

Minutes of a Regular Meeting of the Verona Township Council on Monday, August 16, 2021, beginning at 7:00 p.m. in the Municipal Building, 600 Bloomfield Avenue, Verona, New Jersey and via Zoom video conferencing platform.

Call to Order:

Municipal Clerk reads notice of Open Public Meetings law. The notice requirements of the Open Public Meetings Act have been satisfied with respect to this meeting of the Township Council which is being held via Zoom video conferencing 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 reports that testing is still available at both Kmart and Essex County College. He stresses the importance of the vaccine and states that the County is now accepting walk-ins at both Kmart and Essex County College Monday through Saturday from 9am - 5pm in an attempt to lessen the ability of this virus.

Mayor Roman explains that a majority of Covid cases are the Delta variant. The Township has reestablished mask requirements in the municipal buildings as the Township has a 70% vaccination rate among its residents. He states that National Night Out was a great chance to connect with the community. He also thanks the police department for stopping the potential for fraud in protecting one of our residents. He advises the public to be cautious with phone scams.

Manager's Report:

Mr. Cavallo reminds the public to sign up for the Township's Online Monthly Newsletter and AlertVerona.

He reports that COVID is spreading quickly in nearly all of NJ. Unfortunately, since our last meeting on August 2, Verona has an additional 38 reported COVID cases. The CDC recommends that everyone in the 20 counties – vaccinated and unvaccinated – should wear masks in public spaces indoors, based on new guidelines the CDC announced last week. All Verona employees, volunteers and contractors are again wearing masks indoors. Visitors to municipal offices are also asked to don a mask prior to entering the building. If anyone doesn't have a mask, one will be provided to you prior to service.

As of today, the NJDEP has still not approved the notice that will be mailed to each water user pursuant to the Notice of Violation. Hopefully approval will be granted this week and the notice will be sent out within a week from the approval. On the agenda this evening is the introduction of a Bond Ordinance appropriating \$500,000 to fund the necessary design and engineering necessary to implement the necessary remediation. That Ordinance will be considered for adoption at a special meeting held on August 31. The Township is currently in the process of soliciting proposals from engineering firms to complete the design and engineering work required. It is his hope to be in a position to award a contract to an engineering firm at our simultaneously with the adoption of the Bond Ordinance. Once designed and NJDEP approval

is granted, the Township will immediately go out to bid for the construction of the remediation. It is too early to give an accurate timeline but after speaking with several companies that manufacture PFOA remediation systems, construction may take between 3-4 months due to time necessary to manufacture the holding cylinders for the medium.

The Planning Board Master Plan Committee has reviewed and scored the 11 proposals for the Re-Examination of the Master Plan. They are in the process of preparing a recommendation to be approved by the entire Planning Board at their regular meeting on August 26.

The Township is currently aware of an issue with the Linn Drive water tank overflowing at times and washing out part of the Hilltop Reservation walking trails. Maintenance Staff is currently troubleshooting the issue but believes it might be a communications issue.

The Roadway Reconstruction project on Lynwood Road has started back up. Milling began today and will continue tomorrow. Weather permitting, paving will occur on Wednesday and Thursday.

PSE&G is working to complete with gas main replacement on Ann Street, Cypress Avenue, Willow Terrace and Steven Avenue. The main should be completely installed within the next weeks and then they will move onto service replacement. The new main was connected to the exiting main on Grove Avenue. Final design is almost complete with regard to the reconstruction of Ann Street, Cypress Avenue, Willow Terrace and Steven Avenue. At the next meeting the Council will be presented with two Bond Ordinances for introduction so we can go out to bid and award a contract. The first will be from the Water & Sewer Utility Capital Fund in the amount of \$1,000,000 to fund the replacements to the water distribution mains and sanitary sewer collection system lines. The second will from the General Capital Fund in the amount of \$3,000,000 to fund all other work required including but not limited to road resurfacing, sidewalk and driveway apron replacement and curb replacement. The \$3,000,000 is offset by a grant from NJDOT in the amount of \$505,000.

At the next meeting, the Township Manager plans to present for consideration of funding the following projects: General Capital Fund for Ann Street, Cypress Avenue, Willow Terrace and Steven Avenue Road Reconstruction for \$3,000,000 including a grant from the NJDOT in the amount of \$505,000. Cook Lane Roadway Construction for \$300,000, Water & Sewer Capital Fund for the Water Utility Asset Management Plan in the amount of \$50,000, Underground Storage Tank Removal and Replacement (with an Aboveground Storage Tank) at the Wastewater Treatment Facility in the amount of \$150,000 and Primary Clarifier Pump Station Rehabilitation for \$1,200,000.

The Township has approached by an additional cellular carrier, DISH that is looking to lease space on the Cell Tower behind the Community Center. The Township will be going out to bid in the next week or so accepting proposals for additional leases.

The 2020 Municipal Audit is currently being finalized and we hope to have it for distribution to the Council by the end of the month.

Movie Under The Stars – Raya & the Last Dragon will be held on Wednesday, August 18 at 8:00 p.m. outside on the Civic Center Lawn, 600 Bloomfield Avenue. We will offer free snacks. Bring your own chair and blanket.

The 20th Anniversary Remembrance Program for the events of September 11, 2001 will take place on September 11, 2021 beginning at 8:45 a.m. in the Civic Center.

We are still looking for Site Managers to oversee the use of the Verona Community Center facility including the outdoor fields. The rate of pay is \$15 per hour and you must be available nights and weekends. We are also looking for part-time bus drivers for our Senior Bus. Drivers are needed between 10-18 hours per week. We are still looking for additional School Crossing Guards and Part-Time Public Safety Telecommunicators. Please visit the Township Website for more information.

There will be a Special Meeting of the Township Council on August 31, 2021 via Zoom only for the purpose of adopting the Bond Ordinance being considered for introduction this evening and any other pertinent business that might be necessary.

Addition to tonight's Executive Session is Pending, Ongoing, or Anticipated Litigation and Contract Negotiations pursuant to N.J.S.A. 10:4-12 (7). Specifically, 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))

Deputy Mayor McGrath attended National Night Out and thanks all the first responders. She thought the Touch a Truck and helicopter landing were great for the kids to see. She states that safety advocates were there advocating safe firearm storage. Anyone looking for additional information or tips for discussion should visit BeSmartforKids.org. She also attended the press conference by the County Executive regarding booster shots and vaccines. Congresswoman Mikie Sherrill stressed the importance of vaccines and the Federal response. The Deputy Mayor also reports that the Shade Tree Commission has new leaders: Bob Prout and Teena Schwartz are co-chairs and Val Ryan is the secretary. The meeting was also attended by the Township Manager and Supervisor of Public Works and because of their attendance a lot of issue were cleared up. The Commission also discussed tagging trees in order to have an up to date inventory and mapping system.

Councilman McEvoy states National Night Out was a wonderful evening for all to see what the police, fire and rescue squad do for the Town. He reports that the State police and other EMS workers from around the County were present as well. He reminds the public that vaccinations are available at the Kmart on Saturdays. He states the shot is harmless and there is not a long wait, so to those 30% who are not vaccinated, should get it. He reports that the UNICO Labor Day Classic will be held on September 6 at 9:30 am and pre-registration is open. Registration the day of is also available.

Councilman Tamburro thanks the residents who reached out with questions, concerns and ideas and encourages that practice to continue. He thanks the Junior Woman's Club for their Backpacks for Purpose program supplying students in need with school supplies as school will begin in just a couple weeks. He thanks Mary Farrell in the Township's Department of Community Services for working with families in need. Councilman Tamburro also points out that the Rescue Squad currently has a 50/50 raffle in progress and encourages folks to seek out a squad member to purchase a ticket.

Councilwoman Holland echoes the comments on National Night Out and states it was a very positive experience for the community and families. She notes that the Verona Environmental Commission hosted a "clean up" event to address the damage to the new Fairy Trail in Grove Park. There was also constituent communications regarding dead trees in that park and the Township has responded to that inquiry and will be addressing that issue. She notes that the Verona Public Library is hosting a Fairy House making workshop in late September and urges those interested to register on the Library's website. She compliments the various parties involved including the Girl Scouts for their collaboration and cooperation. She states that although does not have a Rec Committee meeting this month, they continue to make progress in being more inclusive and accepting of all people in our community in regards to recreation. The Recreation Department did send an important reminder regarding the disabled tables. The Councilwoman is meeting with the Rescue Squad tomorrow to tour their facilities.

The Councilwoman states the remainder of her report will concern the PFOA matter. She asks the Township Manager if the Township received a response from DEP on your request for a waiver of the publication deadline, as it is their delay that is causing us to delay in printing/ mailing the notices. The Township Manger replies that the water operator informed him that they acknowledged the request and will get back to us. He states the DEP was also informed of the time it takes for us to prepare and send out the notices. The Councilwoman requests the Township Manager provide a description of the DEP process for reviewing the engineering design for residents at the next Council meeting. She then states that at the last meeting, Mr. Jahr of Brightview Engineering indicated that funding was available from the I-Bank and the Township would be seeking such funding. There is also an Ordinance on the Agenda this evening for \$500k to begin addressing the issue with our wells. She asks the Township Manager if there is any update on I-Bank funding. The Township Manager states that the ordinance was drafted with bond counsel and ensures that the ordinance is written is a way that I-Bank funding can be applied for, and it is. The CFO and Township Manager are still in the process or working together to figure out how to get the initial planning and design covered in a short term loan. The Township has to guarantee that the project will be built within two years so at the next meeting

we should have more information. Councilwoman Holland then requests updates at each council meeting on the funding opportunities as it made national headlines we had the bipartisan senate infrastructure bill that will now proceed to the House of Representatives. Councilwoman Holland read the entire bill and states that the bill includes funding for forever chemicals like the ones Verona has in the well water. However, Verona won't be able to qualify to apply as the bill is currently written, which is a problem. She points out that in 2020 NJ taxpayers sent over \$12 billion more than received from the federal government to subsidize other states. Now the Township is being penalized for being an early actor in addressing these water issues, whereas other municipalities will not even get their notice of violations until the end of this year. It may be worth councilmembers reaching out to not just our federal senators, but state legislatures and DEP to make them aware that if the EPA is going to have this funding, it will not be available to the State of New Jersey and that is a problem. She would be supportive of the utility subcommittee drafting a resolution or the entire council, or correspondence or perhaps even hosting meetings. Mayor Roman states he is in support of all of the above and suggests the subcommittee meet and discuss. The Township Manager then suggests that the Township Attorney draft a letter before the next regular meeting. Councilwoman Holland supports that suggestion.

ORDINANCE No. 2021-23

WATER & SEWER UTILITY CAPITAL ORDINANCE APPROPRIATING \$40,000 FROM THE WATER & SEWER UTILITY CAPITAL IMPROVEMENT FUND FOR ANALYSIS AND ENGINEERING COSTS REQUIRED IN REVIEWING WATER DISTRIBUTION ISSUES AT THE CLARIDGE PROPERTIES IN AND BY THE TOWNSHIP OF VERONA, IN THE COUNTY OF ESSEX, NEW JERSEY

The Municipal Clerk reads Ordinance No. 2021-23 by title into record.

Motion to adopt Ordinance No. 2021-23 is moved by Deputy Mayor McGrath; seconded by Councilman McEvoy.

Public Hearing:

None.

ROLL CALL:

AYES: Holland, Tamburro, McEvoy, McGrath, Roman

NAYS:

Ordinance No. 2021-23 is adopted 5-0 and will be published according to law.

ORDINANCE No. 2021-24

BOND ORDINANCE PROVIDING FOR PRELIMINARY PLANNING EXPENSES FOR IMPROVEMENTS AT THE FAIRVIEW AVENUE AND LINN DRIVE WELLS IN AND BY THE TOWNSHIP OF VERONA, IN THE COUNTY OF ESSEX, NEW JERSEY, APPROPRIATING \$500,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$500,000 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE THE COST THEREOF

Motion to introduce Ordinance No. 2021-24 is moved by Councilwoman Holland; seconded by Councilman Tamburro.

ROLL CALL:

AYES: Holland, Tamburro, McEvoy, McGrath, Roman

NAYS:

Ordinance No. 2021-24 is introduced 5-0 and will be published according to law and a public hearing will be held at a Special Meeting on August 31, 2021.

The meeting minutes from August 2, 2021 are unanimously approved by a vote of 5-0.

Public Comment on Consent Agenda:

None.

RESOLUTION No. 2021-113

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

**AUTHORIZING AN INCREASE TO THE MAXIMUM CONTRACT AMOUNT
WITH BRIGHTVIEW ENGINEERING FOR GENERAL ENGINEERING
SERVICES**

WHEREAS, on January 25, 2021 the Township Council passed Resolution No. 2021-24 appointing Brightview Engineering, 5 Pitcairn Drive, Roseland, New Jersey 07068 to provide general engineering services for the period commencing on February 1, 2021 and terminating on December 31, 2021 not to exceed \$100,000 without further approval of the governing body; and

WHEREAS, to date the Township has paid \$60,240.00 (including \$5,301.25 in land use escrow funds) to Brightview Engineering and has \$41,896.25 (including \$1,882.50 in land use escrow funds) in invoices to be paid for services rendered in July 2021; and

WHEREAS, the Township Manager has determined that the need for engineering services has exceeded the \$100,000 maximum contract amount set by Resolution No. 2021-24; and

WHEREAS, the award of the contract to Brightview Engineering, was made as a result of a fair and open solicitation; and

WHEREAS, the cost for said professional services are set at a fixed hourly rates of ranging from \$125.00 to \$215.00 per hour for services plus the cost of reimbursable expenses; and

WHEREAS, this expenditure shall be charged to Account No. 1-01-26-290-028, 1-05-55-502-028, certain Capital Ordinances, Certain Escrow/Trust Accounts or any other account that may be deemed appropriate by the Chief Financial Officer or his designee, and the availability of funds which shall be certified by the Chief Financial Officer of the Township upon presentation of a property executed Purchase Order that will be prepared and funds identified before the work is performed.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Verona, in the County of Essex, New Jersey that the maximum contract amount awarded to Brightview Engineering, 5 Pitcairn Drive, Roseland, New Jersey 07068 for Engineering Services shall be increased to a maximum amount not to exceed \$200,000 for the calendar year without further authorization by the Township Council.

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 Municipal Clerk are hereby authorized to enter into any agreement necessary for the aforementioned services a copy of which shall be available for public inspection in the Office of the Municipal Clerk.

ROLL CALL:

AYES: Holland, Tamburro, McEvoy, McGrath, Roman

NAYS:

RESOLUTION No. 2021-114

A motion was made by Councilman Tamburro; seconded by Deputy Mayor 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.
 - a. Pending, Ongoing, or Anticipated Litigation and Contract Negotiations pursuant to N.J.S.A. 10:4-12 (7)
 - Essex Fells Water
 - Potential PFAS Litigation
 - Verona Sunset Urban Renewal LLC Redevelopers Agreement
 - Proposed Settlement Agreement - Zoning Officer Appeal - Marve Development Corp., 251 ½ Grove Avenue
 - 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))

ROLL CALL:

AYES: Holland, Tamburro, McEvoy, McGrath, Roman

NAYS:

New/Unfinished Business:

Council discusses the proposed amended Rental Regulations ordinance, specifically on including a senior citizen rate increase cap. The ordinance will be on the August 31 special meeting agenda for introduction.

The Council then continues the discussion from last meeting on the 2021-2023 goals identified by the structured subcommittees including codifying a process for appointments to the Township's boards, committees and commissions; strategic planning; downtown revitalization and economic development; utilities and public infrastructure; a Diversity, Equity and Inclusion group; health and wellness; shared services and facilities for police, fire and rescue.

Public Comment:

Al DeOld, 15 Howard Street, Verona, New Jersey
Gerry Shimonaski, 33 Kenwood Avenue, Verona, New Jersey
Jessica Pearson, 20 Montclair Avenue, Verona, New Jersey

Adjournment:

Council enters into Executive Session at 8:30. Motion to adjourn the meeting at 10:04 p.m. is made by Councilman Tamburro; seconded by Councilwoman Holland.

The next regular scheduled meeting of the Township Council is on September 20, 2021 at 7:00 p.m.

Respectfully submitted,


Jennifer Kiernan, Municipal Clerk


Alex Roman, Mayor

APPROVED: September 20, 2021