

Minutes of a Regular Meeting of the Verona Township Council on Monday, January 8, 2024, 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, Deputy Township Manager Kevin O'Sullivan and Municipal Clerk Jennifer Kiernan are also present.

Mayor's Report:

Mayor Tamburro invites Essex County Liaison, Mr. Coltre to the lectern. Mr. Coltre reports the dates of this year's deer management program at South Mountain Reservation and Hilltop. Afterwards, the Mayor begins his report by wishing everyone a Happy New Year and thanks the Department of Public Works for their excellent job keeping the roads clear and safe. He invites Craig Hanlon, Scout Master for Verona Troop #2 to the lectern and the Mayor then reads each proclamation for newly sworn in Eagle Scouts, Noah Boone, Andrew Conte, Liam Frey and Ayden Hanlon and congratulates each Eagle Scout on the completion of their project. Mayor Tamburro then makes the following appointments:

Appointments			Term Expires
a. Library Board of Trustees			
i. Michele Gruet	Member		12/31/2028
b. Shade Tree Commission			
i. Diane Conboy	Member		12/31/2028

Mayor Tamburro thanks Kate Kelly for her service on the Library Board of Trustees. He then reports that he has reached out to the District 50 delegation to schedule site visits of the current facilities of the Township's emergency responders in hopes to secure funding assistance for the new public safety building.

Manager's Report:

Mr. D'Arco invites Deputy Township Manager, Kevin O'Sullivan to the lectern. Mr. O'Sullivan announces two sets of applications being submitted for a Community Development Block Grant (CDBG). The projects are for ADA accessible improvements to public facilities such as Town Hall and ADA accessible elements to the Everett Field improvement project. Both were submitted to CDBG in December. Those applications are currently pending and the public hearing being held tonight for both of those applications is one of the requirements of the grant submission process.

Public Comment:

None.

The public hearing is closed.

Mr. D'Arco announces the following appointments:

			Term Expires
1. Planning Board			
a. Kevin O'Sullivan	Class II Member (Emp Des)		12/31/2024
2. New Jersey Intergovernmental Insurance Fund			
a. Joseph O. D'Arco	Commissioner		12/31/2024
b. Kevin O'Sullivan	Alt. Commissioner		12/31/2024
3. Bergen Municipal Employee Benefits Fund (Gateway BMED)			
a. Joseph O. D'Arco	Commissioner		12/31/2024
b. Jennifer Muscara	Alt. Commissioner		12/31/2024

Deputy Manager's Report:

Kevin O'Sullivan mentions various topics including the water and sewer rate study and the waste water treatment plant. Residential escrow fees and the discussion on the zoning permit process is also mentioned, as well as the Linn Drive and the Fairview Avenue wells projects. The Verona Water Department is proceeding with another round of fire hydrant flushing in January of 2024, and the Storm Water Control Ordinance will be discussed at the next meeting. Boswell is currently working to review plans for the Peckman River Stabilization Project and resubmit them to the State. Updating parking meter rates so they are consistent with neighboring communities is on the future agenda, and updates on a number of the road projects in Town are provided.

Councilmember's Reports:

Deputy Mayor McEvoy wishes everyone a Happy New Year and reminds the public of Verona's upcoming restaurant week in February. He concludes mentioning that the Sustainable Verona Green Team is working with the Verona Environmental Commission and are having a composting webinar regarding backyard composting for anyone interested in learning about the topic.

Councilman Roman reiterates the Deputy Mayor's comments as wishes everyone a Happy New Year.

Councilwoman McGrath thanks Kate Kelly for her service on the Library Board. She attended the Essex County Commissioner swearing in ceremony and congratulates all of the Commissioners on their election. The Multicultural Inclusion and Accessibility Advisory Committee met in late December and are planning several events. The Shade Tree Committee met tonight and also discussed several projects, and tomorrow the Neighborhood Traffic and Safety Committee will be meeting at 7:30 p.m. on Zoom.

Councilwoman Holland also wishes everyone a Happy New Year. She acknowledges the extreme events of some of our recent weather, and reminds the public to remain aware and prepared for the upcoming storms. She concludes her report by mentioning the Winter Termination Program on bill shut offs for members of the public who need assistance.

Public Comment:

Patrick Smith, Verona, New Jersey  
Paul Petrangeli, Verona, New Jersey  
Chris Reilly, Verona, New Jersey

**ORDINANCE No. 2024-01**

**BOND ORDINANCE PROVIDING A SUPPLEMENTAL APPROPRIATION OF \$510,000 FOR THE ACCESSIBLE/SENSORY PLAYGROUND AND ADULT EXERCISE AREA PROJECT AT THE COMMUNITY CENTER IN AND BY THE TOWNSHIP OF VERONA, IN THE COUNTY OF ESSEX, NEW JERSEY, INCLUDING A \$200,000 COMMUNITY DEVELOPMENT BLOCK GRANT EXPECTED TO BE RECEIVED, AND AUTHORIZING THE ISSUANCE OF \$510,000 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE THE COST THEREOF**

The Municipal Clerk reads Ordinance No. H1 by title into record.

Motion to move Ordinance No. H1 is moved by Councilwoman Holland; seconded by Councilwoman McGrath.

**ROLL CALL:**

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

Ordinance No. H1 will be numbered 2024-01 and will be published according to law. A public hearing will be held on January 22<sup>nd</sup>.

**ORDINANCE No. 2024-02**

**BOND ORDINANCE PROVIDING FOR THE ACQUISITION AND  
INSTALLATION OF COMMUNICATIONS EQUIPMENT FOR POLICE  
VEHICLES IN AND BY THE TOWNSHIP OF VERONA, IN THE COUNTY  
OF ESSEX, NEW JERSEY, APPROPRIATING \$125,000 THEREFOR AND  
AUTHORIZING THE ISSUANCE OF \$119,000 BONDS OR NOTES OF THE  
TOWNSHIP TO FINANCE PART OF THE COST THEREOF**

The Municipal Clerk reads Ordinance No. H2 by title into record.

Motion to move Ordinance No. H2 is moved by Deputy Mayor McEvoy; seconded by Councilman Roman.

**ROLL CALL:**

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

**NAYS:**

Ordinance No. H2 will be numbered 2024-02 and will be published according to law. A public hearing will be held on January 22<sup>nd</sup>.

**ORDINANCE No. 2023-03**

**AMENDING THE CODE OF THE TOWNSHIP OF VERONA, CHAPTER 390,  
PROPERTY MAINTENANCE, BY THE CREATION OF ARTICLE II,  
ENTITLED LEAD-BASED PAINT HAZARD INSPECTION REQUIREMENTS  
FOR RENTAL DWELLINGS**

The Municipal Clerk reads Ordinance No. H3 by title into record.

Motion to move Ordinance No. H3 is moved by Councilwoman McGrath; seconded by Councilman Roman.

**ROLL CALL:**

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

**NAYS:**

Ordinance No. H3 will be numbered 2024-03 and will be published according to law. A public hearing will be held on January 22<sup>nd</sup>.

Consent Agenda

Motion to move Consent Agenda with the exception of J1 is made by Councilman Roman; seconded by Councilwoman Holland.

Public Comment on Consent Agenda:

None.

**RESOLUTION No. 2024-001**

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

**TEMPORARY APPROPRIATIONS FOR OPERATING PURPOSES**

**WHEREAS**, *N.J.S.A. 40A:4-19* provides that, where any contracts, commitments, or payments are to be made prior to the adoption of the 2024 budget, temporary appropriations be made for the purpose and amount required in the manner and time therein provided; and

**WHEREAS**, the total appropriation in the 2023 budget, exclusive of any appropriations made for principal and interest of debt, public assistance, and capital improvement fund, is the sum of \$22,876,471.95 for the Current Fund, \$6,867,178 for the Water/Sewer Utility Fund, and \$510,205 for the Pool Utility; and

**WHEREAS**, the temporary budget shall not exceed 26.25% of the total appropriations in the 2022 budget, exclusive of any appropriations made for principal and interest of debt, public assistance, and capital improvement fund, which is the sum of \$6,000,000 for the Current Fund, \$1,800,000 for the Water/Sewer Utility Fund, and \$130,000 for the Pool Utility Fund.

**NOW, THEREFORE, BE IT RESOLVED BY** the Township Council of the Township of Verona, County of Essex, that the following temporary appropriations for 2024 operating purposes be made in the amount of \$6,000,000 for the Current Fund, \$1,800,000 for the Water/Sewer Utility Fund, and \$130,000 for the Pool Utility Fund.

**ROLL CALL:**

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

**NAYS:**

**RESOLUTION No. 2024-002**

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

**ADOPTING A CASH MANAGEMENT PLAN**

**WHEREAS**, it is in the best interest of the Township of Verona to earn additional revenue through the investment and prudent management of its cash receipts; and

**WHEREAS**, the Local Fiscal Affairs Law requires that each local unit shall adopt a cash management plan.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Verona, in the County of Essex, New Jersey that the following shall constitute the Cash Management Plan for the Township of Verona and the Township of Verona shall deposit and manage its funds pursuant to this plan:

**Definitions**

1. Treasurer shall mean the Chief Financial Officer/Treasurer of the Township of Verona.
2. Fiscal year shall mean the twelve-month period beginning January 1 ending December 31.
3. Cash Management Plan shall mean the plan as approved by this resolution.

**Designation of Depositories**

1. At least once each fiscal year the Township Council shall by resolution designate the depositories for the Township of Verona in accordance with *N.J.S.A. 40A:5-14*.

**Audit Requirement**

1. The Cash Management Plan shall be subject to the annual audit conducted pursuant to *N.J.S.A. 40A:5-4*.

**Authority to Invest**

1. The Chief Financial Officer and the Township Manager shall make and be responsible for municipal deposits and investments.

**Investment Instruments**

1. In accordance with the Local Fiscal Affairs Law, the Chief Financial Officer/Treasurer may use moneys which may be in hand for the purchase, at his/her discretion, of any of the types of securities listed under *N.J.S.A. 40A:5-15.1a*, and if said security is suitable for registry, may be registered in the name of the

Township.

### Records and Reports

1. The Chief Financial Officer/Treasurer shall report all investments in accordance with *N.J.S.A. 40A:5-15.2*.
2. At a minimum the Chief Financial Officer/Treasurer shall:
  - a. Keep a record of all investments.
  - b. Keep a cash position record, which reveals on a daily basis, the status of the Township's cash in its bank accounts.
  - c. Report monthly to the Township Council as to the status of cash balances in bank accounts, revenue collection and cash receipts and disbursements

### Cash Flow

1. The Chief Financial Officer/Treasurer shall ensure that the Township's accounting system provides regular information concerning the Township's cash position and investment performance.
2. All monies shall be turned over to the Tax Collector/Chief Financial Officer/Treasurer and deposited in accordance with *N.J.S.A. 40A:5-15*.
3. The Chief Financial Officer/Treasurer is authorized and directed to invest surplus funds of the Township of Verona as the availability of the funds permit. In addition, it shall be the responsibility of the Chief Financial Officer/Treasurer to minimize the possibility of idle cash by depositing the Township's monies in interest bearing accounts wherever practical and in the best interest of the Township of Verona.
4. The Chief Financial Officer/Treasurer shall ensure that funds are borrowed for Capital Projects in a timely fashion.
5. The Chief Financial Officer/Treasurer or Deputy Treasurer is authorized to make de minimus petty cash disbursements upon being presented a Receipt of Petty Cash slip, detailing the nature of the expenditure not to exceed \$25.00. The expense will be supported by an original receipt and will be approved by the employee's supervisor and also the Chief Financial Officer/Treasurer or the Deputy Treasurer.

### ROLL CALL:

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

**NAYS:**

### RESOLUTION No. 2024-003

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

### RESOLUTION FIXING DEPOSITORIES

**WHEREAS**, *N.J.S.A. 40A:5-14* provides that monies held in any separate fund shall be treated as monies held in trust and shall not be diverted to any other purposes.

**NOW, THEREFORE, BE IT RESOLVED** that Investors Bank, New York Community Bank, Kearny Bank and BCB Bank shall be authorized as the depository for the separate funds of the Township and that the custodian shall be Temporary Chief Financial Officer/Treasurer, Jennifer Muscara.

**BE IT FURTHER RESOLVED** that all withdrawals for the following accounts shall be on orders signed by at least two of the authorized officers. The authorized officers for the

following accounts shall be the Mayor, Chief Financial Officer and Township Manager.

- Claims Fund
- Current Fund
- General Capital Fund
- Water/Sewer Utility Operating Fund
- Water/Sewer Utility Capital Fund
- Swimming Pool Utility Operating Fund
- Swimming Pool Utility Capital Fund
- All Payroll Funds
- State Unemployment Compensation Insurance Account
- Animal Control Funds
- Development Fee Trust Funds
- Affordable Housing Trust Funds
- Open Space Trust Funds
- Trust Funds (Other/Escrow)
- Check Clearing Account

**BE IT FURTHER RESOLVED** that all withdrawals for the following account shall be on orders signed by the Municipal Court Administrator and the Judge of the Municipal Court.

- All Court Funds

**ROLL CALL:**

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

**NAYS:**

**RESOLUTION No. 2024-004**

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

**RESOLUTION DESIGNATING OFFICIAL NEWSPAPER FOR ALL  
ADVERTISEMENTS AND NOTICES AND DESIGNATING TWO  
NEWSPAPERS TO RECEIVE NOTICE OF MEETING**

**WHEREAS**, *N.J.S.A. 40:53.1* permits the governing body of every municipality to designate official newspapers for the publication of all advertisements and notices required by law to be published; and

**WHEREAS**, the Open Public Meetings Act, *N.J.S.A.10:4-6 et seq.*, requires the governing body of each municipality to designate two newspapers to receive the notices of its meetings.

**WHEREAS**, all municipal advertisements shall be published in one or both of the designated official newspapers according to the various statutory provisions; and

**WHEREAS**, the Township Council of the Township of Verona is desirous of designating two official newspapers for the purpose of satisfying the requirements of these statutes; and

**WHEREAS**, the VERONA-CEDAR GROVE TIMES and THE STAR LEDGER, a newspaper published within the County of Essex meets the statutory criteria for designation as the official newspapers for the Township of Verona.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Verona, in the County of Essex, New Jersey that the VERONA-CEDAR GROVE TIMES and THE STAR LEDGER be hereby designated as the official newspapers for all advertisements and notices of the Township of Verona required to be published.

**BE IT FURTHER RESOLVED** that the VERONA-CEDAR GROVE TIMES and THE STAR LEDGER be hereby designated as the two newspapers to receive the notices required by the Open Public Meetings Act.

**ROLL CALL:**

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

**NAYS:**

**RESOLUTION No. 2024-005**

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

**APPROPRIATING DEBT SERVICE REQUIREMENT**

**WHEREAS**, *N.J.S.A. 40A:4-19* provides authority for appropriating in a temporary resolution the permanent debt service requirement for the coming fiscal year providing that such resolution is not made earlier than the last ten days of the preceding fiscal year; and

**WHEREAS**, the date of this resolution is subsequent to that date; and

**WHEREAS**, the debt payments are due prior to our budget being adopted; and

**WHEREAS**, principal and interest will be due on various dates from January 1, 2024 to December 31, 2024 inclusive, in sundry bonds issued and outstanding.

**NOW THEREFORE, BE IT RESOLVED** that the Township Council of the Township of Verona, County of Essex, New Jersey, that the following appropriations be made to cover the period from January 1, 2024 to May 1, 2024 inclusive:

<b>DEBT SERVICE GENERAL IMPROVEMENT</b>	
Bond Principal	\$ 1,270,000
Interest on Bonds	\$ 291,995
Green Acres Loan	\$ 61,095
<b>DEBT SERVICE - WATER UTILITY</b>	
Bond Principal	\$ 180,000
Interest on Bonds	\$ 63,870
Legal Installment	\$ 1,000
Water Loans	\$ 2,344
<b>DEBT SERVICE - POOL UTILITY</b>	
Bond Principal	\$ 15,000
Interest on Bonds	\$ 7,335
Legal Installments	\$ 30,000

**ROLL CALL:**

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

**NAYS:**

**RESOLUTION No. 2024-006**

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

**AUTHORIZING TAX COLLECTOR TO MAKE CORRECTIONS AND/OR ADJUSTMENT NOT EXCEEDING \$10.00**

**WHEREAS**, the Tax Collector has to make certain corrections and adjustments to the accounts in the Tax Collector’s Office; and

**WHEREAS**, it is proper bookkeeping procedure to have the Tax Collector’s record reflect that there are no monies due and owing; and

**WHEREAS**, *N.J.S.A 40A:5-17.1* allows the Tax Collector to process property tax refunds and cancellations or delinquency of less than \$10.00.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Verona in the County of Essex, New Jersey that the Tax Collector is hereby authorized to make any corrections or adjustments to the accounts in the office of the Tax Collector where the correction or adjustment does not exceed \$10.00.

**ROLL CALL:**

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

**NAYS:**

**RESOLUTION No. 2024-007**

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

**AUTHORIZING TAX COLLECTOR TO REFUND  
PROPERTY TAX AND UTILITY OVERPAYMENTS**

**BE IT RESOLVED** by the Township Council of the Township of Verona in the County of Essex, New Jersey that the Tax Collector is hereby authorized to refund property tax and utility overpayments to the accounts in the office of the Tax Collector when deemed appropriate and necessary.

**ROLL CALL:**

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

**NAYS:**

**RESOLUTION No. 2024-008**

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

**SETTING THE RATE OF PENALTIES AND GRACE PERIOD FOR RECEIPT  
OF DELINQUENT TAXES AND MUNICIPAL CHARGES**

**WHEREAS**, *N.J.S.A. 54:67(a)* permits the governing body to fix the rate of interest to be charged for the nonpayment of taxes, assessments, or other municipal liens or charges on or before the date when they would become delinquent, and may provide that no interest shall be charged if payment of any installment is made within the tenth calendar day following the date upon which the same became payable. The rate so fixed shall not exceed 8% per annum on the first \$1,500.00 of the delinquency and 18% per annum on any amount in excess of \$1,500.00, to be calculated from the date the tax was payable until the date that actual payment to the tax collector is made; and

**WHEREAS**, *N.J.S.A. 54:67(c)* permits the governing body to fix a penalty to be charged to a taxpayer with a delinquency in excess of \$10,000 who fails to pay that delinquency as billed, prior to the end of the fiscal year, the penalty so fixed shall not exceed 6% of the amount of the delinquency with respect to each most recent fiscal year only; and

**WHEREAS**, this legislation is permissive in nature and requires the adoption of a resolution by the governing body imposing the penalty for delinquencies in the municipality; and

**WHEREAS**, it has determined that it is in the best interests of the Township to authorize imposition of such penalty.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Verona, in the County of Essex, New Jersey that pursuant to *N.J.S.A. 54:4-67(a)* that the interest rate for delinquent taxes and any delinquency for the year 2024 be set at the rate of 8% per annum for amounts under \$1,500 and 18% per annum for amounts over \$1,500 unless otherwise superseded by law, rule, regulation or order of the State.

**BE IT FURTHER RESOLVED** that no interest shall be charged if payment of any installment is made by the 10th of the month after the date upon which the same became payable, effective January 1, 2024. In the event that the 10th of the month falls on a Saturday, Sunday or



Legal Holiday, the date of the Grace Period ends with the following working day.

**BE IT FURTHER RESOLVED** that pursuant to *N.J.S.A.54:4-67* the Tax Collector is hereby authorized to impose a penalty of 6% on any delinquent taxes and municipal charges in excess of \$10,000 in addition to the interest charges set forth above.

**ROLL CALL:**

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

**NAYS:**

**RESOLUTION No. 2024-009**

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

**AUTHORIZING THE SETTLEMENT OF TAX APPEALS RESULTING IN A  
REDUCTION NOT EXCEEDING \$10,000.00**

**WHEREAS**, there are tax appeals before the County Tax Board or the Tax Court of New Jersey where the amount of reduction in the total annual taxes as a result of a settlement does not exceed \$10,000.00 per tax year; and

**WHEREAS**, it will be more cost efficient for the Township to permit the Tax Assessor, the Attorney and the Township Manager to settle those tax appeals without the necessity of obtaining Township Council approval by way of a resolution.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Verona, in the County of Essex, New Jersey that the Tax Assessor, the Attorney and the Township Manager are hereby authorized to settle any tax appeal where the amount of reduction in the total annual taxes as a result of a settlement does not exceed \$10,000.00 per tax year.

**BE IT FURTHER RESOLVED** that all settlements authorized pursuant to this Resolution shall be reported at the next meeting thereafter of the Township Council.

**ROLL CALL:**

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

**NAYS:**

**RESOLUTION No. 2024-010**

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

**AUTHORIZING THE FILING OF ASSESSOR'S TAX APPEALS, ANSWERS,  
COUNTERCLAIMS, APPEALS AND CROSS APPEALS IN TAX MATTERS  
ON BEHALF OF THE TOWNSHIP OF VERONA**

**WHEREAS**, statutory tax appeals and other matters and applications affecting the taxation of real property within the Township of Verona are routinely filed with the Essex County Board of Taxation and the Superior Court of New Jersey; and

**WHEREAS**, the Township Council finds it to be in the best interest of the citizens of the Township to authorize and direct the Tax Assessor to take any and all action that he/she deems advisable in such tax matters in order to protect, promote and advance the Township's interest in assuring that each property within the Township is fairly and equitably assessed in accordance with the law; and

**WHEREAS**, the Township Council finds it to be in the best interest of the citizens of the Township to authorize and direct the Township Attorney and/or Special Counsel to assist the Tax Assessor in such tax matters referred to herein;

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Verona, County of Essex, State of New Jersey that the Tax Assessor of the Township of Verona

be and is hereby authorized and directed to prepare, file, pursue and litigate, if necessary, any Assessor's Tax Appeals, Answers to Tax Appeals, Counterclaims, Appeals and Cross-Appeals in statutory tax appeals and other matters and applications affecting the taxation of real property within the Township of Verona as may be filed with the Essex County Board of Taxation and/or the Superior Court of the State of New Jersey, that the Tax Assessor deems advisable in such tax matters in order to protect, promote and advance the Township's interest in assuring that each property within the Township is fairly and equitably assessed in accordance with the law.

**BE IT FURTHER RESOLVED** that notwithstanding the foregoing, the Tax Assessor shall provide the Township Manager and the Township Council with a quarterly report detailing all pending tax appeals, and shall be required to obtain the prior approval and consent of the Township Council for the following:

1. The settlement of all non-residential tax appeals.
2. The hiring of expert witnesses for purposes other than real property appraisals.
3. The Tax Attorney for the Township of Verona be and are hereby authorized and directed to take any and all action said Attorney deems advisable to assist the Tax Assessor of the Township of Verona in such tax matters as are referred to herein.
4. The Township Manager, Township Tax Assessor, Township Tax Attorney be and are hereby authorized to take all necessary and appropriate actions to carry out the subject and intent of this Resolution.

**ROLL CALL:**

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

**NAYS:**

**RESOLUTION No. 2024-011**

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

**APPOINTING A PUBLIC AGENCY COMPLIANCE OFFICER**

**WHEREAS**, *N.J.A.C. 17:27-3.5* requires a municipality to designate an officer or employee to serve as its Public Agency Compliance Officer; and

**WHEREAS**, it has been determined that the Township Manager, Joseph O. D'Arco, shall serve as the Public Agency Compliance Officer for the Township.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Verona, in the County of Essex, New Jersey that in pursuant to the provisions of *N.J.A.C. 17:27-3.5* the Township Manager, Joseph O. D'Arco, is hereby designated as the Public Agency Compliance Officer for the Township of Verona.

**BE IT FURTHER RESOLVED** that the Municipal Clerk is hereby directed to forward a copy of this resolution to the State of New Jersey, Department of the Treasury, Public Contract Equal Employment Opportunity Compliance Monitoring Program.

**ROLL CALL:**

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

**NAYS:**

**RESOLUTION No. 2024-011**

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

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**WHEREAS**, *N.J.A.C. 17:27-3.5* requires a municipality to designate an officer or employee to serve as its Public Agency Compliance Officer; and

**WHEREAS**, it has been determined that the Township Manager, Joseph O. D'Arco, shall serve as the Public Agency Compliance Officer for the Township.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Verona, in the County of Essex, New Jersey that in pursuant to the provisions of *N.J.A.C. 17:27-3.5* the Township Manager, Joseph O. D'Arco, is hereby designated as the Public Agency Compliance Officer for the Township of Verona.

**BE IT FURTHER RESOLVED** that the Municipal Clerk is hereby directed to forward a copy of this resolution to the State of New Jersey, Department of the Treasury, Public Contract Equal Employment Opportunity Compliance Monitoring Program.

**ROLL CALL:**

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

**NAYS:**

**RESOLUTION No. 2024-013**

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

**AUTHORIZING EXECUTION OF A PROFESSIONAL SERVICE  
AGREEMENT FOR CONSTRUCTION SUPPORT AND ENGINEERING  
INSPECTION SERVICES FOR THE COMMUNITY CENTER PLAYGROUND  
IMPROVEMENT PROJECT**

**WHEREAS**, the Township Council has authorized a project for ADA improvements to the Community Center Playground, identified as Contract #2023-04; and

**WHEREAS**, the Township has the need for construction support and engineering inspection services for said project; and

**WHEREAS**, the Local Public Contracts Law (*N.J.S.A. 40A:11-5(a)(1)(i)*) permits contracts for professional services to be negotiated and awarded by the governing body without public advertising for bids and requires that the resolution authorizing the award of a contract for professional services without competitive bids and the contract itself be available for public inspection; and

**WHEREAS**, Boswell Engineering has submitted the attached proposal to perform the required services for an amount not to exceed \$43,500 for this project and expenditures shall be charged to budget line item C-53-46-038-007; and

**WHEREAS**, the Administration recommends retaining Boswell Engineering to perform construction support and engineering inspection services for the Community Center Playground Improvement project.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Verona that the Township Manager, or his designee are authorized to execute a contract with Boswell Engineering subject to the following:

1. The award of this contract is subject to finalization of the contract terms which shall include a clause that it may be terminated by the Township at any time and the Engineer shall only be paid for the work performed up to the date of termination.
2. 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.
3. Engineer 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.

**ROLL CALL:**

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

**NAYS:**

**RESOLUTION No. 2024-014**

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

**AWARDING CONTRACT No. 2023-04  
COMMUNITY CENTER PLAYGROUND IMPROVEMENTS**

**WHEREAS**, the Township of Verona received bids for the Community Center Playground Improvements – Contract No. 2023-04 on November 29, 2023; and

**WHEREAS**, six (6) bids were received for Contract 2023-04; and

**WHEREAS**, Picerno Giordano Construction, 200 Market St, Kenilworth, NJ 07033 was the lowest responsive and responsible bidder in the Base Bid Amount of \$705,003.00; and

**WHEREAS**, the Consulting Engineer has reviewed and recommends the Contract award be made to Picerno Giordano Construction, as the lowest responsive and responsible bid.

**NOW, THEREFORE BE IT RESOLVED** by the Township Council of the Township of Verona, in the County of Essex, New Jersey that the contract for Contract No. 2023-04 be awarded to the lowest responsive and responsible bidder, Picerno Giordano Construction, 200 Market St, Kenilworth, NJ 07033 in the total amount of \$705,003.00.

**BE IT FURTHER RESOLVED** that an expenditure in the amount of \$450,000.00 shall be charged against budget line item C-53-46-038-007 or any other account that may be deemed appropriate by the Chief Financial Officer or her designee, and the availability of funds has been certified by the Chief Financial Officer and the balance of \$255,003.00 shall be charged to the bond ordinance (#2024-01), pending adoption on January 22, 2024.

**ROLL CALL:**

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

**NAYS:**

**RESOLUTION No. 2024-015**

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

**AWARDING CONTRACT No. 2023-07  
LINN DRIVE WELL FACILITY PFAS AND ARSENIC TREATMENT**

**WHEREAS**, the Township of Verona received bids for the Linn Drive Well Facility PFAS and Arsenic Treatment – Contract No. 2023-07 on December 8, 2023; and

**WHEREAS**, six (6) bids were received for Contract 2023-07; and

**WHEREAS**, Sovereign Consulting, Inc., Robbinsville, New Jersey was the lowest responsive and responsible bidder in the Base Bid Amount of \$1,711,000.00; and

**WHEREAS**, the Consulting Engineer has reviewed and recommends the Contract award be made to Sovereign Consulting, Inc., as the lowest responsive and responsible bid.

**NOW, THEREFORE BE IT RESOLVED** by the Township Council of the Township of

Verona, in the County of Essex, New Jersey that the contract for Contract No. 2023-07 be awarded to the lowest responsive and responsible bidder, Sovereign Consulting Inc., Robbinsville, New Jersey in the total amount of \$1,711,000.00.

**BE IT FURTHER RESOLVED** that this expenditure shall be charged against budget line C-51-44-996-006 or any account that may be deemed appropriate by the Chief Financial Officer or her designee and supplemented by (pending) New Jersey Infrastructure Bank approval.

**ROLL CALL:**

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

**NAYS:**

**RESOLUTION No. 2024-016**

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

**AUTHORIZING AN INCREASE IN THE CONTRACT WITH NEGLIA ENGINEERING**

**WHEREAS**, the Township required a qualified firm to serve as project engineer for the reconstruction of Everett Field; and

**WHEREAS**, Neglia Engineering, located at 34 Park Avenue, Lyndhurst, New Jersey 07071 was awarded that contract on March 13, 2023 by Resolution No. 2023-055; and

**WHEREAS**, the Township will expend funds above the amount set in Resolution No. 2023-055; and

**WHEREAS**, the services are not to exceed \$2,900 from the Open Space Trust Fund without further authorization of the Governing Body for calendar year 2024.

**THEREFORE, BE IT RESOLVED** that the Township Manager or his designee are hereby authorized to increase the contract 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, McGrath, Roman, McEvoy, Tamburro**

**NAYS:**

**RESOLUTION No. 2024-017**

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

**AUTHORIZING THE AWARD OF DISCRETIONARY AND OPEN CONTRACTS FOR MUNICIPAL PROSECUTOR OF THE SHARED MUNICIPAL COURT OF THE BOROUGHES OF ESSEX FELLS AND NORTH CALDWELL AND THE TOWNSHIP OF VERONA**

**WHEREAS**, the Township of Verona has a need for professional municipal prosecutor services for the Municipal Court of the Boroughs of North Caldwell and Essex Fells and the Township of Verona; and

**WHEREAS**, pursuant to *N.J.S.A. 19:44-20.8*, the firm of Friend & Wenzel, LLC of Clifton, NJ has provided written certification that it has not made a campaign contribution that would bar the award of a contract pursuant to *N.J.S.A. 19:44A-20.5*; and

**WHEREAS**, pursuant to *N.J.S.A. 19:44A-20.5*, the New Jersey Local Pay-to-Play Law and pursuant to *N.J.S.A. 40A:11-5(1)(a)(1)* of the New Jersey Local Public Contracts Law, the Township may enter into said Professional Service Agreement without public bidding under these circumstances.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Verona, County of Essex, New Jersey that the firm of Friend & Wenzel, LLC be appointed Municipal Prosecutor of the Township of Verona for the 2024 calendar year.

**BE IT FURTHER RESOLVED** that the Township Manager and all other officials of the Township of Verona are hereby directed and authorized to take any and all necessary and appropriate actions to carry out the subject and intent of this Resolution.

**BE IT FURTHER RESOLVED** that this Resolution shall take effect immediately upon passage and publication in accordance with law, if required.

**ROLL CALL:**

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

**NAYS:**

**RESOLUTION No. 2024-018**

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

**APPOINTING PUBLIC DEFENDER FOR THE TOWNSHIP OF VERONA  
FOR THE SHARED MUNICIPAL COURT OF THE BOROUGHS OF ESSEX  
FELLS AND NORTH CALDWELL AND THE TOWNSHIP OF VERONA**

**WHEREAS**, pursuant to N.J.S.A. 2A:8-18.1, the Borough of North Caldwell and the Borough of Essex Fells and the Township of Verona have consolidated the use of the Municipal Court accommodations and personnel; and

**WHEREAS**, the Boroughs of North Caldwell, Essex Fells and Verona are in agreement to appoint James Pomaco, Esq. as Public Defender of the Shared Municipal Courts of their respective municipalities; and

**WHEREAS**, said appointment is subject to the advice and consent of the Township Council.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Verona, County of Essex, New Jersey that James Pomaco, Esq. be appointed Public Defender of the Township of Verona for the 2024 calendar year.

**BE IT FURTHER RESOLVED** that the Township Manager and all other officials of the Township of Verona are hereby directed and authorized to take any and all necessary and appropriate actions to carry out the subject and intent of this Resolution.

**BE IT FURTHER RESOLVED** that this Resolution shall take effect immediately upon passage and publication in accordance with law, if required.

**ROLL CALL:**

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

**NAYS:**

**RESOLUTION No. 2024-019**

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

**ENABLING RESOLUTION FOR SUPPLEMENTAL FUNDING REQUEST  
FROM THE NEW JERSEY DEPARTMENT OF ENVIRONMENTAL  
PROTECTION, GREEN ACRES PROGRAM**

**WHEREAS**, the New Jersey Department of Environmental Protection, Green Acres Program ("State"), provides loans and/or grants to municipal and county governments and grants to nonprofit organizations for assistance in the acquisition and development of lands for outdoor recreation and conservation purposes; and

**WHEREAS**, the Township of Verona has previously obtained a Green Acres grant of \$1,200,000 from the State to fund the following project(s): properties located at 111 Mount Prospect Avenue and 25 Commerce Court, in the Township of Verona; and

**WHEREAS**, the Township of Verona desires to further the public interest by requesting an additional Green Acres grant of \$2,508,000 to fund the project(s); and

**WHEREAS**, the State shall determine if the supplemental funding request is complete and in conformance with the scope and intent of the Green Acres Program, and notify the applicant of the amount of the funding award; and

**WHEREAS**, the applicant is willing to use the State's funds in accordance with its rules, regulations and applicable statutes, and is willing to enter into an Amendment of the Agreement with the State for the above-named project.

**NOW, THEREFORE BE IT RESOLVED**, by the Township Council of the Township of Verona that:

1. The Township Manager or his designee is hereby authorized to:
  - (a) Request such a loan and/or such a grant,
  - (b) Provide additional information and furnish such documents as may be required, and
  - (c) Act as the authorized correspondent of the above-named applicant
2. The applicant agrees to provide the local government/nonprofit share if a match is required.
3. The applicant agrees to comply with all applicable federal, state, and local laws, rules, and regulations in its performance of the project.
4. This resolution shall take effect immediately.

**ROLL CALL:**

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

**NAYS:**

**RESOLUTION No. 2024-020**

A motion was made by Councilman Roman; seconded by Councilwoman Holland 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:**

**RESOLUTION No. 2024-021**

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

**TRANSFER OF PERSON-TO-PERSON PLENARY RETAIL CONSUMPTION  
LICENSE TO JIMMY'S RESTAURANT, LLC**

**WHEREAS**, an application has been filed for a Person-Person Transfer of Plenary Retail Consumption License #0720-33-006-014 heretofore issued to AMADEO, INC.; and

**WHEREAS**, the submitted application form is complete in all respects, the transfer fees have been paid, and the license has been properly renewed for the current license term; and

**WHEREAS**, the applicant is qualified to be licensed according to all standards established by Title 33 of the New Jersey Statutes, regulations promulgated thereunder, as well as pertinent local ordinances and conditions consistent with Title 33; and

**WHEREAS**, the applicant has disclosed and the issuing authority reviewed the source of all funds used in the purchase of the license and the licensed business and all additional financing obtained in connection with the license business.

**NOW, THEREFORE, BE IT RESOLVED** that the Township Council of the Township of Verona does hereby authorize the Municipal Clerk to approve, effective this, the eighth day of January, 2024, the transfer of the aforesaid Plenary Retail Consumption License to JIMMY'S RESTAURANT, LLC, and authorizes the Municipal Clerk to endorse the license certificate to the ownership pursuant to State statute.

**ROLL CALL:**

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

**NAYS:**

Motion on Addendum is moved by Councilwoman McGrath; seconded by Deputy Mayor McEvoy.

Public Comment:

None.

**RESOLUTION No. 2024-22**

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

**ACCEPTING THE AWARD OF THE 2023 SFY NEW JERSEY  
BODY ARMOR GRANT**

**WHEREAS**, the Verona Police Department has been awarded a grant in the sum of \$2,547.62 from the New Jersey Department of Law And Public Safety, Office of the Attorney General for the Body Armor Replacement Fund Program for a period covering January 1, 2023 through December 31, 2023; and

**WHEREAS**, the Township is not required to match the contribution provided by the Program.

**NOW, THEREFORE, BE IT RESOLVED** that the Township Council of the Township of Verona, in the County of Essex, New Jersey hereby authorizes the acceptance for the 2023 SFY Body-Armor Grant in the amount of \$2,547.62.

**BE IT FURTHER RESOLVED** that the Township Manager, Chief of Police, Municipal Clerk and any other officer deemed appropriate are hereby authorized to execute any and all documents necessary to accept this grant.



**ROLL CALL:**

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

**NAYS:**

New & Unfinished Business:

Public Comment:

Kevin Ryan, Verona, New Jersey

Executive Session:

Council goes into Executive Session at 8:26 p.m. and returns to Public Session at 8:50 p.m.

A motion to adjourn is made by Councilman Roman; seconded by Councilwoman McGrath. The next meeting will be held on January 22, 2024 at 7:00 p.m.

Respectfully submitted,

  
Jennifer Kiernan  
Municipal Clerk

  
Dr. Christopher Tamburro  
Mayor

APPROVED: