

Minutes of a Regular Meeting of the Verona Township Council on Monday, February 27, 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, COVID testing and vaccination locations throughout the County and this year's Cherry Blossom Festival. There will be an Earth Day celebration at the Environmental Center on April 22nd.

Mayor Roman attended the VRS Pancake Breakfast. Special Meeting to hold Budget Workshops will be on 2/28 and 3/2. The Planning Board will continue hearing the Spectrum360 application during a special meeting on March 16 and at the regular meeting on 3/23. He requests a discussion on the review of the Zoning Ordinance process. He announces that the Council will hold a Public Comment period after Council Member's Reports.

Manager's Report:

Township Manager Joe D'Arco invites Interim CFO Jennifer Muscara to the lectern to provide the Council with an update on finances and budgeting. She shows an Open Space presentation suggesting an increase in the Open Space tax.

Mr. D'Arco reports that he will present a resolution for the March 13 meeting agenda appointing Neglia Engineering to the reconstruction of Everett Field. They will provide a design within 6 months. He reports that he recommends Fairview Insurance Agency to review our contract with BMED and requests the Council's consent. Vote: Unanimous. He will discuss the possible locations for relocating the police department in Executive Session. The Co-Chairs of the Shade Tree Commission will be invited to all future pre-construction meetings.

Steve Neale reports the pool construction and the Reconstruction of Derwent Avenue is on schedule. Boswell Engineering will design the specs for the reconstruction of Balston, Whitney and Windemere and he plans to go out to bid this summer and have construction completed before the end of 2023. The Sport Swap donation will be on 3/17 and residents can shop the swap on 3/18. The 501(c) 3 paperwork had been submitted for the Friends of Verona Parks. The bid opening for the Township Forester will be on March 1.

Councilmember's Reports:

Deputy Mayor McGrath attended the VRS Breakfast where Congressman Donald Payne, Jr. was in attendance. The Shade Tree Commission has their reorganization meeting. The Multicultural Inclusion Accessibility Advisory Committee met and further discussed planned events.

Councilman McEvoy also attended the VRS Breakfast. He congratulates Chris Bernardo, the newest member of the Planning Board.

Councilman Tamburro discusses the removal of a religious institution's sign advertising an event and his objections and suggests to discuss the matter further in Executive Session. He congratulates Jen Muscara on passing the Certified Financial Officer exam and thanks the Rescue Squad for responding to his home as he experienced a medical condition.

Township Attorney Brian Aloia advises that the removal of the sign is a discussion on policy,

which the governing body does not have in place and therefore constitutes a discussion in Open Session.

Councilwoman Holland reports that the Parks & Recreation Advisory Committee had a discussion on Everett Field and the pool fee ordinance and have suggestions on both topics. The Public Library hosted a genealogy workshop last weekend, which she attended. She will be reading to the students at Forest Avenue School for Read Across America this Thursday. She reminds the public that the NJ Winter Termination Program will end on March 15.

The Township Attorney reports that the Administration received a complaint about signs posted for activities held by Township religious institutions. Because there is no policy in place regarding the content of signage, should the Township allow one sign, without a policy, all requests to post signs would have to be allowed. He recommends the Council set a policy or deny all requests from organizations requesting to advertise and event on Township property.

Public Comment on Council Member Reports:

Catherine Tamasik, [REDACTED]
Richard Rampolla, [REDACTED]

Further Council discussion takes place. The Township Attorney suggests that the governing body have the Township Manager create a policy.

ORDINANCE # 2023-01

AN ORDINANCE AUTHORIZING AND ENCOURAGING ELECTRIC VEHICLE SUPPLY/SERVICE EQUIPMENT (EVSE) & MAKE-READY PARKING SPACES AND AMENDING CHAPTER 150-12.10 OF THE CODE OF THE TOWNSHIP OF VERONA ADDING PARAGRAPH (I) ENTITLED, "EVSE AND MAKE-READY PARKING SPACES"

The Municipal Clerk reads Ordinance No. 2023-01 by title into record.

Motion to move Ordinance No. 2023-01 is moved by Councilman McEvoy; seconded by Councilwoman Holland.

Public Hearing:

None.

ROLL CALL:

AYES: Holland, Tamburro, McEvoy, McGrath, Roman

NAYS:

Ordinance No. 2023-01 is adopted 5-0 and will be published according to law.

ORDINANCE # 2023-07

FIXING THE SALARIES AND COMPENSATION OF THE PAID OFFICERS AND EMPLOYEES OF THE TOWNSHIP FOR THE 2023 CALENDAR YEAR

The Municipal Clerk reads Ordinance No. 2023-07 by title into record.

Motion to move Ordinance No. 2023-07 is moved by Councilman Tamburro; seconded by Deputy Mayor McGrath.

Public Hearing:

None.

ROLL CALL:

AYES: Holland, Tamburro, McEvoy, McGrath, Roman

NAYS:

Ordinance No. 2023-07 is adopted 5-0 and will be published according to law.

ORDINANCE No. 2023-08

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

The Municipal Clerk reads Ordinance No. 2023-08 by title into record.

Motion to move Ordinance No. 2023-08 is moved by Councilman Tamburro; seconded by Councilman McEvoy.

Public Hearing:

None.

Council Discussion.

ROLL CALL:

AYES: Tamburro, McEvoy, Roman

NAYS: Holland, McGrath

Ordinance No. 2023-08 is adopted 3-2, will be published according to law.

ORDINANCE No. 2023-09

AMENDING CHAPTER 140 "VEHICLE AND TRAFFIC" ARTICLE XIV "METERED/PERMIT PARKING", TO PERMIT THE TOWNSHIP MANAGER TO TEMPORARILY SUSPEND METER PARKING

The Municipal Clerk reads Ordinance No. 2023-09 by title into record.

Motion to move Ordinance No. 2023-09 is moved by Councilman Tamburro; seconded by Deputy Mayor McGrath.

Public Hearing:

None.

ROLL CALL:

AYES: Holland, Tamburro, McEvoy, McGrath, Roman

NAYS:

Ordinance No. 2023-09 is adopted 5-0, will be published according to law.

ORDINANCE No. 2023-10

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. 2023-10 by title into record.

Motion to Introduce Ordinance No. 2023-10 is moved by Deputy Mayor McGrath; seconded by Councilman Tamburro.

ROLL CALL:

AYES: Holland, Tamburro, McEvoy, McGrath, Roman

NAYS:

Ordinance No. 2023-10 is introduced 5-0, will be published according to law and a public hearing will be held on March 13, 2023.

ORDINANCE # 2023-11

FIXING THE SALARIES AND COMPENSATION OF THE SEASONAL EMPLOYEES OF THE TOWNSHIP

The Municipal Clerk reads Ordinance No. 2023-11 by title into record.

Motion to Introduce Ordinance No. 2023-11 is moved by Councilwoman Holland; seconded by Deputy Mayor McGrath.

ROLL CALL:

AYES: Holland, Tamburro, McEvoy, McGrath, Roman

NAYS:

Ordinance No. 2023-11 is introduced 5-0, will be published according to law and a public hearing will be held on March 13, 2023.

Minutes from the February 6, 2023 meeting are unanimously approved.

Public Comment on Consent Agenda Items:

None.

RESOLUTION No. 2023-041

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

**AUTHORIZE BUDGET TRANSFERS BETWEEN APPROPRIATION
ACCOUNTS PURSUANT TO N.J.S.A. 40a:40-1**

WHEREAS, certain transfers of funds for various 2022 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; and

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, THEREFORE, 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 2022 Municipal Budget as follows:

	TO:	FROM:
Shade Tree - O/E	\$500.00	
Street & Highway - O/E		\$500.00
TOTAL:	\$500.00	\$500.00

ROLL CALL:

AYES: Holland, Tamburro, McEvoy, McGrath, Roman

NAYS:

RESOLUTION No. 2023-042

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

**AUTHORIZING THE TOWNSHIP OF VERONA TO CANCEL OLD
OUTSTANDING CHECKS AND RECONCILING ITEMS**

WHEREAS, certain checks have been identified in the Current Fund, Water/Sewer Utility,
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and Trust fund bank accounts by the Chief Financial Officer as outstanding; and

WHEREAS, it is a normal financial practice to review the bank accounts for old outstanding items for cancellation with the balances to be returned to the Fund Balance; and

WHEREAS, it is necessary to formally cancel said checks so that the unnecessary balances may be returned to the fund balance of the respective funds.

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Verona, County of Essex, New Jersey that the following old outstanding checks, be cancelled;

<u>Date of Check Issue</u>	<u>Check Number</u>	<u>Amount</u>
August 2020	8106	\$ 666.65
August 2020	8187	\$ 24.00
February 2021	9124	\$ 123.00
February 2021	9751	\$ 134.75
July 2021	9868	\$2,909.00
August 2021	9972	\$ 274.96
August 2021	10026	\$ 72.00
	Total Current Fund	\$4,453.36
February 2020	1351	\$ 250.00
	Total Utility Fund	\$250.00
September 2015	3472	\$ 75.00
	Total Trust Fund	\$ 75.00

BE IT FURTHER RESOLVED, That two certified copies of the resolution are to be filed with the Director of the Division of Local Government Services and that a certified copy of this resolution shall be provided by the Township Clerk to each of the following:

- Chief Financial Officer
- Township Auditor

ROLL CALL:

AYES: Holland, Tamburro, McEvoy, McGrath, Roman

NAYS:

RESOLUTION No. 2023-043

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

AUTHORIZING A CONTRACT WITH EDMUNDS & ASSOCIATES, INC.

WHEREAS, there exists a need to renew the software maintenance for the Edmunds System; and

WHEREAS, services such as support and/or maintenance of proprietary hardware and software may be awarded without competitive bidding pursuant to *N.J.S.A. 40A:11-5(dd)*; and

WHEREAS, the Qualified Purchasing Agent concurs that Edmunds & Associates, Inc. shall be awarded a contract to provide said services; and

WHEREAS, funds will be charges to a Budget Line account deemed sufficient by the Chief Financial Officer; and

WHEREAS, the award of the contract to Edmunds & Associates is being made pursuant to *N.J.S.A. 19:44A-20.5* and the Business Entity Disclosure Certification and Political Contribution Disclosure Form completed by Edmunds & Associates, Inc. have been filed with the Township

and are annexed to this Resolution.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Verona, in the County of Essex, New Jersey that Edmunds & Associates, Inc., 301A Tilton Road, Northfield, NJ 08225 is hereby awarded a contract for the software maintenance for the Edmunds software system not to exceed \$20,000.00.

BE IT FURTHER RESOLVED that this contract is being awarded pursuant to *N.J.S.A. 19:44A-20.5*.

BE IT FURTHER RESOLVED that the Township Manager and the Municipal Clerk are hereby authorized to enter into an agreement for the aforementioned services a copy of which shall be available for public inspection in the Office of the Municipal Clerk.

ROLL CALL:

AYES: Holland, Tamburro, McEvoy, McGrath, Roman

NAYS:

RESOLUTION No. 2023-044

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

APPOINTMENT OF MUNICIPAL HOUSING LIAISON

WHEREAS, on May 31, 2018 the Superior Court ("Court") held a fairness hearing and approved the Settlement Agreement between the Township of Verona ("Township") and Fair Share Housing Center ("FSHC"), which included the Township's Third Round fair share obligation and preliminary compliance measures; and

WHEREAS, the Township will be filing with the Court a Housing Element and Fair Share Plan in order to secure a Judgment of Compliance and Repose approving said Plan to protect the Township from any Mount Laurel lawsuits; and

WHEREAS, pursuant to *N.J.A.C. 5:93-1 et seq.* and *N.J.A.C. 5:80-26.1, et seq.*, the Township of Verona is required to appoint a Municipal Housing Liaison for the administration of Verona's Affordable Housing Program to enforce the requirements of *N.J.A.C. 5:93-1 et seq.* and *N.J.A.C. 5:80-26.1, et seq.*; and

WHEREAS, Article XIX, Section 19.2, entitled "Establishment of Municipal Housing Liaison", of Chapter 150 of the Township's Code, provides for the appointment of a Municipal Housing Liaison to administer the Township of Verona's Affordable Housing Program.

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Verona, County of Essex, State of New Jersey, that Joseph O. D'Arco, Township Manager is hereby appointed by as the Municipal Housing Liaison for the administration of the Affordable Housing Program, pursuant to and in accordance with Chapter 150, Article XIX of Verona's Municipal Code.

ROLL CALL:

AYES: Holland, Tamburro, McEvoy, McGrath, Roman

NAYS:

RESOLUTION No. 2023-045

A motion was made by Councilwoman Holland; seconded by Councilman McEvoy 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.

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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:

New Business:

Councilman Tamburro states he was informed this afternoon that an objection was raised that a conflict of interest may exist for his vote on the 2023 Pool Fee Ordinance as a current Rescue Squad member. He moves to table the ordinance to allow him time to investigate. Township Manager D'Arco recommends bifurcating the ordinance and pulling the volunteer fire/rescue squad membership fee as a separate ordinance thereby allowing for a vote on the other membership fees tonight. Councilman Tamburro withdraws his original motion to table the ordinance in its original draft form and bifurcate the ordinance; seconded by Councilman McEvoy. Vote: 5 ayes; 0 nays.

ORDINANCE No. 2023-12

AN ORDINANCE TO AMEND CHAPTER A565-7 OF THE CODE OF THE TOWNSHIP OF VERONA - "POOL FEES"

The Municipal Clerk reads Ordinance No. 2023-12 by title into record.

Motion to Introduce Ordinance No. 2023-12 is moved by Councilman McEvoy; seconded by Councilwoman Holland.

ROLL CALL:

AYES: Holland, McEvoy, McGrath, Roman

NAYS: Tamburro

Ordinance No. 2023-12 is introduced 5-0, will be published according to law and a public hearing will be held on March 13, 2023.

Township Attorney Brian Aloia states that Councilman Tamburro has indicated he will not participate in the second part of the ordinance relating to fire department and rescue squad pool membership fees and this if this were a Closed Session, the Councilman would have to leave Council Chambers. However, being that this is public session, when recusing himself, the Councilman can remain in the room.

A motion to discuss the ordinance is made by Councilwoman Holland; seconded by Deputy Mayor McGrath.

Council discussion.

ORDINANCE No. 2023-13

AN ORDINANCE TO AMEND CHAPTER A565-7 OF THE CODE OF THE TOWNSHIP OF VERONA - "POOL FEES"

The Municipal Clerk reads Ordinance No. 2023-113 by title into record.

Motion to Introduce Ordinance No. 2023-113 as amended is moved by Councilwoman Holland; seconded by Deputy Mayor McGrath.

ROLL CALL:

AYES: Holland, McEvoy, McGrath, Roman

NAYS:
ABSENT (Recusal): Tamburro

Ordinance No. 2023-113 is introduced 4-0, will be published according to law and a public hearing will be held on March 13, 2023.

Council discusses the Master Plan and upcoming recodification of the Zoning Ordinance.

Public Comment:

Fred Tempesta, [REDACTED]
Kevin Ryan, [REDACTED]

Council enters into Executive Session at 10:00 p.m. and returns into Public Session at 11:08 p.m.

Adjournment:

A motion to adjourn the meeting at 11:09 p.m. is made by Councilman Tamburro; seconded by Councilman McEvoy. The next regular scheduled meeting of the Township Council is March 13, 2023 at 7:00 p.m.

Respectfully submitted,


Jennifer Kiernan, Municipal Clerk


Alex Roman, Mayor

APPROVED: March 13, 2023