

Minutes of a Regular Meeting of the Verona Township Council on Monday, December 18, 2023, 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:

The Municipal Clerk reads the notice of Open Public Meetings Act.

Roll Call:

Mayor Christopher Tamburro, Deputy Mayor Jack McEvoy, Councilwoman Christine McGrath, Councilman Alex Roman and Councilwoman Cynthia Holland are present. Township Attorney Brian Aloia, Township Manager Joseph D'Arco, Municipal Clerk Jennifer Kiernan and Deputy Manager Kevin O'Sullivan are also present.

Mayor's Report:

Mayor Tamburro invites Essex County Liaison, J. Coltre to the lectern. Mr. Coltre reports the County's Food Distribution Program will take place on 12/21 at Codey Arena. Over 1,000 boxes of food are ready to be distributed. Mr. Coltre announces the dates for the County's Deer Management Program at the Hilltop Reservation and South Mountain Reservation.

Mayor Tamburro reports there was a wonderful showing of attendance at the Hanukkah celebration and thanks the volunteers and staff, especially Rabbi Tobin. The Mayor and Councilwoman McGrath attended the ribbon cutting ceremony at Main Street Cottage. He thanks the VFD and VRS for a great Santa Day and congratulates resident Kevin Barry who was appointed to the Superior Court of Essex County.

Manager's Report:

Mr. D'Arco reports the Township Architect has a presentation tonight on the Public Safety Complex. The traffic light installation on Pompton and Claremont Avenues continues to move forward. The administration will be making recommendations to changes in the Tree ordinance in the upcoming weeks. The New Year will bring a discussion with the Council to change the date of the Municipal Election by ordinance that will bring a savings to the Township of at least \$50,000 each municipal election year. The administration is also drafting a business license ordinance. Mr. D'Arco then directs the next topics of discussion regarding town projects towards Deputy Township Manager Kevin O'Sullivan.

Mr. O'Sullivan reports that New Gen will be presenting the findings of the water rate study sometime in February. He states the administration is finishing up new procedures with checklists to provide greater transparency for residential escrow fees. Bids were received for the Linn Drive well remediation and an award will be on a resolution for the 1/8 meeting. A final version of the State mandated storm water control is almost complete. An analysis will be presented to the Council on parking meter rates at the first meeting in January so an ordinance can be on the 1/22/24 meeting agenda. A grant application for Everett Field Playground will be submitted to the NJDEP's Green Acres Jake's Law Playground Grant Program and a public hearing will be held at the 1/22/24 Council meeting. Tonight, the scheduled public hearing for the 2024 Community Development Block Grant Application for ADA Improvements at the Municipal Building and Everett Field Improvements will be held and has been published accordingly:

Public Hearing on 2024 CDBG Application:

None.

Township Architect Frank Messineo, AIA, CID, NCARB, Principal & Founder of Solutions Architecture gives a presentation for the new Public Safety Complex.

Public Comment on Public Safety Complex presentation:

Anthony Gardner, Verona, New Jersey
Steven Neale, Verona, New Jersey

Councilmember's Reports:

Deputy Mayor McEvoy states that in light of the discussions of new buildings and also new commercial developments in town, we need to be cognizant of the tree ordinance, stormwater management ordinance and steep slope ordinance and ensure they are followed by the builders as well as the Town when planning these structures.

Councilman Roman extends his appreciation to the Administration, Department Heads and staff who have worked so hard over the past year and extends his appreciation to those staffers and first responders who are on duty during the holidays.

Councilwoman McGrath thanks Ally's Elves for a fun and inclusive event. She attended the Hanukkah celebration and the Shade Tree Commission meeting and states the Multicultural Inclusion Accessibility Advisory Committee meets Wednesday at 7pm.

Councilwoman Holland reports that the Parks and Recreation Advisory Committee held a meeting and thanks the committee volunteers who worked to prepare reports on the pool fees and Everett Field project. She reminds those who are struggling to pay their utility bills that there is a winter moratorium program where those in need can receive some financial assistance.

Public Comment:

None.

ORDINANCE No. 2023-47

**CREATING CHAPTER 386 OF THE CODE OF THE TOWNSHIP ENTITLED
PRIVATELY OWNED SALT STORAGE**

The Municipal Clerk reads Ordinance No. 2023-47 by title into record.

Motion to move Ordinance No. 2023-47 is moved by Councilwoman McGrath; seconded by Councilman Roman.

Public Hearing:

None.

ROLL CALL:

AYES: Holland, McGrath, Roman, McEvoy, Tamburro

NAYS:

Ordinance No. 2023-47 passes 5-0 and it will be published according to law.

ORDINANCE NO. 2023-48

**ORDINANCE IMPLEMENTING VOTER-APPROVED INCREASE TO THE
VERONA OPEN SPACE, RECREATION, FARMLAND AND HISTORIC
PRESERVATION TRUST FUND BY AMENDING CHAPTER 62-2 OF THE
TOWNSHIP CODE**

The Municipal Clerk reads Ordinance No. 2023-48 by title into record.

Motion to move Ordinance 2023-48 is moved by Deputy Mayor McEvoy; seconded by Councilman Roman.

Public Hearing:

None.

ROLL CALL:

AYES: Holland, McGrath, Roman, McEvoy, Tamburro

NAYS:

Ordinance 2023-48 is adopted 5-0 and will be published according to law.

Consent Agenda:

Public Comment on Consent Agenda:

None.

Minutes from the November 13, 2023 Council Meeting are unanimously approved.

RESOLUTION No. 2023-209

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

**AUTHORIZING THE TOWNSHIP OF VERONA TO SUBMIT CERTAIN
PROJECT APPLICATIONS FOR INCLUSIVE IMPROVEMENTS WITHIN
THE COUNTY OF ESSEX COMMUNITY DEVELOPMENT BLOCK GRANT
APPLICATION FOR THE YEAR 2024**

WHEREAS, the Township of Verona is a participating municipality in the Essex County Community Development Block Grant (CDBG) grant application; and

WHEREAS, the Township of Verona desires to request funding under the CDBG grant application year 2024 for the following projects:

<u>PROJECTS</u>	<u>PRIORITY</u>	<u>COSTS</u>
• Construction of ADA Accessible Door Entrances <i>Entrances at Community Center Town Hall and public walkways at the Community Pool</i>	1	\$ 100,000
• Improvements to Everett Field	2	\$2,407,128

NOW, THEREFORE BE IT RESOLVED that the Township Council does hereby authorize the Township Manager to submit applications for funding under the Essex County Community Block Grant Program for these projects by priority number.

ROLL CALL:

AYES: Holland, McGrath, Roman, McEvoy, Tamburro

NAYS:

RESOLUTION No. 2023-210

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

**AUTHORIZING EXECUTION OF A SETTLEMENT AGREEMENT OF A
CONSENT ORDER REGARDING COOK LANE**

WHEREAS, litigation entitled LARRY SCHWARTZ AND TEENA SCHWARTZ Plaintiff, v. TOWNSHIP OF VERONA; THOMAS MONOGHAN AND ANNE DJORDJEVLIC; WENDY L. PETERSON; GABAOR HAUER AND PAUL HAUER; JAMIE MORENG AND ERIN MORENG; DAVID SHAW AND STACEY SHAW; DANIEL B. YING AND TINA YING; DEBORARH HIRSCH AND PETER HIRSCH; THOMAS FRANCUCCO AND NORMA FRANCUCCO, was filed in the SUPERIOR COURT OF NEW JERSEY ESSEX COUNTY, CHANCERY DIVISION, DOCKET NO. ESX-C-94-23, to quiet title to the property commonly referred to as "Cook Lane" in the Township of Verona; and

WHEREAS, the Township of Verona has no interest in the property and does not believe the property was ever transferred to the Township; and

WHEREAS, the Township has reviewed the attached Consent Order quieting title to the Property and agrees with the terms and conditions contained therein.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Verona, in the County of Essex, New Jersey that the Township Manager and the Township Clerk are hereby authorized to execute the attached Consent Order, with such changes, omissions or amendments as the Township Manager deems appropriate in consultation with the Township Attorney terminating and settling the litigation and quieting title to the property as outlined therein.

ROLL CALL:

AYES: Holland, McGrath, Roman, McEvoy, Tamburro

NAYS:

RESOLUTION No. 2023-211

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

AUTHORIZING A CONTRACT WITH DNS MEDIA GROUP, LLC.

WHEREAS, the Township of Verona broadcasts it's VTV public access on Comcast channel 35 and Verizon FIOS channel 24; and

WHEREAS, VTV requires station management, consultation and support to run effectively and efficiently including station programming, maintain content for the station bulletin board system and maintain the station's equipment, update all servers and bulletin board systems as needed; and

WHEREAS, such services are provided by DNS Media Group, LLC. and therefore requires as a non-fair and open contract pursuant to the provisions of *N.J.S.A. 19:44A-20.5*; and,

WHEREAS, the Township Manager has determined that the value of the service will exceed \$17,500; and,

WHEREAS, DNS Media Group, LLC, 186 Springbrook Trail, Sparta, New Jersey 07871 will continue to provide services at a cost not-to-exceed \$21,000.00; and,

WHEREAS, services provided by DNS Media Group, LLC shall be charged to budget account 3-01-24-264-030 – Communications – Maintenance Agreement/Contracts/Supplies; and

WHEREAS, DNS Media Group, LLC has completed and submitted a Business Entity Disclosure Certification which certifies that DNS Media Group, LLC has not made any reportable contributions to a political or candidate committee in the Township of Verona in the previous one year, and that the contract will prohibit DNS Media Group, LLC from making any reportable contributions through the term of the contract.

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Verona, that a contract be awarded to DNS Media Group, LLC, pending certification of available funds by the CFO subject to the following:

1. The award of this contract is subject to finalization of the contract terms to be drafted and approved by the Township Attorney.
2. The contract and any contract amendments which may become necessary shall be subject to the Township's ability to appropriate sufficient funds, which appropriation shall be at the sole discretion of the Township Council.
3. The Council hereby authorizes the Township Manager, or his designee, to execute any and all documents and take any and all actions necessary to complete and realize the intent and purpose of this resolution.
4. The Township is in receipt of the Stockholder Disclosure form, Contribution Disclosure form, Certificate of Employee Information Report, Business Registration Certificate, and Certificate of Insurance.
5. The Township Manager, or his designee, is hereby authorized to execute an agreement as outlined herein with:

DNS Media Group, LLC
186 Springbrook Trail
Sparta, New Jersey 07871

ROLL CALL:

AYES: Holland, McGrath, Roman, McEvoy, Tamburro

NAYS:

RESOLUTION No. 2023-212

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

REFUNDING ESCROW PAYMENT

WHEREAS, Escrow fees, for the Board of Adjustment, were received from Jonathan Masters, for property located at [REDACTED] and the fees have been held in Trust; and

WHEREAS, certification has been received from the Engineer to release these funds, from Trust, as follows:

ESCROW AMOUNT	EXPENSES	AMOUNT TO BE REFUNDED
\$500.00	\$189.45	\$310.55

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 and Tax Collector be authorized to refund, from the Trust Account, \$310.55 to Jonathan Masters, [REDACTED].

ROLL CALL:

AYES: Holland, McGrath, Roman, McEvoy, Tamburro

NAYS:

RESOLUTION No. 2023-213

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

REFUNDING TAX LIEN REDEMPTION

WHEREAS, property located at [REDACTED], owned by Wai Yee Lam, has been held in tax lien since December 7, 2023; and

WHEREAS, payment was received within 10 days and certificate had not been issued yet, in the amount of \$1,486.74 from Wai Yee Lam, clearing the lien as follows:

Certificate #23-00003	
Certificate	\$ 1,486.74
Premium	\$10,000.00
Total	\$11,486.74

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, \$11,486.74 to:

Lawrence Gonnello
[REDACTED]

ROLL CALL:

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

RESOLUTION No. 2023-214

A motion was made by Councilman Roman; 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 Council of the Township of Verona, County of Essex, State of New Jersey, as follows:

The public shall be excluded from discussion of an action upon the hereinafter specified subject matter.

1. Purchase, Lease or Acquisition of Real Property pursuant to *N.J.S.A. 10:4-12 (5)*
2. Pending, Ongoing, or Anticipated Litigation and Contract Negotiations pursuant to *N.J.S.A. 10:4-12 (7)*

ROLL CALL:

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

Addendum:

RESOLUTION No. 2023-215

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

**AUTHORIZE BUDGET TRANSFERS BETWEEN APPROPRIATION
ACCOUNTS PURSUANT TO N.J.S.A. 40a:4-58**

WHEREAS, certain transfers of funds for various 2023 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;

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, BE IT RESOLVED, by the Township Council of the Township of Verona that the Chief Financial Officer shall and is hereby authorized to make transfers between appropriations accounts of the 2023 Municipal Budget as follows:

	TO	FROM
Engineer - Salary and Wages	\$6,000	
Recycle - Salary and Wages	\$1,500	
PERS	\$100	

Engineer - Operating Expenses		\$6,000
Recycle - Operating Expenses		\$1,500
Tax Collector- Operating Expenses		\$100
TOTALS	\$7,600	\$7,600

ROLL CALL:

AYES: Holland, McGrath, Roman, McEvoy, Tamburro

NAYS:

RESOLUTION No. 2023-216

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

AUTHORIZING THE INSERTION INTO THE CY2023 MUNICIPAL BUDGET PURSUANT TO N.J.S.A. 40A:4-87 (CHAPTER 159, P.L. 1948) OF A SPECIAL ITEM OF REVENUE IN THE FORM OF THE 2022 FEDERAL EMERGENCY MANAGEMENT AGENCY ASSISTANCE TO FIREFIGHTERS GRANT

WHEREAS, *N.J.S.A. 40A:4-87* provides that the Director of the Division of Local Government Services (the "Director") may approve the insertion of any special item of revenue in the budget of any county or municipality when such items shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget; and,

WHEREAS, said Director may also approve the insertion of an item of appropriation for an equal amount; and,

WHEREAS, the Township of Verona has received \$67,514.66 from the Federal Emergency Management Agency (FEMA) and wishes to amend its CY2023 Municipal Budget to include this amount as a revenue.

NOW, THEREFORE, BE IT RESOLVED that the Township Council of the Township of Verona, in the County of Essex, State of New Jersey hereby requests the Director to approve the insertion of an item of revenue in the CY2023 Municipal Budget in the sum of \$67,514.66 which is now available as revenue from:

Miscellaneous Revenues - Section F:
Special Items of General Revenue Anticipated with Prior Written Consent of Director of Local Government Services -
Public and Private Revenues Offset with Appropriations:
Firefighter Equipment Grant

BE IT FURTHER RESOLVED that the Director to approve the insertion of an item of revenue in the CY2023 Municipal Budget in the like sum of \$67,514.66 appropriated under the caption of:

General Appropriations:
(A) Operations - Excluded from "CAPS"
Public and Private Revenues Offset with Appropriations:
Firefighter Equipment Grant

BE IT FURTHER RESOLVED that a copy of this Resolution will be electronically filed with the Director for approval as required by law.

ROLL CALL:

AYES: Holland, McGrath, Roman, McEvoy, Tamburro

NAYS:

Council approves the following for the 2024 Township Towing Contractor List:

1. Ajaco Towing, Inc.
2. C&L Towing Towing Services *
3. Essex County Recovery Bureau, Inc. *

* *Approval contingent upon receipt of acceptable background checks*

New Business:

The Council makes the following appointment to the Rent Control Board:

Maria Barone Member Term Expiring 12/31/2028

Council discusses an ordinance on Lead Paint Fees.

Public Participation:

None.

Council enters into Executive Session at 10:05 p.m. and no action will be taken afterwards.

Council returns to Public Session at 11:33 p.m. A motion to adjourn is made by Councilman Roman; seconded by Councilwoman McGrath. The next regularly scheduled meeting of the Township Council is January 8, 2024 at 7:00 p.m.

Respectfully submitted,


Jennifer Kiernan
Municipal Clerk


Dr. Christopher Tamburro
Mayor

APPROVED: January 22, 2024