

Minutes of a Regular Meeting of the Verona Township Council on Monday, March 22, 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:

Essex County Liaison Julius Coltre reports the bridge in Verona Park has been repaired and should be accessible within a month. Food distribution will take place in Hendricks Golf Course in Belleville. There continue to have 5 vaccination sites in Essex County: Essex County College, The Donald Payne School, West Caldwell Vo-Tech, the old Sears at Livingston Mall and the old Kmart location in West Orange. Teachers are now eligible for vaccines and can go online to EssexCovid.org to make an appointment.

Mayor McEvoy reads a proclamation declaring National Poison Prevention Week. He also reads a proclamation for standing in solidarity with Asian-Americans in our community.

Manager's Report:

The \$1.9 trillion American Rescue Plan (ARP) was signed into law on March 11 by President Biden. The ARP is designed to facilitate the recovery from the economic and health effects of the COVID-19 pandemic. ARP Funding is in addition to the \$2.2 trillion Coronavirus Aid, Relief and Economic Security (CARES) Act passed in March 2020 and the \$900 billion Pandemic Relief Bill passed in December 2020. The Township of Verona is estimated to directly receive \$1,315,329 and the Verona Public Schools are estimated to receive \$1,673,000.

Mr. Cavallo plans to have a brief discussion about upcoming Capital Budget matters for 2021 and beyond and to finalize discussions regarding the remaining parts of the budget. At this time, the State has indicated that they do not intend to issue any further extensions to the Budget Deadlines and the ARP funds are not permitted to directly or indirectly be utilized to offset a reduction in net tax revenue and penalty for doing so will require repayment to the Treasury. Unless there are any strong objections, he intends to recommend the introduction of the 2021 Municipal, Utility and Pool Budgets at our next meeting on April 5, which will be considered an on-time adoption in the eyes of the State.

The Township of Verona will be holding a Community Health Town Hall via Zoom webinar this Wednesday, March 24 at 7:00PM. Township officials and representatives from the County and the Board of Education will answer questions regarding community health and COVID-19. The event will be simulcast on the Township's YouTube Channel and Facebook. Please consider spending an hour with us this Wednesday.

The Township has submitted the Preliminary Damage Assessment to FEMA for Winter Storm

Orlena. However, it was determined by FEMA that Essex County will not be considered for the disaster declaration. This determination is being appealed by the County and State Officials at this time.

Mr. Cavallo states he is pleased to announce that we have begun rolling out our new emergency and community notification system, ALERT VERONA. This system will allow for greater communication between Verona and the residents, especially in an emergency. This new system utilizes text messaging, voice calls, email, social media, and the Smart911 app which will allow us to communicate important updates to residents much more effectively. Our current platform, NIXLE will be phased out and completely replaced by Alert Verona on Friday, April 16th, 2021. ALERT VERONA has been pre-registered with all landline numbers, but we encourage our residents and businesses to register their cell phones and email addresses at AlertVeronaNJ.org as soon as possible to avoid missing any important information.

Because of Essex County's desire to have students get back to the classroom as soon as possible they have created a special School Employee Vaccination Site starting TODAY. Teachers are to register on EssexCovid.org website. They are setting aside 445 Doses from their allotment towards teachers each day Monday thru Friday. This special allotment is for school employees only. If they do not have an ID or proof that they work in a school (public, private, or charter), they will not receive the vaccine. They must live in Essex County OR work in an Essex County School.

The final lineup for this year's Summer Concert Series is currently in the works and we hope to have material ready for distribution no later than our next meeting on April 5.

Beginning Monday, April 5 overnight parking, municipal lot parking and metered parking enforcement throughout the Township will be enforced. This enforcement has been suspended since the beginning of the COVID pandemic. Parking permits are will be available later this week.

In 2020, the Township received 157 individual tree removal permits, of those permits; 137 Permits were submitted and approved with a letter from a verified licensed tree expert per the ordinance. Which amounted to a total of 292 trees. (No fees or mitigation required) Seven permits were issues that involved the removal of 20 trees. Of those 20 trees 5 trees were to be replanted and 2 were not. The remaining 13 were removed illegally and issued violations. The ordinance is currently under review by our Engineer regarding possible modifications that might be required to the ordinance going forward now that the ordinance has been in effect for over a year.

The Junior Woman's Club of Verona will be hosting a Virtual Candidate Forum on Monday, April 26 starting at 7pm via Zoom. A link is available on our website and Social Media.

The Verona Community Garden Request form is NOW LIVE on the township website!! Please visit the site to complete an application. The deadline for the application is April 12th. On April 15th we will hold a live lottery for the garden at 11am via zoom. Residents can check it out at <https://www.veronanj.org/gardenrequest>

We are still looking for additional School Crossing Guards and Part-Time Public Safety Telecommunicators. Please visit the Township Website for more information. We are also seeking applicants for summer employment at the Pool and within Summer Recreation. Please contact the Community Center for more information.

The Parks and Recreation Advisory Committee is meeting tomorrow. A robust discussion about the spring activities, the pool opening and summer recreation is expected. Anyone from the public wishing to participate can access the meeting on Zoom through the link on our website. The Planning Board Meeting for this Thursday has been cancelled.

Mr. Cavallo wishes everyone a Happy Easter and Passover.

Councilmember's Reports:

Deputy Mayor Roman thanks the mayor for the proclamations and police department for their outreach to Asian business owners.

Councilman Ryan states the Environmental Commission tree giveaway is April 24. Four hundred seedlings will be given out at Grove Park from 9-11:30 a.m. and will coincide with a clean-up of the park. The Verona Park Conservatory will sponsor their annual clean-up on April 17. He also states that Sustainable New Jersey has a program designed to allow lower income homeowners have a free energy audit performed.

Councilman Giblin thanks the mayor for the proclamations. He reports that the Neighborhood Traffic and Safety Advisory Committee met on March 9 where residents expressed concerns regarding traffic as a result of the Sunset Avenue redevelopment and the redevelopment of the Cameco property. He comments that it was one year ago when the children began remote learning at home. He states it is time to get the kids back in school

Councilwoman McGrath echoes the comments made by Councilman Giblin and is concerned of the mental impact on children. She thanks the Township Manager for organizing the community forum. The Parks and Recreation Advisory Committee met and received feedback to try to make summer camps happen as much as possible with the school under heavy construction. She encourages people to participate in future meetings. She states she appreciates the mayor's proclamation and thanks the Police Department for visiting Asian business owners in the community. She requests a brief conversation under New Business regarding what the Township can do to address racial inequality and rising white supremacy and recommit out community to be inclusive, as was stated in the proclamation.

ORDINANCE No. 2021-07

**AN ORDINANCE TO EXCEED THE MUNICIPAL BUDGET
APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A.
40A:4-45.14)**

The Municipal Clerk reads Ordinance No. 2021-07 by title into record.

Motion to adopt Ordinance No. 2021-07 is moved by Councilman Ryan; seconded by Deputy Mayor Roman.

Public Hearing:

None.

ROLL CALL:

AYES: McGrath, Giblin, Ryan, Roman, McEvoy

NAYS:

Ordinance No. 2021-07 is adopted 5-0 and will be published according to law.

ORDINANCE No. 2021-11

**AMENDING CHAPTER 140-7 "NIGHT PARKING" OF THE CODE
OF THE TOWNSHIP OF VERONA**

The Municipal Clerk reads Ordinance No. 2021-11 by title into record.

Motion to adopt Ordinance No. 2021-11 is moved by Mayor McEvoy; seconded by Councilwoman McGrath.

Public Hearing:

None.

ROLL CALL:

AYES: McGrath, Giblin, Ryan, Roman, McEvoy

NAYS:

Ordinance No. 2021-11 is adopted 5-0 and will be published according to law.

Minutes from the March 8, 2021 Regular meeting and March 10, 2021 Special meeting are unanimously approved on a motion made by Councilman Ryan; seconded by Councilman

Giblin.

Public Comment on Consent Agenda:

David Ramsey, Becker Law Firm, [REDACTED]

Council unanimously voted to pull resolution K-4 from tonight's agenda.

RESOLUTION No. 2021-048

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

TEMPORARY APPROPRIATIONS FOR OPERATING PURPOSES

WHEREAS, *N.J.S.A. 40A:4-20* provides that, in addition to temporary appropriations necessary for the period prior to the adoption of the budget and regular appropriations, the governing body may make emergency temporary appropriations for any purposes for which appropriations may lawfully be made for the period between the beginning of the current fiscal year and the date of the adoption of the budget for the current fiscal year and the date of the adoption of the budget for the current fiscal year; and

WHEREAS, the amount of such emergency temporary appropriations shall be included under corresponding headings in the budget as adopted or, if such appropriations are adopted after the introduction and approval of the budget and were not included in the budget as approved such appropriations shall be included by amendment in the budget as adopted without public advertisement or public hearing; and

WHEREAS, the Township has deemed certain emergency temporary appropriations to be necessary and such appropriations are conforming to the provisions of *N.J.S.A. 40A:4-20*.

NOW, THEREFORE, BE IT RESOLVED that pursuant to *N.J.S.A. 40A:4-20* an emergency temporary appropriation be and the same is hereby made for:

Current Fund:	\$ 2,500,000
Water and Sewer Utility:	\$ 650,000
Swimming Pool Utility:	\$ 150,000

BE IT FURTHER RESOLVED the said emergency temporary appropriations will be provided for in the 2020 Budget under the title of same.

BE IT FURTHER RESOLVED that the Chief Financial Officer is hereby directed to file a certified copy of the resolution with the Director of the Division of Local Government Services.

ROLL CALL:

AYES: McGrath, Giblin, Ryan, Roman, McEvoy

NAYS:

RESOLUTION No. 2021-049

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

DISPOSAL OF OBSOLETE TOWNSHIP EQUIPMENT

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

WHEREAS, N.J.S.A. 40A:11-36(7) authorizes the disposition of personal property not needed for public use as part of a purchase to offset the price of the new purchase; and

WHEREAS, it is in the best interest of the Township to dispose of said equipment by destruction specifically eight Philips Heartstart FRX Automated External Defibrillators which have been recalled (Serial Numbers B09J-00734, B09J-00663, B09J-00688, B09J-00689, B09J-00729, B09J-00701, B09J-00586, and B09J-00394).

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

ROLL CALL:

AYES: McGrath, Giblin, Ryan, Roman, McEvoy

NAYS:

RESOLUTION No. 2021-050

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

AWARDING CONTRACT NO. 19-08 - RECONSTRUCTION OF LYNWOOD ROAD

WHEREAS, on March 11, 2021 the Township of Verona received bids for Contract 19-08 - Reconstruction of Lynwood Road (2019-LYNWOOD ROAD); and

WHEREAS, eleven (11) bids were received for Contract 19-08 the one (1) bid was rejected for failure to submit a property bid guarantee; and

WHEREAS, the apparent lowest responsive and responsible bid was submitted by KM Construction Corp, 14 Cordier Street, Irvington, New Jersey 07111 in the base bid amount of \$654,579.67; and

WHEREAS, the Township Consulting Engineer has reviewed and recommends the Contract award be made to KM Construction Corp, 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. 19-08 be awarded to the lowest responsive and responsible bidder, KM Construction Corp, 14 Cordier Street, Irvington, New Jersey 07111 for the base bid amount of \$654,579.67.

BE IT FURTHER RESOLVED that this expenditure shall be charged against Grant Account No. G-60-41-718-326 (NJ Department of Transportation Grants), Capital Ordinance No. 2021-05 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.

BE IT FURTHER RESOLVED that the Township Manager, the Township Engineer, the Township Clerk, and any other officer as may be deemed appropriate are hereby authorized to enter into an agreement or any other required documents for the aforementioned services a copy of which shall be available for public inspection in the Office of the Township Clerk.

BE IT FURTHER RESOLVED that the Township Manager and the Township Clerk are hereby authorized to certify to a copy of this Resolution and forthwith transmit a copy of said Certified Resolution to the New Jersey Department of Transportation.

ROLL CALL:

AYES: McGrath, Giblin, Ryan, Roman, McEvoy

NAYS:

RESOLUTION No. 2021-051

A motion was made by Councilman Ryan; seconded by Councilman Giblin 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))
 - Proposed Shared Service with Somerville
 - Essex Fells Water
 - Water Utility
 - Municipal Condominium Reimbursements
 - b. Personnel Matters pursuant to N.J.S.A. 10:4-12(8)

ROLL CALL:

AYES: McGrath, Giblin, Ryan, Roman, McEvoy

NAYS:

New/Unfinished Business:

Deputy Mayor Roman motions for the appointments to the Rent Board; seconded by Councilwoman McGrath: Vote: 5-0

		Term Expires
a.	Rent Control Board Member	Gerard Tamburino 6/30/2021
b.	Rent Control Board Member	_____ 6/30/2022
c.	Rent Control Board Member	Patrick Hanley 6/30/2023
d.	Rent Control Board Member	Willola Ashley 6/30/2023
e.	Rent Control Board Member	Sean Barnes 6/30/2024
f.	Rent Board Attorney	Alex Graziano, Esq. 6/30/2021

Mayor McEvoy motions for the appointment of Registrar of Vital Statistics; seconded by Deputy Mayor Roman: Vote: 5-0

		Term Expires
a.	Registrar of Vital Statistics	James Cunningham 12/31/2023

The Township Manager advises that Councilman Ryan’s request for a discussion of a rent increase moratorium for units subject to rent control should not go forward as the rent rolls for 2021 were approved by the Rent Control Board and retroactive back to January 2021.

Councilwoman McGrath states that Governor Murphy had placed a moratorium on evictions and created a New Jersey Rental Assistance Fund.

The Township Manager discusses the 2021 Municipal Budget and outlines the Township’s plan for Capital projects, listing what is on the horizon.

Councilwoman McGrath discusses inclusion and how Verona can commit to being more inclusive suggesting that residents volunteer for a work group to discuss the Township’s best

practices to be inclusive and responsive to the recent events. Councilman Giblin suggests that that may be something the Township supports, but feels it calls for a grass roots effort where residents organize the discussion.

Public Comment:

Jesse Lilley, [REDACTED]
Kathleen Laterza, [REDACTED]

Adjournment:

Motion to enter into Executive Session at 9:15 pm is motioned by Mayor McEvoy; seconded by Councilwoman McGrath. Council will not re-enter in to public session to take any official action or engage in public business.

The next regular scheduled meeting is April 5, 2021 at 7:00 p.m.

Respectfully submitted,

Jennifer Kiernan
Jennifer Kiernan, Municipal Clerk

Jack McEvoy
Jack McEvoy, Mayor

APPROVED: April 5, 2021