

Minutes of a Regular Meeting of the Verona Township Council on Monday, January 23, 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:

Municipal Clerk reads notice of Open Public Meetings Act.

Roll Call:

Mayor Alex Roman, Deputy Mayor Christine McGrath, Councilman Jack McEvoy, Councilwoman Cynthia Holland and Councilman Christopher Tamburro are present. Township Attorney Brian Aloia, Township Manager Joseph D'Arco and Municipal Clerk Jennifer Kiernan are also present as well as Steven Neale, Director of Administration and Economic Development.

Mayor's Report:

Mayor Roman invites Essex County Liaison, J. Coltre to the lectern. Mr. Coltre reports on this year's Essex County Deer Management Program at South Mountain and Hilltop Reservations. He also announces the COVID testing and vaccination locations throughout the County. A job fair for seasonal positions at the Turtle Back Zoo will be held on March 11, 2023 from 10am-2pm.

Mayor Roman reminds the public about the Lunar New Year celebration at the Community Center on January 31.

Manager's Report:

Township Manager Joe D'Arco invites Interim CFO, Jennifer Muscara to the lectern to provide a budget update. She reports that the Township is \$600,000 over the appropriations cap. Drivers of this are the 17% increase in health insurance, employee salaries, contracts and backfilling positions. She also warns that Passaic Valley Water is increasing rates 6% this year.

Mr. D'Arco reports that he has directed the Department Heads to review the Township Code and provide information require amendments to the Code so it is kept up to date. Jacobs Engineering reports they are ahead of schedule and one of the wells may be online earlier than expected. He will be working with Engineering regarding the analysis of the water treatment plant and the deficiencies recorded by Mott. The Township Manager makes the following Appointment that expires 12/31/23:

Affordable Housing Administrative Agent

Laura Mongello

Steve Neale reports on grants. The DCA LRIG was submitted for the pickle ball/tennis courts at the Pool. He discusses the Everett Field design and PIRHL's target date to begin construction in April. Meanwhile, additional soil sampling will take place on Wednesday. Reconstruction of Derwent notifications will go out when a timeline is established.

Township Attorney Brian Aloia reports that the paperwork for Friends of Verona Parks will be filing for 501(c) 3 status shortly.

Councilmember's Reports:

Deputy Mayor McGrath wishes everyone a Happy Lunar New Year and reports that the MIAAC will meet Wednesday at 7pm.

Councilman McEvoy reports that the Historical Preservation Commission met last week and is happy to report that a new historical designation will be on the February meeting agenda as the owners of 11 Cole Road have requested the home be designated as such. The Planning Board meets this Thursday.

Councilman Tamburro states that the Neighborhood Traffic & Safety Advisory Committee met two weeks ago and discussed Bloomfield Avenue safety. The Office of Emergency Management met to review building security.

Councilwoman Holland wishes everyone a Happy Lunar New Year, the Year of the Rabbit. The

VEC is in the process of planning clean-ups and their poster contest. She looks forward to hearing OEMs plans for security. She suggests NIXLE messages go to residents urging their thermostat be lowered at night which would lower energy use.

ORDINANCE No. 2023-002

**ESTABLISHING THE VERONA-CEDAR GROVE FLOOD CONTROL
ADVISORY BOARD**

The Municipal Clerk reads Ordinance No. 2023-02 by title into record.

Motion to move Ordinance No. 2023-02 is moved by Councilwoman Holland; seconded by Councilman Tamburro.

Public Hearing:

None.

Council Discussion.

ROLL CALL:

AYES: Holland, Tamburro, McEvoy, McGrath, Roman

NAYS:

Ordinance No. 2023-02 is adopted 5-0 and will be published according to law.

ORDINANCE No. 2023-03

**FIXING THE HOURLY COMPENSATION OF PART-TIME
EMPLOYEES OF THE TOWNSHIP OF VERONA**

The Municipal Clerk reads Ordinance No. 2023-03 by title into record.

Motion to move Ordinance No. 2023-03 is moved by Deputy Mayor McGrath; seconded by Councilman Tamburro.

Public Hearing:

None.

Council Discussion.

None.

ROLL CALL:

AYES: Holland, Tamburro, McEvoy, McGrath, Roman

NAYS:

Ordinance No. 2023-03 is adopted 5-0 and will be published according to law.

ORDINANCE No. 2023-04

**AUTHORIZING AND REGULATING TEMPORARY STREET CLOSINGS
FOR THE PURPOSE OF COMMUNITY FUNCTIONS SUCH AS BLOCK
PARTIES AND NEIGHBORHOOD FESTIVALS BY THE CREATION OF
CHAPTER 458, ENTITLED "STREET CLOSINGS FOR BLOCK PARTIES"**

The Municipal Clerk reads Ordinance No. 2023-04 by title into record.

Motion to move Ordinance No. 2023-04 is moved by Councilman Tamburro; seconded by Councilman McEvoy.

Public Hearing:

None.

The Township Attorney advises that in section 458-1-A of the ordinance has a fee of \$35.00. He states that that should reference Chapter A565-1 "Fees" and the amount of \$35.00 will be on a fee

ordinance to be introduced at the next meeting so that should the fee change at any time, Chapter A-565 will be amended and not Ordinance 2023-04 itself.

Council Discussion.

None.

ROLL CALL:

AYES: Holland, Tamburro, McEvoy, McGrath, Roman

NAYS:

Ordinance No. 2023-04 is adopted 5-0 and will be published according to law.

ORDINANCE No. 2023-05

AN ORDINANCE TO AMEND CHAPTER A565-1 OF THE CODE OF THE TOWNSHIP OF VERONA, "SCHEDULE OF FEES"

The Municipal Clerk reads Ordinance No. 2023-05 by title into record.

Motion to Introduce Ordinance No. 2023-05 is moved by Councilman McEvoy; seconded by Councilman Tamburro.

ROLL CALL:

AYES: Holland, Tamburro, McEvoy, McGrath, Roman

NAYS:

Ordinance No. 2023-05 is introduced 5-0, will be published according to law and a public hearing will be held on February 6, 2023.

ORDINANCE No. 2023-06

AN ORDINANCE AMENDING CHAPTER 493, ARTICLE II OF THE TOWNSHIP CODE ENTITLED, "TREE PROTECTION, REMOVAL AND REPLACEMENT"

The Municipal Clerk reads Ordinance No. 2023-06 by title into record.

Motion to Introduce Ordinance No. 2023-06 is moved by Councilman McEvoy; seconded by Councilman Tamburro.

ROLL CALL:

AYES: Holland, Tamburro, McEvoy, McGrath, Roman

NAYS:

Ordinance No. 2023-06 is introduced 5-0, will be published according to law and a public hearing will be held on February 6, 2023.

Minutes from the January 9, 2023 meeting are requested to reference a discussion under New Business: the Council's directive to the Township Attorney to draft a zoning ordinance allowing a cannabis in the RR (Regional Retail) zone of the Township. The Municipal Clerk will make the correction. Minutes are then unanimously approved.

Public Comment on Consent Agenda Items:

None.

Council discussion on consent agenda.

RESOLUTION No. 2023-016

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

RESOLUTION OF THE TOWNSHIP OF VERONA, COUNTY OF ESSEX,

DL042023

**STATE OF NEW JERSEY, CANCELLING UNFUNDED APPROPRIATION
BALANCES UNDER CERTAIN BOND ORDINANCES PREVIOUSLY
ADOPTED BY THE TOWNSHIP OF VERONA FOR VARIOUS CAPITAL
IMPROVEMENT PROJECTS IN THE TOTAL AMOUNT OF \$855,568.00**

WHEREAS, the Township of Verona, Essex County, New Jersey previously adopted Bond Ordinances for the purpose of funding various capital projects and improvements of the Township as more fully specified in the Bond Ordinances; and

WHEREAS, as of the date hereof, the projects have been completed.

NOW THEREFORE BE IT RESOLVED, the Township Council of the Township of Verona now desires to cancel such appropriations and transfer the funded balances to their respective fund surplus;

ORDINANCE	AMOUNT TO BE CANCELLED
General Capital	
29-2018	\$75,000.00
17-2019	\$105,000.00
04-2021	\$568.00
	\$180,568.00
Water/Sewer Capital	
1-2017	\$100,000.00
30-2018	<u>\$575,000.00</u>
	\$675,000.00

ROLL CALL:

AYES: Holland, Tamburro, McEvoy, McGrath, Roman

NAYS:

RESOLUTION No. 2023-017

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

**AUTHORIZING THE SUBMISSION OF AN APPLICATION TO THE NEW
JERSEY DEPARTMENT OF COMMUNITY AFFAIRS FOR A LOCAL
RECREATION IMPROVEMENT GRANT**

WHEREAS, The New Jersey Department of Community Affairs (DCA) announced the Local Recreation Improvement Grant (LRIG) for Fiscal Year 2023, that supports improvement and repair of public recreation facilities; and

WHEREAS, the Township Council of the Township of Verona desires to apply for and obtain a fiscal year 2023 Local Recreation Improvement Grant from the New Jersey Department of Community Affairs for approximately \$100,000 to carry out a project to renovate the pickle ball court at the Verona Community Pool.

NOW, THEREFORE BE IT RESOLVED, that the Township Council of the Township of Verona does hereby authorize the application for such a grant and recognizes and accepts that the New Jersey Department of Community Affairs may offer a lesser or greater amount.

BE IT FUTHER RESOLVED that upon receipt of the grant agreement from the New Jersey Department of Community Affairs, the Township Council does further authorize the execution of any such grant agreement; and also, upon receipt of the fully executed agreement from the Department, does further authorize the expenditure of funds pursuant to the terms of the agreement between the Township of Verona and the New Jersey Department of Community Affairs.

BE IT FURTHER RESOLVED that the persons whose names, titles and signatures appear below are authorized to sign the application, and that they or their successors in said titles are authorized to sign the agreement, and any other documents necessary in connection therewith:

JOSEPH O. D'ARCO
Township Manager

JENNIFER KIERNAN
Municipal Clerk

ROLL CALL:

AYES: Holland, Tamburro, McEvoy, McGrath, Roman

NAYS:

RESOLUTION No. 2023-018

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

**AUTHORIZING EXECUTION OF A SERVICE AGREEMENT FOR A
DEFERRED COMPENSATION PLAN WITH EQUITABLE LIFE INSURANCE
COMPANY**

WHEREAS, in order to attract and retain qualified employees there exists a need to adopt and implement DEFERRED COMPENSATION PLANS for the employees of the Township of Verona (hereinafter referred to as "Township"), which will provide employees the opportunity to enhance their financial security at retirement through savings of compensation on a deferred basis as provided by Section 457 of the Internal Revenue Code of 1986, as amended ("Code"); and

WHEREAS, there is no direct financial cost to the Township to adopt and implement both a deferred compensation plan and Service Agreement; and

WHEREAS, the Interim Chief Financial Officer made written requests for proposals from Equitable and National Life Group for the administration of the investments of funds under a DEFERRED COMPENSATION PLAN including providing Prototypical Plans and Service Agreements that meet the requirements of the Municipal, County and Authority Deferred Compensation programs Rule N.J.A.C. 5.37; and

WHEREAS, proposals were received from Equitable Life Insurance Company (hereinafter referred to as "Equitable") and National Life Group; and

WHEREAS, representatives of the Township of Verona and officers from the PBA Local #72 reviewed the proposals and spoke with the representatives of the responding contractors of deferred compensation services; and

WHEREAS, all employees of the Township are afforded the option to participate in deferred compensation plans approved by the Township; and

WHEREAS, former PBA Local #72 President Barone, Chief Kiernan and Captain Wardrope have reviewed and overseen the process and represent that there has been no collusion, or evidence or appearance of collusion, between any local official and a representative of the contractor in the selection of a contractor for the administration of a Service Agreement pursuant to N.J.A.C. 5:37-5.7; and

WHEREAS, it appears that Equitable has the ability to: (1) maintain complete records of accounts; (2) manage accounts with fidelity; (3) provide advice concerning various categories of investments; and (4) provide continuing consultation to participants.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Verona that the Township Manager, or his designee, is authorized to execute a Service Agreement for the DEFERRED COMPENSATION PLAN provided by Equitable and assigned the plan identifier: 20-PD-EQUITABLE-091720 by the New Jersey Division of Local Government Services and to submit all necessary documents to the Director of the Division of Local Government Services within the State Department of Community Affairs for approval.

BE IT FURTHER RESOLVED that by this Resolution the Township of Verona is adopting a Deferred Compensation Plan substantially similar to one on which a favorable Private Letter Ruling has been previously obtained from the federal Internal Revenue Service except for provisions added by reason of the Small Business Job Protection Act of 1996 (United States Public

Law No. 104-188) and the Economic Growth and Tax Relief Reconciliation Act of 2001 (United States Public Law No. 107-16) and all such provisions are stated in the plan in terms substantially similar to the text of those provisions in the Internal Revenue Code Section 457. The use of the Ruling is for guidance only and acknowledges that for Internal Revenue Service purposes, the Ruling of another employer is not to be considered precedent.

BE IT FURTHER RESOLVED that the Chief Financial Officer is hereby designated as the local Plan Administrator of the Plan.

ROLL CALL:

AYES: Holland, Tamburro, McEvoy, McGrath, Roman

NAYS:

RESOLUTION No. 2023-019

A motion was made by Councilwoman Holland; seconded by Councilman Tamburro 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 Henderson Snow V Box Salter Model WSH10X84X304SS, Serial # WSH25314 and Henderson Snow V Box Salter Model WSHX10X48X304SS, Serial # WSH23014.

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: Holland, Tamburro, McEvoy, McGrath, Roman

NAYS:

RESOLUTION No. 2023-020

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

APPOINTMENT OF CLEAN COMMUNITIES COORDINATOR

WHEREAS, New Jersey Clean Communities is a statewide, comprehensive, litter-abatement program created by the passage of the Clean Communities Act in 1986; and

WHEREAS, the Act provides a funding source for the program by placing a tax on fifteen categories of businesses that may produce litter-generating products; and

WHEREAS, The Clean Communities Program Fund generates about \$ 20 million each year, 80% of which is disbursed to participating New Jersey municipalities; and

WHEREAS, the New Jersey Clean Communities Council, Inc. is a 501c3 nonprofit that works closely with the New Jersey Department of Environmental Protection and the New Jersey Department of Treasury to administer the Clean Communities program

WHEREAS, as part of the Township of Verona's participation in the Clean Communities Program, the Township is eligible to receive grants awarded by the Program; and

WHEREAS, in order to participate in the Clean Communities Program, the Township must designate a Clean Communities Coordinator for a one-year term; and

WHEREAS, Township Director of Administration & Economic Development Steven J. Neale possesses the requisite knowledge, skills and aptitude to serve as the Township of Verona's Clean Communities Coordinator.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Verona that Steven J. Neale is hereby appointed as the Clean Communities Coordinator for Township of Verona's effective January 1, 2023 through December 31, 2023.

ROLL CALL:

AYES: Holland, Tamburro, McEvoy, McGrath, Roman

NAYS:

RESOLUTION No. 2023-021

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

**APPOINTING COMMISSIONER AND ALTERNATE COMMISSIONER
TO THE NJ INTERGOVERNMENTAL INSURANCE FUND
FOR THE 2023 YEAR**

WHEREAS, each municipality that is a participant in the New Jersey Intergovernmental Insurance Fund is required to appoint a commissioner to the Fund as well as an Alternate Commissioner.

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Verona, in the County of Essex, New Jersey hereby appoints Township Manager Joseph O. D'Arco as the Fund Commissioner and Steven Neale, Director of Administration & Economic Development as Alternate Commissioner to the NJ Intergovernmental Insurance Fund for terms ending December 31, 2023.

ROLL CALL:

AYES: Holland, Tamburro, McEvoy, McGrath, Roman

NAYS:

RESOLUTION No. 2023-022

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

**AUTHORIZING A CONTRACT WITH GRAZIANO & CAMPI, P.C. FOR
SERVICES AS RENT CONTROL BOARD ATTORNEY**

WHEREAS, the § 402-12(C) of the Code of the Township of Verona calls for the appointment of Counsel to the Rent Control Board; and

WHEREAS, the Township Attorney has recommended that Alex J. Graziano, Esq. of the firm Graziano & Campi, P.C., 155 Pompton Avenue, Verona, New Jersey 07044 serve as Counsel to the Rent Control Board; and

WHEREAS, the cost for said professional services shall be set at a retainer of \$6,000 for the calendar year to include general services and a fixed hourly rate of \$125.00 per hour not to exceed \$17,500 for outside services without further authorization by the Township Council; and

WHEREAS, this expenditure shall be charged to Budget Account No. 03-20-222-045 or any other account that may be deemed appropriate by the Chief Financial Officer or his/her designee, and the availability of funds which shall be certified by the Chief Financial Officer upon presentation of a properly executed Purchase Order and approval of the 2023 Budget.

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

1. The preamble to this Resolution is hereby incorporated as if more fully set forth herein.

2. An agreement with the Graziano & Campi, P.C., 155 Pompton Avenue, Verona, New Jersey 07044 is hereby authorized to provide to provide special legal services for the period commencing on January 1, 2023 and terminating on December 31, 2023 not to exceed \$17,500 without further authorization of the Township Council.
3. That the Township reserves the right to cancel this contract upon thirty (30) days' notice and Graziano & Campi, P.C. shall only be paid for the work completed; furthermore, no minimum amount of work or payment is implied or guaranteed.

ROLL CALL:

AYES: Holland, Tamburro, McEvoy, McGrath, Roman

NAYS:

RESOLUTION No. 2023-023

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

**READOPTING THE PLANT SELECTION LIST IN ACCORDANCE WITH
THE CODE OF THE TOWNSHIP OF VERONA, ARTICLE XI, § 150-11.7**

WHEREAS, the Code of Township of Verona Article XI entitled "Buffer and General Landscaping Requirements, § 150-11.7 "Plant selection and placement," requires the Township Council to adopt the recommended plant selection list at least once every February after the Verona Environmental Commission, in coordination with the Planning Board, and with input from other groups and professionals as the Verona Environmental Commission finds necessary, recommends updates to the plant selection list; and

WHEREAS, the Township would desires to reaffirm the attached plant list.

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Verona that the plant selection list attached hereto is adopted and/or reaffirmed by the Township Council, the list shall be considered part of the Code of the Township of Verona by reference therein and the list shall be posted online.

ROLL CALL:

AYES: Holland, Tamburro, McEvoy, McGrath, Roman

NAYS:

RESOLUTION No. 2023-024

A motion was made by Councilwoman Holland; seconded by Councilman Tamburro 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. Pending, Ongoing, or Anticipated Litigation and Contract Negotiations pursuant to *N.J.S.A. 10:4-12 (7)*
2. Personnel Matters pursuant to *N.J.S.A. 10:4-12 (8)*

ROLL CALL:

AYES: Holland, Tamburro, McEvoy, McGrath, Roman

NAYS:

RESOLUTION No. 2023-025

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

**RESOLUTION PROVIDING FOR THE COMBINATION OF CERTAIN
ISSUES OF GENERAL IMPROVEMENT BONDS OF THE TOWNSHIP OF
VERONA, IN THE COUNTY OF ESSEX, NEW JERSEY INTO A SINGLE
ISSUE OF BONDS AGGREGATING \$3,820,000 IN PRINCIPAL AMOUNT**

BE IT RESOLVED by the Township Council of the Township of Verona in the County of Essex, New Jersey (with not less than a majority of the full membership thereof affirmatively concurring) AS FOLLOWS:

SECTION 1. Pursuant to the provisions of *N.J.S.A. 40A:2-26(f)*, the Bonds of the Township of Verona, in the County of Essex, New Jersey (the "Township") authorized pursuant to the bond ordinances of the Township heretofore adopted and described in Section 2 hereof shall be combined into a single and combined issue of General Improvement Bonds in the principal amount of \$3,820,000.

SECTION 2. The principal amount of Bonds authorized by each bond ordinance to be combined into a single issue as above provided and the bond ordinances authorizing the Bonds described by reference to the number, the improvement description and the date of adoption, and the period or average period of usefulness determined in each of the bond ordinances are respectively as follows:

AMOUNT TO BE ISSUED	BOND ORDINANCE NUMBER	DESCRIPTION OF IMPROVEMENT AND DATE OF ADOPTION OF BOND ORDINANCE	PERIOD OF USEFULNESS
\$809,000	15-2015	Various acquisitions and capital improvements, finally adopted 11/16/2015	14.42 years
\$518,700	18-2016, as amended by 7-2017	Various capital improvements, finally adopted 7/11/2016, as amended 3/20/2017	14.88 years
\$215,300	28-2016	Architectural work for Phase II of library renovations, finally adopted 12/5/2016	15 years
\$246,500	29-2018	Replacement of municipal building roof, finally adopted 10/29/2018	15 years
\$1,094,000	2019-17	Acquisition of ambulance and fire engine, finally adopted 6/3/2019	8.39 years
\$475,000	2019-21	Various capital improvements, finally adopted 9/9/2019	8.18 years
\$366,500	2019-22	Linn Drive reconstruction, finally adopted 9/9/2019	10 years
\$95,000	2021-04	ADA improvements to Verona Community Center, including installation of various curb ramps, finally adopted 3/8/2021	10 years

SECTION 3. The following matters are hereby determined with respect to the combined issue of Bonds:

- a. The average period of usefulness, computed on the basis of the respective amounts of Bonds presently authorized to be issued pursuant to each of the bond ordinances and the respective periods or average period of usefulness therein determined, is not less than 11.51 years.
- b. The Bonds of the combined issue shall be designated "General Improvement Bonds" and shall mature within the average period of usefulness herein determined.

- c. The Bonds of the combined issue shall be sold and issued in accordance with the provisions of the Local Bond Law applicable to the sale and the issuance of bonds authorized by a single bond ordinance and accordingly may be sold with other issues of bonds.

SECTION 4. The following additional matters are hereby determined, declared, recited and stated:

- a. None of the Bonds described in Section 2 hereof has been sold or issued heretofore, and the several bond ordinances described in Section 2 have not been rescinded and now remain in full force and effect as authorizations for the respective amounts of Bonds set opposite the descriptions of the bond ordinances in Section 2.
- b. The several purposes or improvements authorized by the respective bond ordinances described in Section 2 hereof are purposes for which bonds may be issued lawfully pursuant to the Local Bond Law and are all purposes for which no deduction may be taken in any annual or supplemental debt statement.

SECTION 5. This resolution shall take effect immediately.

ROLL CALL:

AYES: Holland, Tamburro, McEvoy, McGrath, Roman

NAYS:

RESOLUTION No. 2023-026

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

RESOLUTION PROVIDING FOR THE COMBINATION OF CERTAIN ISSUES OF WATER AND SEWER UTILITY BONDS OF THE TOWNSHIP OF VERONA, IN THE COUNTY OF ESSEX, NEW JERSEY INTO A SINGLE ISSUE OF BONDS AGGREGATING \$2,166,000 IN PRINCIPAL AMOUNT

BE IT RESOLVED by the Township Council of the Township of Verona in the County of Essex, New Jersey (with not less than a majority of the full membership thereof affirmatively concurring) **AS FOLLOWS:**

SECTION 1. Pursuant to the provisions of *N.J.S.A. 40A:2-26(f)*, the Bonds of the Township of Verona, in the County of Essex, New Jersey (the "Township") authorized pursuant to the bond ordinances of the Township heretofore adopted and described in Section 2 hereof shall be combined into a single and combined issue of Water and Sewer Utility Bonds in the principal amount of \$2,166,000.

SECTION 2. The principal amount of Bonds authorized by each bond ordinance to be combined into a single issue as above provided and the bond ordinances authorizing the Bonds described by reference to the number, the improvement description and the date of adoption, and the period or average period of usefulness determined in each of the bond ordinances are respectively as follows:

AMOUNT TO BE ISSUED	BOND ORDINANCE NUMBER	DESCRIPTION OF IMPROVEMENT AND DATE OF ADOPTION OF BOND ORDINANCE	PERIOD OF USEFULNESS
\$87,400	5-2014	Various sewer system improvements, finally adopted 7/14/2014	15.21 years
\$135,800	6-2014	Water capital improvements, finally adopted 7/14/2014	10.45 years
\$506,800	16-2016	Acquisition of water meters and equipment, finally adopted 7/11/2016	15 years
\$702,900	1-2017	Water and sewer utility improvements, finally adopted 2/21/2017	20 years

AMOUNT TO BE ISSUED	BOND ORDINANCE NUMBER	DESCRIPTION OF IMPROVEMENT AND DATE OF ADOPTION OF BOND ORDINANCE	PERIOD OF USEFULNESS
\$733,100	30-2018	Improvements and rehabilitation to Fairway Avenue tank, finally adopted 11/19/2018	40 years

SECTION 3. The following matters are hereby determined with respect to the combined issue of Bonds:

- d. The average period of usefulness, computed on the basis of the respective amounts of Bonds presently authorized to be issued pursuant to each of the bond ordinances and the respective periods or average period of usefulness therein determined, is not less than 24.80 years.
- e. The Bonds of the combined issue shall be designated "Water and Sewer Utility Bonds" and shall mature within the average period of usefulness herein determined.
- f. The Bonds of the combined issue shall be sold and issued in accordance with the provisions of the Local Bond Law applicable to the sale and the issuance of bonds authorized by a single bond ordinance and accordingly may be sold with other issues of bonds.

SECTION 4. The following additional matters are hereby determined, declared, recited and stated:

- a. None of the Bonds described in Section 2 hereof has been sold or issued heretofore, and the several bond ordinances described in Section 2 have not been rescinded and now remain in full force and effect as authorizations for the respective amounts of Bonds set opposite the descriptions of the bond ordinances in Section 2.
- b. The several purposes or improvements authorized by the respective bond ordinances described in Section 2 hereof are purposes for which bonds may be issued lawfully pursuant to the Local Bond Law and are all purposes for which a deduction may be taken in any annual or supplemental debt statement.

SECTION 5. This resolution shall take effect immediately.

ROLL CALL:

AYES: Holland, Tamburro, McEvoy, McGrath, Roman

NAYS:

RESOLUTION No. 2023-027

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

RESOLUTION DETERMINING THE FORM AND OTHER DETAILS OF \$5,986,000 GENERAL OBLIGATION BONDS, CONSISTING OF \$3,820,000 GENERAL IMPROVEMENT BONDS AND \$2,166,000 WATER AND SEWER UTILITY BONDS, OF THE TOWNSHIP OF VERONA, IN THE COUNTY OF ESSEX, NEW JERSEY AND PROVIDING FOR THEIR SALE

BE IT RESOLVED by the Township Council of the Township of Verona in the County of Essex, New Jersey (with not less than a majority of the full membership thereof affirmatively concurring) AS FOLLOWS:

SECTION 1. The \$3,820,000 General Improvement Bonds of the Township of Verona, in the County of Essex, New Jersey (the "Township") referred to and described in the resolution adopted by the Township Council pursuant to the Local Bond Law of the State of New Jersey on January 23, 2023 and entitled, "Resolution Providing for the Combination of Certain Issues of General Improvement Bonds of the Township of Verona, in the County of Essex, New Jersey into

a Single Issue of Bonds Aggregating \$3,820,000 in Principal Amount" shall be issued as "General Improvement Bonds" (the "General Improvement Bonds"). The General Improvement Bonds shall mature in the principal amounts on March 1 in each of the years follows:

<u>Year</u>	<u>Principal Amount*</u>	<u>Year</u>	<u>Principal Amount*</u>
2024	\$305,000	2030	\$355,000
2025	\$315,000	2031	\$365,000
2026	\$320,000	2032	\$375,000
2027	\$330,000	2033	\$380,000
2028	\$335,000	2034	\$395,000
2029	\$345,000		

**Subject to change as set forth in the Full Notice of Sale attached hereto*

The General Improvement Bonds are subject to redemption prior to their stated maturities in accordance with the Notice of Sale authorized herein. The General Improvement Bonds shall be eleven in number, with one certificate being issued for each year of maturity, and shall be numbered GI-1 to GI-11, inclusive.

SECTION 2. The \$2,166,000 Water and Sewer Utility Bonds of the Township referred to and described in the resolution adopted by the Township Council pursuant to the Local Bond Law of the State of New Jersey on January 23, 2023 and entitled, "Resolution Providing for the Combination of Certain Issues of Water and Sewer Utility Bonds of the Township of Verona, in the County of Essex, New Jersey into a Single Issue of Bonds Aggregating \$2,166,000 in Principal Amount" shall be issued as "Water and Sewer Utility Bonds" (the "Water and Sewer Utility Bonds"). The Water and Sewer Utility Bonds shall mature in the principal amounts on March 1 in each of the years follows:

<u>Year</u>	<u>Principal Amount*</u>	<u>Year</u>	<u>Principal Amount*</u>
2024	\$81,000	2034	\$105,000
2025	\$85,000	2035	\$110,000
2026	\$85,000	2036	\$115,000
2027	\$90,000	2037	\$115,000
2028	\$90,000	2038	\$120,000
2029	\$95,000	2039	\$125,000
2030	\$95,000	2040	\$130,000
2031	\$100,000	2041	\$135,000
2032	\$100,000	2042	\$140,000
2033	\$105,000	2043	\$145,000

**Subject to change as set forth in the Full Notice of Sale attached hereto*

The Water and Sewer Utility Bonds are subject to redemption prior to their stated maturities in accordance with the Notice of Sale authorized herein. The Water and Sewer Utility Bonds shall be twenty in number, with one certificate being issued for each year of maturity, and shall be numbered WSU-1 to WSU-20, inclusive.

SECTION 3. The General Improvement Bonds and the Water and Sewer Utility Bonds collectively are sometimes referred to hereinafter as the "Bonds."

SECTION 4. The Bonds will be issued in fully registered form. One certificate shall be issued for the aggregate principal amount of Bonds maturing in each year. Both principal of and interest on the Bonds will be payable in lawful money of the United States of America. Each certificate will be registered in the name of Cede & Co., as nominee of The Depository Trust Company, New York, New York, which will act as securities depository (the "Securities Depository"). The certificates will be on deposit with The Depository Trust Company. The Depository Trust Company will be responsible for maintaining a book-entry system for recording the interests of its participants or the transfers of the interests among its participants. The participants will be responsible for maintaining records regarding the beneficial ownership interests in the Bonds on behalf of individual purchasers. Individual purchases of the Bonds may be made in the principal amount of \$5,000 or any integral multiple thereof (except that Bonds maturing in any year in an amount that is not a multiple of \$5,000 may be made in a principal amount that is a multiple of \$1,000), through book-entries made on the books and records of The Depository Trust Company and its participants.

The Bonds will bear interest payable semiannually on the first day of March and September in each year until maturity or earlier redemption, commencing on September 1, 2023, at a rate or rates per annum, expressed in a multiple of 1/8 or 1/20 of 1% and proposed by the successful bidder in accordance with the Notice of Sale authorized herein.

The principal of and the interest on the Bonds will be paid to the securities depository by the Township or a duly authorized paying agent on the respective maturity dates and due dates and will be credited on the respective maturity dates and due dates to the participants of The Depository Trust Company as listed on the records of The Depository Trust Company as of each next preceding February 15 and August 15 (the "Record Dates" for the Bonds). The Bonds shall be executed by the manual or facsimile signature of the Mayor of the Township under the official seal or facsimile thereof affixed, printed, engraved or reproduced thereon and attested by the manual signature of the Clerk of the Township. The following matters are hereby determined with respect to the Bonds:

Date of Bonds:	Date of Delivery
Interest Payment Dates:	Each March 1 and September 1 until maturity or earlier redemption, commencing on September 1, 2023

SECTION 5. The Bonds shall be substantially in the following form with such additions, deletions and omissions as may be necessary for the Township to deliver and to market the Bonds in accordance with the requirements of The Depository Trust Company and the final terms of sale:

SAMPLE BOND FORM FOR INFORMATION ONLY - DO NOT COMPLETE OR SIGN

REGISTERED
NUMBER A-__

REGISTERED
\$_____

UNITED STATES OF AMERICA
STATE OF NEW JERSEY

TOWNSHIP OF VERONA, IN THE
COUNTY OF ESSEX

B. _____ BOND

DATED DATE:	MATURITY DATE:	RATE OF INTEREST PER ANNUM:	CUSIP:
___/___/2023	03/01/20__	_____ %	_____

The TOWNSHIP OF VERONA, in the County of Essex, New Jersey (the "Township") hereby acknowledges itself indebted and for value received promises to pay to CEDE & CO., as nominee of The Depository Trust Company, which will act as Securities Depository, on the Maturity Date specified above, the principal sum of _____ DOLLARS (\$_____), and to pay interest on such sum from the Dated Date of this bond at the Rate of Interest Per Annum specified above semiannually on the first day of March and September in each year until maturity or earlier redemption, commencing on September 1, 2023. Interest on this bond will be paid to the Securities Depository by the Township or a duly appointed paying agent and will be credited to the participants of The Depository Trust Company as listed on the records of The Depository Trust Company as of the February 15 and August 15 next preceding the date of such payments (the "Record Dates" for such payments). Principal of this bond, upon presentation and surrender to the Township, will be paid to the Securities Depository by the Township and will be credited to the participants of The Depository Trust Company.

This bond is not transferable as to principal or interest except to an authorized nominee of The Depository Trust Company. The Depository Trust Company shall be responsible for maintaining the book-entry system for recording the interests of its participants or the transfers of

the interests among its participants. The participants are responsible for maintaining records regarding the beneficial ownership interests in the bonds on behalf of individual purchasers.

The bonds of this issue maturing prior to March 1, 2034 are not subject to redemption prior to their stated maturities. The bonds of this issue maturing on or after March 1, 2034 are redeemable at the option of the Township in whole or in part on any date on or after March 1, 2033 upon notice as required herein at par, plus in each case unpaid accrued interest to the date fixed for redemption.

Notice of redemption shall be given by mailing by first class mail in a sealed envelope with postage prepaid to the registered owners of the bonds not less than thirty (30) days, nor more than sixty (60) days prior to the date fixed for redemption. Such mailing shall be to the owners of such bonds at their respective addresses as they last appear on the registration books kept for that purpose by the Township or a duly appointed bond registrar. However, as long as DTC (or any successor thereto) acts as Securities Depository for the bonds, notice of redemption may be sent to such Securities Depository by email or as otherwise permitted by the Securities Depository regulations. Any failure of the Securities Depository to advise any of its participants or any failure of any participant to notify any beneficial owner of any notice of redemption shall not affect the validity of the redemption proceedings. If the Township determines to redeem a portion of the bonds prior to maturity, the bonds to be redeemed shall be selected by the Township. The bonds to be redeemed having the same maturity shall be selected by the Securities Depository in accordance with its regulations.

If notice of redemption has been given as provided herein, the bonds or the portion thereof called for redemption shall be due and payable on the date fixed for redemption at the redemption price, together with unpaid accrued interest to the date fixed for redemption. Interest shall cease to accrue on the bonds after the date fixed for redemption. Payment shall be made upon surrender of the bonds redeemed.

The full faith and credit of the Township are hereby irrevocably pledged for the punctual payment of the principal of and the interest on this bond according to its terms.

It is hereby certified and recited that all conditions, acts and things required by the constitution or statutes of the State of New Jersey to exist, to have happened or to have been performed precedent to or in the issuance of this bond exist, have happened and have been performed and that the issue of bonds of which this is one, together with all other indebtedness of the Township, is within every debt and other limit prescribed by such constitution or statutes.

IN WITNESS WHEREOF, the TOWNSHIP OF VERONA, in the County of Essex, New Jersey has caused this bond to be executed in its name by the manual or facsimile signature of its Mayor and Interim Chief Financial Officer, its corporate seal to be hereunto imprinted or affixed, this bond and the seal to be attested by the manual signature of its Municipal Clerk, and this bond to be dated the Dated Date as specified above.

TOWNSHIP OF VERONA

[TOWNSHIP SEAL]

ATTEST:

By: [to be executed upon issuance of bonds]
Mayor

By: [to be executed upon issuance of bonds]
Municipal Clerk

By: [to be executed upon issuance of bonds]
Interim Chief Financial Officer

[END OF SAMPLE BOND FORM]

SECTION 6. In each of the General Improvement Bonds the following language should be inserted in the places indicated by the corresponding letter in the form of the Bonds.

A. GI-__.

B. GENERAL IMPROVEMENT

C. This bond is one of an authorized issue of bonds issued pursuant to the Local Bond Law of the State of New Jersey, a resolution of the Township adopted January 23, 2023 and entitled, "Resolution Providing for the Combination of Certain Issues of General Improvement Bonds of the Township of Verona, in the County of Essex, New Jersey into a Single Issue of Bonds Aggregating \$3,820,000 in Principal Amount," and the various bond ordinances referred to therein, each in all respects duly approved and published as required by law.

SECTION 7. In each of the Water and Sewer Utility Bonds the following language should be inserted in the places indicated by the corresponding letter in the form of the Bonds.

A. WSU-__.

B. WATER AND SEWER UTILITY

C. This bond is one of an authorized issue of bonds issued pursuant to the Local Bond Law of the State of New Jersey, a resolution of the Township adopted January 23, 2023 and entitled, "Resolution Providing for the Combination of Certain Issues of Water and Sewer Utility Bonds of the Township of Verona, in the County of Essex, New Jersey into a Single Issue of Bonds Aggregating \$2,166,000 in Principal Amount," and the various bond ordinances referred to therein, each in all respects duly approved and published as required by law.

SECTION 8. The Bonds shall be sold on February 15, 2023 via the "PARITY Electronic Bid System" (PARITY) upon the terms and the conditions set forth in and described in the Full Notice of Sale authorized below and set forth in Exhibit A attached hereto (the "Full Notice of Sale"). The Full Notice of Sale shall be posted in full at *The Bond Buyer Online*. The Township Clerk is hereby directed to arrange for the publication of the Short Notice of Sale authorized below and set forth in Exhibit B attached hereto (the "Short Notice of Sale") and the Summary Notice of Sale authorized below and set forth in Exhibit C (the "Summary Notice of Sale"). The Notices of Sale shall be posted and published as required by law not less than seven days prior to the date of sale. The full Notice of Sale shall be substantially in the form attached hereto as Exhibit A, the Short Notice of Sale shall be substantially in the form attached hereto as Exhibit B and the Summary Notice of Sale shall be substantially in the form attached hereto as Exhibit C, each with such additions, deletions and omissions as may be necessary for the Township to market the Bonds in accordance with the requirements of The Depository Trust Company and PARITY and as may be suggested by Bond Counsel. The Short Notice of Sale shall be published in the Township's local newspaper, and the Summary Notice of Sale shall be published in the *Bond Buyer*, a financial newspaper published and circulating in the City of New York, New York, and in *The Bond Buyer Online*.

SECTION 9. The Township hereby designates the Interim Chief Financial Officer as the officer to sell and to award the Bonds and to act on behalf of the Township in accordance with the Notices of Sale authorized herein, and the Interim Chief Financial Officer shall report in writing the results of the sale to this Township Council as required by law.

SECTION 10. The Bonds shall have printed thereon, or be accompanied with, a copy of the written opinion with respect to the Bonds that is to be rendered by the law firm of McManimon, Scotland & Baumann, LLC ("Bond Counsel") complete except for omission of its date.

SECTION 11. Bond Counsel is authorized to arrange for the printing of the Bonds, and Acacia Financial Group, Inc. (the "Municipal Advisor") or Bond Counsel are authorized to arrange for the printing of the Official Statement to be prepared in connection with the sale of the Bonds and to arrange for the distribution of the preliminary Official Statements on behalf of the Township to those financial institutions that customarily submit bids for such Bonds. The Municipal Advisor, PKF O'Connor Davies LLP, the Township's auditor, and Bond Counsel are authorized to prepare the Official Statement necessary in connection with the issuance of the Bonds, and the Mayor and/or the Interim Chief Financial Officer of the Township is authorized to execute any certificates necessary in connection with the distribution of the Official Statement. Such Official Statement may be distributed in preliminary form and deemed final for purposes of Rule 15c-12 of the Securities and Exchange Commission on behalf of the Township by the

Interim Chief Financial Officer or by the Mayor of the Township. Final Official Statements shall be delivered to the purchaser of the Bonds within the earlier of seven business days following the sale of the Bonds or to accompany the purchaser's confirmations that request payment for the Bonds. The Municipal Advisor is further authorized to arrange on behalf of the Township for a rating on the Bonds from S&P Global Ratings, acting through Standard & Poor's Financial Services LLC, and/or Moody's Investors Service.

SECTION 12. The Interim Chief Financial Officer is hereby authorized to make representations and warranties, to enter into agreements and to make all arrangements with The Depository Trust Company, New York, New York, as may be necessary in order to provide that the Bonds will be eligible for deposit with The Depository Trust Company and to satisfy any obligation undertaken in connection therewith.

SECTION 13. In the event that The Depository Trust Company may determine to discontinue providing its service with respect to the Bonds or is removed by the Township and if no successor Securities Depository is appointed, the Bonds that were previously issued in book-entry form shall be converted to registered bonds (the "Registered Bonds") in denominations of \$5,000 or any integral multiple thereof (except that Bonds maturing in any year in an amount that is not a multiple of \$5,000 shall be issued in denominations of an integral multiple of \$1,000). The beneficial owner under the book-entry system, upon registration of the Bonds held in the beneficial owner's name, will become the registered owner of the Registered Bonds. The Township shall be obligated to provide for the execution and delivery of the Registered Bonds in certificate form.

SECTION 14. Solely for purposes of complying with Rule 15c2-12 of the Securities and Exchange Commission, as amended and interpreted from time to time (the "Rule"), and provided that the Bonds are not exempt from the Rule and provided that the Bonds are not exempt from the following requirements in accordance with paragraph (d) of the Rule, for so long as the Bonds remain outstanding (unless the Bonds have been wholly defeased), the Township shall provide for the benefit of the holders of the Bonds and the beneficial owners thereof:

- (a) On or prior to September 30 of each fiscal year, beginning September 30, 2023 for the fiscal year ending December 31, 2022, electronically to the Municipal Securities Rulemaking Board's Electronic Municipal Market Access ("EMMA") system or such other repository designated by the Securities and Exchange Commission to be an authorized repository for filing secondary market disclosure information, if any, annual financial information with respect to the Township consisting of the audited financial statements (or unaudited financial statements if audited financial statements are not then available, which audited financial statements will be delivered when and if available) of the Township and certain financial information and operating data consisting of (1) Township indebtedness and overlapping indebtedness including a schedule of outstanding debt issued by the Township; (2) property valuation information; and (3) tax rate, levy and collection data. The audited financial statements will be prepared in accordance with modified cash accounting as mandated by the State of New Jersey statutory principles in effect from time to time or with generally accepted accounting principles as modified by governmental accounting standards as may be required by New Jersey law.
- (b) If any of the following events occur regarding the Bonds, a timely notice not in excess of ten business days after the occurrence of the event sent to EMMA:
 - (1) Principal and interest payment delinquencies;
 - (2) Non-payment related defaults, if material;
 - (3) Unscheduled draws on debt service reserves reflecting financial difficulties;
 - (4) Unscheduled draws on credit enhancements reflecting financial difficulties;
 - (5) Substitution of credit or liquidity providers, or their failure to perform;
 - (6) Adverse tax opinions, the issuance by the Internal Revenue Service of proposed or final determinations of taxability, Notices of Proposed Issue (IRS Form 5701-TEB) or other material notices or determinations with respect to the tax status of the security, or other material events affecting the tax status of the Bonds;
 - (7) Modifications to rights of holders of the Bonds, if material;
 - (8) Bond calls, if material, and tender offers;

- (9) Defeasances;
- (10) Release, substitution or sale of property securing repayment of the Bonds, if material;
- (11) Rating changes;
- (12) Bankruptcy, insolvency, receivership or similar event of the Township;
- (13) The consummation of a merger, consolidation or acquisition involving the Township or the sale of all or substantially all of the assets of the Township, other than in the ordinary course of business, the entry into a definitive agreement to undertake such an action or the termination of a definitive agreement relating to any such actions, other than pursuant to its terms, if material;
- (14) Appointment of a successor or additional trustee or the change of name of a trustee, if material;
- (15) Incurrence of a Financial Obligation of the Township, if material, or agreement to covenants, events of default, remedies, priority rights or other similar terms of a Financial Obligation, any of which affect holders of the Bonds, if material;
- (16) Default, event of acceleration, termination event, modification of terms or other similar events under a Financial Obligation of the Township, if any such event reflects financial difficulties.

For the purposes of the event identified in subparagraph (12) above, the event is considered to occur when any of the following occur: the appointment of a receiver, fiscal agent or similar officer for the Township in a proceeding under the U.S. Bankruptcy Code or in any other proceeding under state or federal law in which a court or governmental authority has assumed jurisdiction over substantially all of the assets or business of the Township, or if such jurisdiction has been assumed by leaving the existing governing body and officials or officers in possession but subject to the supervision and orders of a court or governmental authority, or the entry of an order confirming a plan of reorganization, arrangement or liquidation by a court or governmental authority having supervision or jurisdiction over substantially all of the assets or business of the Township.

The term "Financial Obligation" as used in subparagraphs (b)(15) and (b)(16) above means a (i) debt obligation, (ii) derivative instrument entered into in connection with, or pledged as security or a source of payment for, an existing or planned debt obligation or (iii) guarantee of (i) or (ii); provided, however, that the term "Financial Obligation" shall not include municipal securities as to which a final official statement has been provided to the Municipal Securities Rulemaking Board consistent with the Rule.

Notice of failure of the Township to provide required annual financial information on or before the date specified in this resolution shall be sent in a timely manner to EMMA.

If all or any part of the Rule ceases to be in effect or is not in effect for any reason, then the information required to be provided under this resolution, insofar as the provisions of the Rule not or no longer in effect required the provision of such information, shall not or no longer be required to be provided.

The Interim Chief Financial Officer shall determine, in consultation with Bond Counsel, the application of the Rule or the exemption from the Rule for each issue of obligations of the Township prior to their offering. Such officer is hereby authorized to enter into additional written contracts or undertakings to implement the Rule and is further authorized to amend such contracts or undertakings or the undertakings set forth in this resolution, provided such amendment is, in the opinion of nationally recognized bond counsel, in compliance with the Rule.

In the event that the Township fails to comply with the Rule requirements or the written contracts or undertakings specified in this resolution, the Township shall not be liable for monetary damages, remedy being hereby specifically limited to specific performance of the Rule requirements or the written contracts or undertakings therefor.

SECTION 15. The Interim Chief Financial Officer is authorized to invest the proceeds of the Bonds in investment obligations or deposits as permitted in accordance with New Jersey law.

SECTION 16. The Interim Chief Financial Officer is authorized to pay the costs of issuance at or after the time of closing to the various participants regarding the sale and issuance

of the Bonds, including costs for the publications, preparation and printing of the Official Statement, credit rating, municipal advisory services, legal services and other miscellaneous costs of issuing the Bonds.

SECTION 17. The Interim Chief Financial Officer and other appropriate representatives of the Township are authorized to take all other actions on behalf of the Township necessary for the sale and the delivery of the Bonds in accordance with this resolution.

SECTION 18. This resolution shall take effect immediately.

ROLL CALL:

AYES: Holland, Tamburro, McEvoy, McGrath, Roman

NAYS:

RESOLUTION No. 2023-028

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

**AUTHORIZING EXECUTION OF A PROFESSIONAL SERVICE
AGREEMENT FOR AFFORDABLE HOUSING ATTORNEY**

WHEREAS, the Township requires a qualified firm and/or attorney to serve as Special Legal Counsel- Affordable Housing Attorney; and,

WHEREAS, Township advertised an RFP and reviewed the proposals received; and;

WHEREAS, the proposals were evaluated by the Township Manager and Township Attorney and it was determined that DeCOTIIS, FITZPATRICK, COLE & GIBLIN, LLP having its principal office at 61 South Paramus Road, Suite 250 Paramus, NJ 07652 (hereinafter "Attorney") is qualified to act as Special Legal Counsel- Affordable Housing Attorney; and,

WHEREAS, the Administration recommends executing the attached contract retaining the Attorney to perform the services in the amount not to exceed \$50,000 for calendar year 2023.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Verona that the Township Manager, or his designee, is authorized to execute the attached contract with DeCOTIIS, FITZPATRICK, COLE & GIBLIN, LLP subject to the following:

1. The award of this contract is subject to finalization of the contract terms.
2. Any contract amendments or change orders 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 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 vendor's Contribution Disclosure and Stockholder Disclosure Certification.
5. Attorney may be paid upon passage and certification of this resolution, and for a period of ninety (90) days thereafter, before the final execution of a contractual agreement. Said payments shall be in accordance with this resolution and the RFP as is fully delineated herein. If a finalized contract is not entered within ninety (90) days following the date of the herein resolution, all work and payments will be put on hold until the contract is finalized. The vendor shall be entitled to payment upon submission of an appropriate invoice for all work authorized and performed during the ninety (90) day period but not for any work performed thereafter until and unless the contract is finalized and fully executed by both parties.
6. The Manager, or his designee, is hereby authorized to execute an agreement as outlined herein with:

DeCOTIIS, FITZPATRICK, COLE & GIBLIN, LLP
61 South Paramus Road, Suite 250
Paramus, NJ 07652

ROLL CALL:

AYES: Holland, Tamburro, McEvoy, McGrath, Roman

NAYS:

RESOLUTION No. 2023-029

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

**AUTHORIZING EXECUTION OF A PROFESSIONAL SERVICE
AGREEMENT FOR BOND COUNSEL AND LAND USE/
REDEVELOPMENT ATTORNEY**

WHEREAS, the Township requires a qualified firm and/or attorney to serve as Special Legal Counsel- Bond and Land Use Redevelopment Attorneys; and,

WHEREAS, Township advertised an RFP and reviewed the proposals received; and;

WHEREAS, the proposals were evaluated by the Township Manager and Township Attorney and it was determined that McMANIMON, SCOTLAND & BAUMANN, LLC, Attorneys at Law, 75 Livingston Avenue, Roseland, New Jersey, 07068 (hereinafter "Attorney") is qualified to act as Bond Counsel and Land Use Redevelopment Attorney; and,

WHEREAS, the Administration recommends executing the attached contract retaining the Attorney to perform the services in the amount not to exceed \$75,000 from the Operating Budget for calendar year 2023 or other funds deemed appropriate by the Interim Chief Financial Officer.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Verona that the Township Manager, or his designee, is authorized to execute the attached contract with McMANIMON, SCOTLAND & BAUMANN, LLC, subject to the following:

1. The award of this contract is subject to finalization of the contract terms.
2. Any contract amendments or change orders 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 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 vendor's Contribution Disclosure and Stockholder Disclosure Certification.
5. Attorney may be paid upon passage and certification of this resolution, and for a period of ninety (90) days thereafter, before the final execution of a contractual agreement. Said payments shall be in accordance with this resolution and the RFP as is fully delineated herein. If a finalized contract is not entered within ninety (90) days following the date of the herein resolution, all work and payments will be put on hold until the contract is finalized. The vendor shall be entitled to payment upon submission of an appropriate invoice for all work authorized and performed during the ninety (90) day period but not for any work performed thereafter until and unless the contract is finalized and fully executed by both parties.
6. The Manager, or his designee, is hereby authorized to execute an agreement as outlined herein with:

McMANIMON, SCOTLAND & BAUMANN, LLC, Attorneys at Law
75 Livingston Avenue
Roseland, New Jersey, 07068

ROLL CALL:

AYES: Holland, Tamburro, McEvoy, McGrath, Roman

NAYS:

RESOLUTION No. 2023-30

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

**AUTHORIZING EXECUTION OF A PROFESSIONAL SERVICE
AGREEMENT FOR TAX APPEAL ATTORNEY**

WHEREAS, the Township requires a qualified firm and/or attorney to serve as Special Legal Counsel- Tax Appeal Attorney to handle tax related appeals and matters; and,

WHEREAS, Township advertised an RFP and reviewed the proposals received; and;

WHEREAS, the proposals were evaluated by the Township Manager and Township Attorney and it was determined that the Law Offices of Michael A. DeMiro, Jr., (the "Attorney") 155 Pompton Avenue, Verona, New Jersey 07044 is qualified to act as Special Legal Counsel- Tax Appeal Attorney; and,

WHEREAS, the Administration recommends executing the attached contract retaining the Attorney to perform the services in the amount not to exceed \$35,000 for calendar year 2023.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Verona that the Township Manager, or his designee, is authorized to execute a the attached contract with the Law Offices of Michael A. DeMiro, Jr., 155 Pompton Avenue, Verona, New Jersey 07044 awarded subject to the following:

1. The award of this contract is subject to finalization of the contract terms.
2. Any contract amendments or change orders 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 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 vendor's Contribution Disclosure and Stockholder Disclosure Certification.
5. Attorney may be paid upon passage and certification of this resolution, and for a period of ninety (90) days thereafter, before the final execution of a contractual agreement. Said payments shall be in accordance with this resolution and the RFP as is fully delineated herein. If a finalized contract is not entered within ninety (90) days following the date of the herein resolution, all work and payments will be put on hold until the contract is finalized. The vendor shall be entitled to payment upon submission of an appropriate invoice for all work authorized and performed during the ninety (90) day period but not for any work performed thereafter until and unless the contract is finalized and fully executed by both parties.
6. The Manager, or his designee, is hereby authorized to execute an agreement as outlined herein with:

The Law Offices of Michael A. DeMiro, Jr.
155 Pompton Avenue, Verona, New Jersey 07044

ROLL CALL:

AYES: Holland, Tamburro, McEvoy, McGrath, Roman

NAYS:

New Business:

Council discusses and Ordinance Amending Chapter A565 "Fees" of the Township Code, specifically public works and zoning departments. There is discussion of the proposed 2023 Salary Ordinance for Exempt Employees of the Township. The ordinance will be on the February 6, 2023 meeting agenda for introduction.

Public Comment:

Rob Gottstein, [REDACTED]

Council enters into Executive Session at 8:15 p.m. and returns into Public Session at 8:42 p.m.

The following appointments are made by unanimous vote:

- | | |
|---|---------------------|
| 1. Council Appointments | Term Expires |
| a. Multicultural Inclusion & Accessibility Advisory Committee | |
| i. Kristin Dunleavy Member | 06/30/2023 |

DL042023

- ii. Michelle O'Neill Member 06/30/2023
 - iii. Sarvenaz Singh Member 06/30/2023
 - b. Planning Board
 - i. Chris Bernardo Class IV Alternate
- 2. Mayor Appointment (*for Alternates #1 & #2 - Positions*)
 - a. Planning Board
 - i. Jeremy Katzeff Alternate #1 **Unexpired Term Ending 06/30/2023**
 - ii. Chris Bernardo Alternate #2 **Unexpired Term Ending 06/30/2024**

Township Attorney opines that if a seated Alternate is moved by the Mayor, the term of the Alternate moves with the Alternate.

Adjournment:

A motion to adjourn the meeting is made by Councilman Tamburro; seconded by Deputy Mayor McGrath. Unanimously approved. The next regular scheduled meeting of the Township Council is February 6, 2023 at 7:00 p.m.

Respectfully submitted,


Jennifer Kiernan, Municipal Clerk


Alex Roman, Mayor

APPROVED: February 6, 2023