

Minutes of a Regular Meeting of the Verona Township Council on Monday, May 3, 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, 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 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:

Mayor McEvoy reads a proclamation for National Police Week.

Essex County Liaison Julius Coltre is not present this evening. Mayor McEvoy congratulates Captain Paul Watkins, Lieutenant Anthony Condorelli and Sergeant Brendan Huber on their well-deserved promotions. Mr. McEvoy states that June is Pride Month and encourages groups to organize to march with the Council. He attended the ribbon cutting ceremonies for Alpha Fitness and Asian Fusion on Saturday.

Manager's Report:

Mr. Cavallo reports that the County held it's Hazardous Waste Collection last Saturday and had a record number of drop offs. The Computer and Electronic Recycling Day will be held on May 15th at 99 West Bradford Avenue in Cedar Grove. He reminds the public that the Township is no longer collecting electronic recycling and should go to the County location. The County has two testing locations: 99 West Bradford Avenue in Cedar Grove on Saturdays from 8am to Noon and The Essex County Hall of Records on Tuesdays from 3:30 p.m. - 6:30 p.m. The County has a large number of vaccines and is accepting walk-ins at Kmart in West Orange and Essex County College in Newark as they scale down locations.

Mr. Cavallo announces that Police Department Chief Christopher Kiernan and Captain Dave Wardrope are in attendance this evening to present the Department's 2021 Year End Review.

Mr. Cavallo congratulates Captain Watkins, Lieutenant Condorelli and Sergeant Huber on their promotions. The Township's Fairness Hearing was held on April 30th with PIRHL receiving the necessary tax credits to move forward with their affordable housing project. The Community Garden had their grand opening on Saturday. The Township has job openings for part time police dispatchers, crossing guards and the Community Pool. Mr. Cavallo commends the Municipal Clerk for her hard work as the 51st Annual Municipal Clerks Appreciation Week is celebrated.

Christian Dietz has resigned from the Environmental Commission. Mr. Cavallo appoints Anthony Castillo to fill the unexpired term ending 6/30/2021 with unanimous consent of the Council.

Municipal Clerk Jennifer Kiernan gives an update on the upcoming Municipal Election.

Councilmember's Reports:

Deputy Mayor Roman attended the promotion ceremony of the 3 police officers and congratulates the newly promoted Captain Watkins, Lieutenant Condorelli and Sergeant Huber. He also congratulates the Municipal Clerk on her hard work for the upcoming election.

Councilman Ryan echoes the comments of the Deputy Mayor on the promotion ceremony. He thanks the folks who ran the Environmental Commission and Sustainable Verona for the Grove Park clean-up, which was well attended. He also congratulates Steve Neale on the success of the creation of the Community Garden.

Councilman Giblin attended the ribbon cutting ceremonies for Alpha Fitness and Asian Fusion and states that he is pleased to see Verona's downtown as a great destination and hopes the trend continues.

Councilwoman McGrath thanks the Municipal Clerk for her continued hard work as Municipal Clerks week is celebrated. She reminds the public that summer camp registration is underway, with 4 camps being held at 3 sites. She is hopeful that there will be a Verona swim team and resurfacing of the pool tennis courts as the Community Pool is opening for full attendance this summer. She attended the VMAC meeting where it was announced that the Committee has purchased the film "First Day" which can be shown in schools. However, there are some leadership changes with the Committee as they are now looking for a grant coordinator and but the Chair and Vice-Chair are stepping down.

ORDINANCE No. 2021-13

BOND ORDINANCE PROVIDING FOR ADA IMPROVEMENTS AT TOWN HALL AND ADA IMPROVEMENTS NEEDED TO FACILITATE VOTING AT FN BROWN SCHOOL IN AND BY THE TOWNSHIP OF VERONA, IN THE COUNTY OF ESSEX, NEW JERSEY, APPROPRIATING \$195,000 THEREFOR, INCLUDING \$99,840 EXPECTED TO BE RECEIVED AS A COMMUNITY DEVELOPMENT BLOCK GRANT, AND AUTHORIZING THE ISSUANCE OF \$195,000 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE THE COST THEREOF

The Municipal Clerk reads Ordinance No. 2021-13 by title into record.

Motion to adopt Ordinance No. 2021-13 is moved by Mayor McEvoy; seconded by Councilwoman McGrath.

Public Hearing:

None.

ROLL CALL:

AYES: McGrath, Giblin, Ryan, Roman, McEvoy

NAYS:

Ordinance No. 2021-13 is adopted 5-0 and will be published according to law.

ORDINANCE No. 2021-14

ADOPTING THE REDEVELOPMENT PLAN ENTITLED "THE FIRST AMENDED AND RESTATED SUNSET AVENUE REDEVELOPMENT AREA REDEVELOPMENT PLAN" PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW N.J.S.A. 40A:12A-1 et seq.

The Municipal Clerk reads Ordinance No. 2021-14 by title into record.

Motion to introduce Ordinance No. 2021-14 is moved by Deputy Mayor Roman; seconded by Councilman Ryan.

Mr. Cavallo reports that this is the amendment to the redevelopment plan adopted on March 8th and effective as of March 28th. Should this ordinance be introduced, it will then be referred to

the Planning Board, who will have 45 days to return their findings to the Council. The Planning Board's next meeting is May 27, but they may hold a special meeting for this ordinance before that date.

ROLL CALL:

AYES: McGrath, Giblin, Ryan, Roman, McEvoy

NAYS:

Ordinance No. 2021-14 is introduced 5-0 and will be published according to law and referred to the Planning Board by the Municipal Clerk.

ORDINANCE No. 2021-15

**AMENDING CHAPTER 150 (ZONING) OF THE CODE OF THE TOWNSHIP
OF VERONA PROHIBITING THE OPERATION OF ANY CLASS OF
CANNABIS BUSINESSES WITHIN ITS GEOGRAPHICAL BOUNDARIES**

The Municipal Clerk reads Ordinance No. 2021-15 by title into record.

Motion to introduce Ordinance No. 2021-15 is moved by Mayor McEvoy; seconded by Deputy Mayor Roman.

ROLL CALL:

AYES: McGrath, Giblin, Ryan, Roman, McEvoy

NAYS:

Ordinance No. 2021-15 is introduced 5-0 and will be published according to law will be referred to the Planning Board by the Municipal Clerk.

ORDINANCE No. 2021-16

**REPEALING CHAPTER 390 "PROPERTY MAINTENANCE" IN ITS
ENTIRETY AND ESTABLISHING A NEW CHAPTER 390 "PROPERTY
MAINTENANCE"**

The Municipal Clerk reads Ordinance No. 2021-16 by title into record.

Motion to introduce Ordinance No. 2021-16 is moved by Councilwoman McGrath; seconded by Councilman Ryan.

ROLL CALL:

AYES: McGrath, Giblin, Ryan, Roman, McEvoy

NAYS:

Ordinance No. 2021-15 is introduced 5-0 and will be published according to law and a public hearing will be held on May 17, 2021.

The meeting minutes from April 19, 2021 are unanimously approved.

Public Comment on Consent Agenda:

None.

RESOLUTION No. 2021-067

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

**APPROVING THE CERTIFICATION LIST OF MEMBERS OF THE FIRE
DEPARTMENT QUALIFYING FOR CREDIT UNDER THE LENGTH OF
SERVICE AWARDS PROGRAM (LOSAP) FOR 2020**

WHEREAS, The Township adopted Ordinance No. 10-99 which created the Length of Service- Awards Program (LOSAP) which was subsequently amended by Ordinance No. 2018-33 and codified in Article II of Chapter 35 of the Code of the Township of Verona; and

WHEREAS, *N.J.S.A. 40A:14-191* requires that the Fire Chief furnish the Township Council with an annual certification list of all volunteer members who have qualified for credit under the award program for the previous year.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Verona, in the County of Essex, New Jersey that the list of the volunteer members of the Fire Department certified by the Fire Chief for the year 2020, a copy of which list is attached here as Exhibit A is approved.

BE IT FURTHER RESOLVED that a copy of this list has been posted for at least thirty (30) days in the respective fire companies.

ROLL CALL:

AYES: McGrath, Giblin, Ryan, Roman, McEvoy

NAYS:

RESOLUTION No. 2021-068

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

AUTHORIZING AN INTERLOCAL SERVICES AGREEMENT WITH THE BOROUGH OF CALDWELL TO PROVIDE PLANT WATERING

WHEREAS, the Uniform Shared Services and Consolidation Act, *N.J.S.A. 40A:65-1 et seq.* (the "Act"), authorized local units of this State to enter into agreements with any other local unit or units to provide or receive any service that each local unit participating in the agreement is empowered to provide or receive in its own jurisdiction; and

WHEREAS, the Township of Verona and the Borough of Caldwell are desirous to enter an Interlocal Services agreement to provide flower basket watering; and

WHEREAS, the Township of Verona and the Borough of Caldwell have reached an agreement as to the terms and conditions associated with said agreement; and

WHEREAS, it is in the best interest of both municipalities to enter into this Interlocal Services Agreement for the period beginning on or around May 28, 2021 and terminating on or around October 3, 2021.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Verona, in the County of Essex, New Jersey that Township Manager and Township Clerk are hereby authorized to execute an Interlocal Services Agreement with the Borough of Caldwell to provide plant watering services.

BE IT FURTHER RESOLVED that the Township Clerk shall transmit a certified copy of this resolution to the Clerk of the Borough of Caldwell.

ROLL CALL:

AYES: McGrath, Giblin, Ryan, Roman, McEvoy

NAYS:

RESOLUTION No. 2021-069

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

RESOLUTION AWARDING THE CONTRACT FOR REFRESHMENT CONCESSION SERVICES AT THE VERONA COMMUNITY POOL FOR THE 2021 POOL SEASON

WHEREAS, the estimated net income of the Contractor to provide Refreshment Concession Services at the Verona Community Pool for the 2021 Pool Season will be below the bid threshold of \$44,000 set by the Township Council in Resolution No. 2021-106 due to limited occupancy requirements and estimated less than normal membership as a result of the COVID-19 pandemic and the health emergency in effect in the State of New Jersey; and

WHEREAS, when the cost or price of any contract awarded by the contracting agent in the aggregate does not exceed in a contract year the total sum of the bid threshold, the contract may be awarded by a purchasing agent when so authorized by resolution of the governing body of the contracting unit without public advertising for bids pursuant to *N.J.S.A. 40A:11-3*; and

WHEREAS, the Township Manager/Qualified Purchasing Agent has negotiated a contract with Lakeside Deli/Eight Hills Caterers (hereinafter "Contractor"), 542 Bloomfield Ave, Verona, New Jersey 07044 to provide Refreshment Concession Services at the Verona Community Pool for the 2021 Pool Season; and

WHEREAS, the Contractor has agreed to pay the Township a lump sum of \$7,500 for the award of the Contract.

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 Refreshment Concession Services at Verona Community Pool for the 2021 Pool Season be awarded to Lakeside Deli/Eight Hills Caterers.

ROLL CALL:

AYES: McGrath, Giblin, Ryan, Roman, McEvoy

NAYS:

RESOLUTION No. 2021-070

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

REFUNDING TAX LIEN REDEMPTION

WHEREAS, property located at Behind Building 8, Block 1712 Lot 1 Qualifier C7046, owned by Anne Bulger, has been held in tax lien since December 5, 2019; and

WHEREAS, payment was received, in the amount of \$548.37 from Anne Bulger, clearing the lien as follows:

Certificate #19-00004	
Certificate	\$ 56.83
Recording Fee	\$ 53.00
Search Fee	\$ 12.00
2019 Taxes plus Interest	\$194.73
2020 Taxes plus Interest	\$186.91
2021 Taxes plus Interest	\$ 44.90
Premium	\$100.00
Total	\$648.37

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, \$648.37 to:

Lawrence Gonnello
11 Evelyn Road
Roseland, NJ 07068

Trust Check - Lawrence Gonnello - \$648.37 Certificate #19-00004

ROLL CALL:

AYES: McGrath, Giblin, Ryan, Roman, McEvoy

NAYS:

RESOLUTION No. 2021-071

A motion was made Councilman Ryan; seconded by Deputy 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.
2. The general nature of the subject matter to be discussed is as follows:
 - a. Pending, Ongoing, or Anticipated Litigation and Contract Negotiations pursuant to N.J.S.A. 10:4-12 (7)
 - Docket No. ESX-L-4773-15
(In All Declaratory Judgement Actions Filed by Various Municipalities, County of Essex, Pursuant to the Supreme Court’s Decision in In re Adoption of N.J.A.C. 5:96, 221 N.J. 1 (2015))
 - Sunset Avenue Redevelopment Plan
 - Essex Fells Water
 - Water Utility
 - 5G Consultant

ROLL CALL:

AYES: McGrath, Giblin, Ryan, Roman, McEvoy

NAYS:

The Township Manager leads a discussion on a small cell wireless facilities ordinance and celebrating Pride Month in June which will include a flag raising ceremony in the Civic Center.

Public Comment:

Jessica Pearson, 20 Montclair Avenue, Verona, New Jersey
Val Brahver, 6 Cliff Street, Verona, New Jersey
Cynthia Holland, 109 So. Prospect Avenue, Verona, New Jersey

Council enters into Executive Session at 9:31 p.m.

Adjournment:

Council returns from Executive Session and a motion to adjourn the meeting at 9:50 p.m. is made by Mayor McEvoy; seconded by Deputy Mayor Roman.

The next regular scheduled meeting is May 17, 2021 at 7:00 p.m.

Respectfully submitted,

Jennifer Kiernan
Jennifer Kiernan, Municipal Clerk

Jack McEvoy
Jack McEvoy, Mayor

APPROVED: May 17, 2021