verona shall deposit and manage its funds pursuant to this plan:

Definitions

1. Treasurer shall mean the Chief Financial Officer/Treasurer of the Township of Verona.
2. Fiscal year shall mean the twelve-month period beginning January 1 ending December 31.
3. Cash Management Plan shall mean the plan as approved by this resolution.

Designation of Depositories

1. At least once each fiscal year the Township Council shall by resolution designate the depositories for the Township of Verona in accordance with *N.J.S.A. 40A:5-14*.

Audit Requirement

1. The Cash Management Plan shall be subject to the annual audit conducted pursuant to *N.J.S.A. 40A:5-4*.

Authority to Invest

1. The Township Manager and the Chief Financial Officer shall make and be responsible for municipal deposits and investments.

Investment Instruments

1. The Chief Financial Officer/Treasurer shall invest at his discretion in any investment instruments as approved by the State of New Jersey, Department of Community Affairs, Division of Local Government Services and in accordance with *N.J.S.A. 40A:5-15.1* with maturities of twelve months or less.

Records and Reports

1. The Chief Financial Officer/Treasurer shall report all investments in accordance with *N.J.S.A. 40A:5-15.2*.
2. At a minimum the Chief Financial Officer/Treasurer shall:
 - a. Keep a record of all investments.
 - b. Keep a cash position record, which reveals on a daily basis, the status of the Township's cash in its bank accounts.
 - c. Report monthly to the Township Council as to the status of cash balances in bank accounts, revenue collection and cash receipts and disbursements

Cash Flow

1. The Chief Financial Officer/Treasurer shall ensure that the Township's accounting system provides regular information concerning the Township's cash position and investment performance.
2. All monies shall be turned over to the Chief Financial Officer/Treasurer and deposited in accordance with *N.J.S.A. 40A:5-15*.
3. The Chief Financial Officer/Treasurer is authorized and directed to invest surplus funds of the Township of Verona as the availability of the funds permit. In addition, it shall be the responsibility of the Chief Financial Officer/Treasurer to minimize the possibility of idle cash by depositing the Township's monies in interest bearing accounts wherever practical and in the best interest of the Township of Verona.
4. The Chief Financial Officer/Treasurer shall ensure that funds are borrowed for Capital Projects in a timely fashion.

ROLL CALL:

AYES: McGrath, Giblin, Ryan, Roman, McEvoy

NAYS:

RESOLUTION No. 2021-003

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

RESOLUTION FIXING DEPOSITORIES

WHEREAS, *N.J.S.A. 40A:5-14* provides that monies held in any separate fund shall be treated as monies held in trust and shall not be diverted to any other purposes.

NOW, THEREFORE, BE IT RESOLVED that Investors Bank, New York Community Bank, Kearny Bank and BCB Bank shall be authorized as the depository for the separate funds of the Township and that the custodian shall be Chief Financial Officer/Treasurer, Matthew Laracy.

BE IT FURTHER RESOLVED that all withdrawals for the following accounts shall be on orders signed by at least two of the authorized officers. The authorized officers for the following accounts shall be the Mayor, Chief Financial Officer and Township Manager.

- Current Fund
- General Capital Fund
- Water/Sewer Utility Operating Fund
- Water/Sewer Utility Capital Fund
- Swimming Pool Utility Operating Fund
- Swimming Pool Utility Capital Fund
- All Payroll Funds
- State Unemployment Compensation Insurance Account
- Animal Control Funds
- Development Fee Trust Funds
- Affordable Housing Trust Funds
- Open Space Trust Funds
- Trust Funds (Other/Escrow)

BE IT FURTHER RESOLVED that all withdrawals for the following account shall be on orders signed by the Municipal Court Administrator and the Judge of the Municipal Court.

- All Court Funds

ROLL CALL:

AYES: McGrath, Giblin, Ryan, Roman, McEvoy

NAYS:

RESOLUTION No. 2021-004

A motion was made by Mayor McEvoy; seconded by Councilwoman McGrath 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 2020 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 Chief Financial Officer is hereby authorized to make transfers between appropriations accounts of the 2020 Municipal Budget as follows:

	<u>FROM</u>	<u>TO</u>
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Street and Highway - Other Expense	\$20,000.00	
Recreation - Other Expense	\$30,000.00	
Building & Grounds- Other Expenses		\$10,000.00
Vehicle Maintenance - Other Expenses		\$10,000.00
Solid Waste - Other Expense		\$30,000.00
	\$50,000.00	\$50,000.00

ROLL CALL:

AYES: McGrath, Giblin, Ryan, Roman, McEvoy

NAYS:

RESOLUTION No. 2021-005

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

**AUTHORIZING MOVING TAX OVERPAYMENTS FROM 2016
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:

2016 Tax Overpayments	\$19,773.75
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ROLL CALL:

AYES: McGrath, Giblin, Ryan, Roman, McEvoy

NAYS:

RESOLUTION No. 2021-006

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

**RESOLUTION DESIGNATING OFFICIAL NEWSPAPER FOR ALL
ADVERTISEMENTS AND NOTICES AND DESIGNATING TWO NEWSPAPERS
TO RECEIVE NOTICE OF MEETING**

WHEREAS, *N.J.S.A. 40:53.1* permits the governing body of every municipality to designate official newspapers for the publication of all advertisements and notices required by law to be published; and

WHEREAS, the Open Public Meetings Act, *N.J.S.A.10:4-6 et seq.*, requires the governing body of each municipality to designate two newspapers to receive the notices of its meetings.

WHEREAS, all municipal advertisements shall be published in one or both of the designated official newspapers according to the various statutory provisions; and

WHEREAS, the Township Council of the Township of Verona is desirous of designating two official newspapers for the purpose of satisfying the requirements of these statutes; and

WHEREAS, the VERONA-CEDAR GROVE TIMES and THE STAR LEDGER, a newspaper published within the County of Essex meets the statutory criteria for designation as the official newspapers for the Township of Verona.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Verona, in the County of Essex, New Jersey that the VERONA-CEDAR GROVE TIMES and THE STAR LEDGER be hereby designated as the official newspapers for all advertisements and notices of the Township of Verona required to be published.

BE IT FURTHER RESOLVED that the VERONA-CEDAR GROVE TIMES and THE STAR LEDGER be hereby designated as the two newspapers to receive the notices required by the Open Public Meetings Act.

ROLL CALL:

AYES: McGrath, Giblin, Ryan, Roman, McEvoy

NAYS:

RESOLUTION No. 2021-007

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

DESIGNATING MYVERONANJ, PATCH CEDAR GROVE/VERONA, AND TAPINTO VERONA/CEDAR GROVE, AS ELECTRONIC NEWS SOURCES FOR THE TOWNSHIP OF VERONA

WHEREAS, the Senator Byron M. Baer Open Public Meetings Act, *N.J.S.A. 10:4-6 to 4-21*, requires written advance notice of at least 48 hours, giving the time, date, location and, to the extent known, the agenda of any regular, special or rescheduled meeting of the Township Council of the Township of Verona to at least two newspapers designated by the governing body, one of which shall be the official newspaper, to receive such notices; and

WHEREAS, in addition to the notice requirements set forth above, the Township Council may provide electronic notice of any meeting of the public body through the Internet in accordance with *N.J.S.A. 10:4-9.1*; and

WHEREAS, "electronic notice" means advance notice available to the public via electronic transmission of at least 48 hours, giving the time, date, location and, to the extent known, the agenda of any regular, special or rescheduled meeting, which notice shall accurately state whether formal action may or may not be taken at such meeting; and

WHEREAS, the Township wishes to designate MyVeronaNJ, Patch Cedar Grove/Verona and TAPinto Verona/Cedar Grove as news sources for electronic notices pursuant to *N.J.S.A. 10:4-9.1*; said notice being at the discretion of the governing body.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Verona, in the County of Essex, New Jersey that MyVeronaNJ, Patch Cedar Grove/Verona and TAPinto Verona/Cedar Grove be and are hereby designated as news sources for electronic notices and other matters required to be advertised under the Open Public Meetings Act.

BE IT FURTHER RESOLVED that no electronic notice issued pursuant to this act shall be deemed to substitute for, or be considered in lieu of, such adequate notice in accordance with *N.J.S.A. 10:4-9.2*.

ROLL CALL:

AYES: McGrath, Giblin, Ryan, Roman, McEvoy

NAYS:

RESOLUTION No. 2021-008

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

SETTING THE RATE OF PENALTIES AND GRACE PERIOD FOR RECEIPT OF DELINQUENT TAXES AND MUNICIPAL CHARGES

WHEREAS, *N.J.S.A. 54:67(a)* permits the governing body to fix the rate of interest to be charged for the nonpayment of taxes, assessments, or other municipal liens or charges on or before the date when they would become delinquent, and may provide that no interest shall be charged if payment of any installment is made within the tenth calendar day following the date upon which the same became payable. The rate so fixed shall not exceed 8% per annum on the first \$1,500.00 of the delinquency and 18% per annum on any amount in excess of \$1,500.00, to be calculated from the date the tax was payable until the date that actual payment to the tax collector is made; and

WHEREAS, *N.J.S.A. 54:67(c)* permits the governing body to fix a penalty to be charged to a taxpayer with a delinquency in excess of \$10,000 who fails to pay that delinquency as billed, prior to the end of the fiscal year, the penalty so fixed shall not exceed 6% of the amount of the delinquency with respect to each most recent fiscal year only; and

WHEREAS, this legislation is permissive in nature and requires the adoption of a resolution by the governing body imposing the penalty for delinquencies in the municipality; and

WHEREAS, it has determined that it is in the best interests of the Township to authorize imposition of such penalty.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Verona, in the County of Essex, New Jersey that pursuant to *N.J.S.A. 54:4-67(a)* that the interest rate for delinquent taxes and any delinquency for the year 2020 be set at the rate of 8% per annum for amounts under \$1,500 and 18% per annum for amounts over \$1,500 unless otherwise superseded by law, rule, regulation or order of the State.

BE IT FURTHER RESOLVED that no interest shall be charged if payment of any installment is made by the 10th of the month after the date upon which the same became payable, effective January 1, 2021. In the event that the 10th of the month falls on a Saturday, Sunday or Legal Holiday, the date of the Grace Period ends with the following working day.

BE IT FURTHER RESOLVED that pursuant to *N.J.S.A.54:4-67* the Tax Collector is hereby authorized to impose a penalty of 6% on any delinquent taxes and municipal charges in excess of \$10,000 in addition to the interest charges set forth above.

ROLL CALL:

AYES: McGrath, Giblin, Ryan, Roman, McEvoy

NAYS:

RESOLUTION No. 2021-009

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

**AUTHORIZING TAX COLLECTOR TO MAKE CORRECTIONS AND/OR
ADJUSTMENT NOT EXCEEDING \$10.00**

WHEREAS, the Tax Collector has to make certain corrections and adjustments to the accounts in the Tax Collector's Office; and

WHEREAS, it is proper bookkeeping procedure to have the Tax Collector's record reflect that there are no monies due and owing; and

WHEREAS, *N.J.S.A 40A:5-17.1* allows the Tax Collector to process property tax refunds and cancellations or delinquency of less than \$10.00.

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 make any corrections or adjustments to the accounts in the office of the Tax Collector where the correction or adjustment does not exceed \$10.00.

ROLL CALL:

AYES: McGrath, Giblin, Ryan, Roman, McEvoy

NAYS:

RESOLUTION No. 2021-010

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

**AUTHORIZING TAX COLLECTOR TO REFUND
PROPERTY TAX AND UTILITY OVERPAYMENTS**

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 refund property tax and utility overpayments

to the accounts in the office of the Tax Collector when deemed appropriate and necessary.

ROLL CALL:

AYES: McGrath, Giblin, Ryan, Roman, McEvoy

NAYS:

RESOLUTION No. 2021-011

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

TEMPORARY APPROPRIATIONS FOR OPERATING PURPOSES

WHEREAS, *N.J.S.A. 40A:4-19* provides that, where any contracts, commitments, or payments are to be made prior to the adoption of the 2021 budget, temporary appropriations be made for the purpose and amount required in the manner and time therein provided; and

WHEREAS, the total appropriation in the 2020 budget, exclusive of any appropriations made for principal and interest of debt, public assistance, and capital improvement fund, is the sum of \$21,247,733 for the Current Fund, \$5,890,568 for the Water/Sewer Utility Fund, and \$553,850 for the Pool Utility; and

WHEREAS, the temporary budget shall not exceed 26.25% of the total appropriations in the 2020 budget, exclusive of any appropriations made for principal and interest of debt, public assistance, and capital improvement fund, which is the sum of \$5,577,529 for the Current Fund, \$1,546,274 for the Water/Sewer Utility Fund, and \$145,385 for the Pool Utility Fund.

NOW, THEREFORE, BE IT RESOLVED BY the Township Council of the Township of Verona, County of Essex, that the following temporary appropriations for 2021 operating purposes be made in the amount of \$5,500,000 for the Current Fund, \$1,540,000 for the Water/Sewer Utility Fund, and \$145,000 for the Pool Utility Fund.

ROLL CALL:

AYES: McGrath, Giblin, Ryan, Roman, McEvoy

NAYS:

RESOLUTION No. 2021-012

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

AUTHORIZING THE SETTLEMENT OF TAX APPEALS RESULTING IN A REDUCTION NOT EXCEEDING \$10,000.00

WHEREAS, there are tax appeals before the County Tax Board or the Tax Court of New Jersey where the amount of reduction in the total annual taxes as a result of a settlement does not exceed \$10,000.00 per tax year; and

WHEREAS, it will be more cost efficient for the Township to permit the Tax Assessor, the Attorney and the Township Manager to settle those tax appeals without the necessity of obtaining Township Council approval by way of a resolution.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Verona, in the County of Essex, New Jersey that the Tax Assessor, the Attorney and the Township Manager are hereby authorized to settle any tax appeal where the amount of reduction in the total annual taxes as a result of a settlement does not exceed \$10,000.00 per tax year.

BE IT FURTHER RESOLVED that all settlements authorized pursuant to this Resolution shall be reported at the next meeting thereafter of the Township Council.

ROLL CALL:

AYES: McGrath, Giblin, Ryan, Roman, McEvoy

NAYS:

RESOLUTION No. 2021-013

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

AUTHORIZING THE FILING OF ASSESSOR'S TAX APPEALS, ANSWERS, COUNTERCLAIMS, APPEALS AND CROSS APPEALS IN TAX MATTERS ON BEHALF OF THE TOWNSHIP OF VERONA

WHEREAS, statutory tax appeals and other matters and applications affecting the taxation of real property within the Township of Verona are routinely filed with the Essex County Board of Taxation and the Superior Court of New Jersey; and

WHEREAS, the Township Council finds it to be in the best interest of the citizens of the Township to authorize and direct the Tax Assessor to take any and all action that he/she deems advisable in such tax matters in order to protect, promote and advance the Township's interest in assuring that each property within the Township is fairly and equitably assessed in accordance with the law; and

WHEREAS, the Township Council finds it to be in the best interest of the citizens of the Township to authorize and direct the Township Attorney and/or Special Counsel to assist the Tax Assessor in such tax matters referred to herein;

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Verona, County of Essex, State of New Jersey that the Tax Assessor of the Township of Verona be and is hereby authorized and directed to prepare, file, pursue and litigate, if necessary, any Assessor's Tax Appeals, Answers to Tax Appeals, Counterclaims, Appeals and Cross-Appeals in statutory tax appeals and other matters and applications affecting the taxation of real property within the Township of Verona as may be filed with the Essex County Board of Taxation and/or the Superior Court of the State of New Jersey, that the Tax Assessor deems advisable in such tax matters in order to protect, promote and advance the Township's interest in assuring that each property within the Township is fairly and equitably assessed in accordance with the law.

BE IT FURTHER RESOLVED that notwithstanding the foregoing, the Tax Assessor shall provide the Township Manager and the Township Council with a quarterly report detailing all pending tax appeals, and shall be required to obtain the prior approval and consent of the Township Council for the following:

1. The settlement of all non-residential tax appeals.
2. The hiring of expert witnesses for purposes other than real property appraisals.
3. The Tax Attorney for the Township of Verona be and are hereby authorized and directed to take any and all action said Attorney deems advisable to assist the Tax Assessor of the Township of Verona in such tax matters as are referred to herein.
4. The Township Manager, Township Tax Assessor, Township Tax Attorney be and are hereby authorized to take all necessary and appropriate actions to carry out the subject and intent of this Resolution.

ROLL CALL:

AYES: McGrath, Giblin, Ryan, Roman, McEvoy

NAYS:

RESOLUTION No. 2021-014

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

APPOINTING A PUBLIC AGENCY COMPLIANCE OFFICER

WHEREAS, *N.J.A.C. 17:27-3.5* requires a municipality to designate an officer or employee to serve as its Public Agency Compliance Officer; and

WHEREAS, it has been determined that the Township Manager, Matthew Cavallo, shall serve as the Public Agency Compliance Officer for the Township.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Verona, in the County of Essex, New Jersey that in pursuant to the provisions of *N.J.A.C. 17:27-3.5* the Township Manager, Matthew Cavallo, is hereby designated as the Public Agency Compliance Officer for the Township of Verona.

BE IT FURTHER RESOLVED that the Municipal Clerk is hereby directed to forward a copy of this resolution to the State of New Jersey, Department of the Treasury, Public Contract Equal Employment Opportunity Compliance Monitoring Program.

ROLL CALL:

AYES: McGrath, Giblin, Ryan, Roman, McEvoy

NAYS:

RESOLUTION No. 2021-015

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

AUTHORIZING PARTICIPATION IN THE LAW ENFORCEMENT SUPPORT OFFICE PROGRAM

WHEREAS, Federal law permits the Secretary of Defense to transfer to Federal and State agencies personal property of the Department of Defense that the secretary determines is suitable for use by agencies in law enforcement activities; and

WHEREAS, known as the "Law Enforcement Support Office (LESO) 1033 Program", this program allows local law enforcement agencies to obtain, at little or no cost, surplus federal property originally intended for use by the United States Armed Forces; and

WHEREAS, although equipment is provided through the "Law Enforcement Support Office (LESO) 1033 Program" at no cost to county and municipal law enforcement agencies, these agencies are responsible for costs associated with the maintenance, fueling and upkeep of the equipment and for specialized training for its operation; and

WHEREAS, taxpayers are the primary consumers and financiers of services provided by county and municipal law enforcement agencies and have the right to be assured that their money is being spent in an efficient and effective manner and the right to know the purposes for which public funds are utilized; and

WHEREAS, it is appropriate to establish a system of local oversight for county and municipal law enforcement agencies that participate in and acquire equipment through the "Law Enforcement Support Office (LESO) 1033 Program" and guidelines for the use of this equipment by those agencies; and

WHEREAS, an application for the enrollment of a municipal law enforcement agency in any program established by the United States Department of Defense pursuant to 10 U.S.C. s.2576a shall be approved by a resolution adopted by a majority of the full membership of the governing body of a local unit prior to the transmittal of any such application to the State Coordinator of any such program.

NOW, THEREFORE, BE IT RESOLVED that the Township Council of the Township of Verona, County of Essex, State of New Jersey does hereby authorize and approve participation in the "Law Enforcement Support Office (LESO) 1033 Program" established by the United States Department of Defense pursuant to 10 U.S.C. s.2576a.

BE IT FURTHER RESOLVED that the Township Manager, Chief of Police and the Township Clerk are hereby authorized to make application for the enrollment on behalf of the Township of Verona.

BE IT FURTHER RESOLVED that the Township Manager is here by authorized to approve the acquisition of any property deemed appropriate under this agreement.

ROLL CALL:

AYES: McGrath, Giblin, Ryan, Roman, McEvoy

NAYS:

RESOLUTION No. 2021-016

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

AUTHORIZING A CONTRACT WITH ALOIA LAW FIRM LLC, ATTORNEYS AT LAW FOR TOWNSHIP ATTORNEY SERVICES

WHEREAS, the Township has a need for legal services for the period commencing on January 1, 2021 and terminating on December 31, 2021; and

WHEREAS, the Township has received a proposal from Aloia Law Firm LLC, Attorneys at Law, 2 Broad Street, Suite 407, Bloomfield, New Jersey 07003 to represent the Township as the Township Attorney for 2021 at the same rate of compensation as in 2020; and

WHEREAS, the Township Manager has recommended that the Aloia Law Firm LLC be awarded a contract to provide the aforementioned services; and

WHEREAS, the award of the contract to the Aloia Law Firm LLC is being made pursuant to a fair and open solicitation.

WHEREAS, the cost for said professional services shall be set at a monthly retainer of \$6,000 per month worked, or any portion thereof for "General Services" as outlined in the agreement, plus \$125 per hour for any and all legal services outside of the "General Services" performed by the Attorney, \$75 per hour for any paralegal work performed on services other than "General Services", plus the cost of any reimbursable items; and

WHEREAS, this expenditure shall be charged to Account No. 01-20-155-027, or any other account that may be deemed appropriate by the Chief Financial Officer or his designee, and have been contingently certified by the Chief Financial Officer of the Township pending approval of the 2021 Budget.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Verona, in the County of Essex, New Jersey that Aloia Law Firm LLC, Attorneys at Law, 2 Broad Street, Suite 407, Bloomfield, New Jersey 07003 is hereby awarded a contract to provide to provide legal services for the period commencing on January 1, 2021 and terminating on December 31, 2021.

BE IT FURTHER RESOLVED that the cost for said professional services shall be set at a monthly retainer of \$6,000 per month worked, or any portion thereof for "General Services" as outlined in the agreement, plus \$125 per hour for any and all legal services outside of the "General Services" performed by the Attorney, \$75 per hour for any paralegal work performed on services other than "General Services", plus the cost of any reimbursable items.

BE IT FURTHER RESOLVED that this contract is being awarded pursuant to a fair and open solicitation.

BE IT FURTHER RESOLVED this expenditure shall be charged to Account No. 01-20-155-027, or any other account that may be deemed appropriate by the Chief Financial Officer or his designee, and have been contingently certified by the Chief Financial Officer of the Township pending approval of the 2021 Budget.

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: McGrath, Giblin, Ryan, Roman, McEvoy

NAYS:

RESOLUTION No. 2021-017

A motion was made by Mayor McEvoy; seconded by Councilwoman McGrath that the

following resolution be adopted:

**AUTHORIZING A CONTRACT WITH LAW OFFICES OF MICHAEL A. DeMIRO, JR.
FOR SERVICES AS SPECIAL LEGAL COUNSEL**

WHEREAS, the Township Attorney has determined a need for outside Special Counsel to handle certain litigation matter related to property tax appeals; and

WHEREAS, the Township Manager, concurring with the Township Attorney, has determined that it would be beneficial in to appoint the Law Offices of Michael A. DeMiro, Jr., 155 Pompton Avenue, Verona, New Jersey 07044 as Special Legal Counsel to represent the Township in these matters; and

WHEREAS, the cost for said professional services shall be set at a fixed hourly rate of \$125.00 per hour for attorney services plus the cost of reimbursable expenses, not to exceed \$35,000 for the calendar year without further authorization by the Township Council; and

WHEREAS, this expenditure shall be charged to Budget Account No. 01-20-155-028, or any other account that may be deemed appropriate by the Chief Financial Officer or his designee, and the availability of funds have been contingently certified by the Chief Financial Officer of the Township pending approval of the 2021 Municipal Budget.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Verona, in the County of Essex, New Jersey that the Law Offices of Michael A. DeMiro, Jr. 155 Pompton Avenue, Verona, New Jersey 07044 is hereby appointed as Special Legal Counsel and shall be paid at the fixed hourly rate of \$125.00 an hour, plus the cost of reimbursable expenses, not to exceed \$35,000 for the calendar year without further authorization by the Township Council.

BE IT FURTHER RESOLVED, that the Township reserves the right to cancel this contract upon thirty (30) days' notice and the Law Offices of Michael A. DeMiro, Jr. shall only be paid for the work completed; furthermore, no minimum amount of work or payment is implied or guaranteed.

BE IT FURTHER RESOLVED that this contract is being awarded pursuant to a fair and open solicitation.

BE IT FURTHER RESOLVED that this expenditure shall be charged to Budget Account No. 01-20-155-028, or any other account that may be deemed appropriate by the Chief Financial Officer or his designee, and the availability of funds have been contingently certified by the Chief Financial Officer of the Township pending approval of the 2021 Municipal Budget.

BE IT FURTHER RESOLVED that a notice of this action shall be published once in the Verona-Cedar Grove Times.

BE IT FUTHER RESOLVED that the Township Manager and the Township Clerk are hereby authorized to enter into an agreement for the aforementioned services a copy of which shall be available for public inspection in the Office of the Township Clerk.

ROLL CALL:

AYES: McGrath, Giblin, Ryan, Roman, McEvoy

NAYS:

RESOLUTION No. 2021-018

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

**AUTHORIZING A CONTRACT WITH MCMANIMON, SCOTLAND & BAUMANN,
LLC FOR SERVICES AS SPECIAL LEGAL COUNSEL**

WHEREAS, the Township Attorney has determined a need for outside Special Counsel to handle certain matters related to the issuance of bonds and notes and other legal and litigation matters deemed appropriate by the Township Attorney; and

WHEREAS, the Township Manager, concurring with the Township Attorney, has determined that it would be beneficial in to appoint McManimon, Scotland & Baumann, LLC, 75 Livingston Avenue, Roseland, New Jersey 07068 as Special Legal Counsel to represent the Township in these matters; and

WHEREAS, the award of the contract to McManimon, Scotland & Baumann, LLC, is being made pursuant to a fair and open solicitation.

WHEREAS, the cost for said professional services shall be set at a fixed hourly rates of ranging from \$125.00 to \$ 215 per hour for services plus the cost of reimbursable expenses, not to exceed \$50,000 for the calendar year without further authorization by the Township Council; and

WHEREAS, this expenditure shall be charged to Budget Account No. 01-20-155-028, certain Capital Ordinances, or any other account that may be deemed appropriate by the Chief Financial Officer or his designee, and the availability of funds have been contingently certified by the Chief Financial Officer of the Township pending approval of the 2021 Municipal Budget.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Verona, in the County of Essex, New Jersey that McManimon, Scotland & Baumann, LLC, 75 Livingston Avenue, Roseland, New Jersey 07068 is hereby appointed as Special Legal Counsel and shall be paid at hourly rates of \$125 - \$ 215 per hour, plus the cost of reimbursable expenses, not to exceed \$50,000 for the calendar year without further authorization by the Township Council.

BE IT FURTHER RESOLVED, that the Township reserves the right to cancel this contract upon thirty (30) days' notice and McManimon, Scotland & Baumann, LLC shall only be paid for the work completed; furthermore, no minimum amount of work or payment is implied or guaranteed.

BE IT FURTHER RESOLVED that this contract is being awarded pursuant to a fair and open solicitation.

BE IT FURTHER RESOLVED that this expenditure shall be charged to Budget Account No. 01-20-155-028, certain Capital Ordinances, or any other account that may be deemed appropriate by the Chief Financial Officer or his designee, and the availability of funds have been contingently certified by the Chief Financial Officer of the Township pending approval of the 2021 Municipal Budget.

BE IT FURTHER RESOLVED that a notice of this action shall be published once in the Verona-Cedar Grove Times.

BE IT FUTHER RESOLVED that the Township Manager and the Township Clerk are hereby authorized to enter into an agreement for the aforementioned services a copy of which shall be available for public inspection in the Office of the Township Clerk.

ROLL CALL:

AYES: McGrath, Giblin, Ryan, Roman, McEvoy

NAYS:

RESOLUTION No. 2021-019

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

**AWARDING CONTRACT No. 20-09 DEMOLITION OF STRUCTURES
AT 860 BLOOMFIELD AVENUE, VERONA, NJ**

WHEREAS, the Township of Verona received bids for Demolition of Structures at 860 Bloomfield Avenue, Verona, NJ - Contract No. 20-09 on December 29, 2020; and

WHEREAS, seven (7) bids were received for Contract 20-09; and

WHEREAS, All County Services LLC, 128 Little Falls Road, Cedar Grove, New Jersey 07009 was the lowest responsive and responsible bidder in the Base Bid Amount of \$39,002.00; and

WHEREAS, the Township Manager/Qualified Purchasing Agent has reviewed and recommends the Contract award be made to All County Services LLC, as the lowest responsive and responsible bid.

NOW, THEREFORE BE IT RESOLVED by the Township Council of the Township of Verona, in the County of Essex, New Jersey that the contract for Contract No. 20-09 be awarded, to the lowest responsive and responsible bidder, All County Services LLC, 128 Little Falls Road, Cedar Grove, New Jersey 07009 in the total amount of \$39,002.00.

BE IT FURTHER RESOLVED that this expenditure shall be charged against Capital Account

No. C-53-46-035-000 - Bond Ordinance No. 2020-12 or any other account that may be deemed appropriate by the Chief Financial Officer or his designee, and the availability of funds has been certified by the Chief Financial Officer.

ROLL CALL:

AYES: McGrath, Giblin, Ryan, Roman, McEvoy

NAYS:

RESOLUTION No. 2021-020

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

REFUNDING TAX LIEN REDEMPTION

WHEREAS, property located at 26 Crestmont Road, Block 104 Lot 13, owned by William Sapoch, has been held in tax lien since December 6, 2018; and

WHEREAS, payment was received, in the amount of \$83,974.47 from Corelogic, clearing the lien as follows:

Certificate #18-00002	
Certificate	\$18,991.34
6% Redemption Penalty	\$ 1,139.48
Interest on Certificate	\$ 7,102.76
Recording Fee	\$ 11.00
Search Fee	\$ 12.00
2018 Taxes plus Interest	\$23,003.10
2018 6% Year End Penalty	\$ 997.45
2019 Taxes plus Interest	\$18,667.73
2018 6% Year End Penalty	\$ 938.93
2020 Taxes plus Interest	\$ 8,138.42
Foreclosure fees	\$ 4,972.26
Total	\$83,974.47

WHEREAS, this certificate has been held by the Township of Verona and the certificate has been received and properly signed for cancellation.

NOW, THEREFORE, BE IT RESOLVED, that the Chief Financial Officer and Tax Collector be authorized to refund, from Trust, \$83,974.47 to:

Township of Verona
600 Bloomfield Avenue
Verona, NJ 07044

Trust Check - Township of Verona - \$83,974.47 Certificate #18-00002

ROLL CALL:

AYES: McGrath, Giblin, Ryan, Roman, McEvoy

NAYS:

RESOLUTION No. 2021-021

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

PERMITTING ITEMS TO BE DISCUSSED IN EXECUTIVE SESSION

WHEREAS, Section 8 of the Open Public Meetings Act, Chapter 231, P.L. 1975, permits the exclusion of the Public from a meeting in certain circumstances; and

WHEREAS, this public body is of the opinion that such circumstances presently exists.

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

1. The public shall be excluded from discussion of an action upon the hereinafter specified subject matter.
2. The general nature of the subject matter to be discussed is as follows:
 - a. Pending, Ongoing, or Anticipated Litigation pursuant to *N.J.S.A. 10:4-12 (7)*
 - 2021 Professional Services
 - b. Personnel Matters pursuant to *N.J.S.A. 10:4-12 (8)*
 - Fire Department
3. It is anticipated at this time that the above stated subject matter will be made public when said subject has been fully discussed by the Council, and the attorney rules this matter may be brought before the public without jeopardizing any pending litigation.
4. This resolution shall take effect immediately.

ROLL CALL:

AYES: McGrath, Giblin, Ryan, Roman, McEvoy

NAYS:

New Business:

Council make the following appointments:

		Term Expires
a. Township Attorney (<i>N.J.S.A. 40A:9-139</i>)	Brian J. Aloia, Esq. <i>Aloia Law Firm, LLC</i>	12/31/2021
b. Municipal Prosecutor (<i>N.J.S.A. 40A:9-139</i>)	Brian W. Mason, Esq.	12/31/2021
c. Municipal Public Defender	William R. Fried, Jr., Esq.	12/31/2021

Public Comment:

Maria Squilante, 6 Belleclaire Place, Verona, New Jersey

Adjournment:

Council enters into Executive Session at 7:56 pm. Motion to adjourn the meeting at 8:35 pm is motioned by Mayor McEvoy; seconded by Councilman Giblin.

The next regular scheduled meeting is January 25, 2021 at 7:00 p.m.

Respectfully submitted,

Jennifer Kiernan
Jennifer Kiernan, Municipal Clerk

Jack McEvoy
Jack McEvoy, Mayor

APPROVED: January 25, 2021