

Minutes of a Regular Meeting of the Verona Township Council on Monday, February 10, 2020, beginning at 7:00 p.m. in the Municipal Building, 600 Bloomfield Avenue, Verona, New Jersey.

Call to Order:

Municipal Clerk reads notice of Open Public Meetings law. The notice requirements of the Open Public Meetings Act have been satisfied with respect to this meeting; specifically, the time, date and location were included in the annual notice of meetings adopted by the governing body, posted in the Municipal Building, and sent to the official newspapers of the Township, the Verona Cedar Grove Times and the Star Ledger. Additionally, the agenda for this meeting was posted in the Municipal Building and sent to the two newspapers before 4:30 p.m. on the Friday preceding this meeting.

Roll Call:

Mayor Jack McEvoy, Deputy Mayor Alex Roman, Councilman Kevin Ryan, Councilman Ted Giblin and Councilwoman Christine McGrath. Township Manager Matthew Cavallo, Brian Aloia, Township Attorney and Municipal Clerk Jennifer Kiernan are also present is absent.

Mayor's Report:

Mayor McEvoy calls for the pledge of allegiance.

Julius Coltre, Essex County Liaison approaches the lectern to update the public on County activities. He reports that the Essex County Deer Management Program will be conducted in the Hilltop Reservation on February 13 and 20.

Mr. McEvoy attended the Community Development Block Grant Presentation and thanks the County Executive for the check presented to the Township. He reports that the VRS Pancake Breakfast was a great event.

Manager's Report:

Mr. Cavallo reports that the automatic door opener on the Gould Street Doors into the Library were installed last week. Complete refurbishment of the Public Restrooms at Town Hall is currently underway by the Buildings & Grounds Division. One restroom is being done at a time. The 2019 Municipal Audit has been started. A reports is expected from the auditors before June 30. The 2020 Municipal Budget is currently being reviewed internally and a draft should be provided to the Council within the next few weeks. Sign-ups for the Township's Constant Contact list have been published. Everyone who would like to be included on the distribution of the Township's monthly e-Newsletter can sign up through the Township's webpage. The first edition will be released around February 15. There are six openings on the newly formed Open Space Trust Fund Advisory Board. Anyone interested should submit his or her intentions to the Municipal Clerk.

There are currently two (2) job postings. One is an entry level position for a Sewage Plant Attendant, the other is for an Electrician for the Wastewater Treatment Plant. The Pool Splash Pad bid will go out next week and the Township Manager hopes to present it to the Council to award in early March.

The recently received CDBG award will go towards and adult outdoor exercise area outside the Community Center. The public meeting for Cameco is postponed as the Township is waiting for the final concept from PHIRL.

The Township has received multiple complaints regarding the PSE&G tree trimming and has requested a stop-work order. Mr. Cavallo met with PSE&G last Thursday. PSE&G has full control over all trees in their conductor and right-of-way, but the DPW Supervisor will be watching over them.

Mr. Cavallo invites Steven Neale and Javier Guardo, founder of PlanetCivic, to present an overview of the online platform.

Finally, Mr. Cavallo reports the since the Township has replaced water meters and upgraded the software, the Township can now run a report of continuous use. The meter knows when water is constantly running through it. This report has identified over 100 residents whose meter is continuously running. The Township plans to send letters out to those residents advising them that there is a leak in their house and to reach out to a plumber.

Councilmember's Reports:

Deputy Mayor Roman reports that there is a special meeting of the Planning Board on Tuesday, February 18, 2020 to review ordinance no. 2020-04-Adopting the First Amendment to the Depot and Pine Redevelopment Area Redevelopment Plan.

Councilman Ryan states that the Open Space Trust Fund Committee is forming now and there are still openings.

Councilman Giblin apologizes for missing the last meeting as he was sick, but is now feeling better. He states that the Neighborhood Traffic and Safety Advisory Committee is meeting on March 10. He reports that the all teams of the Suburban Girls Basketball program have earned playoff spots as well as home court advantage.

Councilwoman McGrath reports she attended Congresswomen Mikie Sherrill's Town Hall in Livingston that focused on tax payer relief from the SALT and improving infrastructure between New York and New Jersey as well as an update of the Peckman River in Little Falls, where the river is being worked on by the Army Corp of Engineers. She reports that she attended the VRS Pancake Breakfast thanks Captain Tempest for giving her a tour of the Squad building. She met with Dr. Miller and Mr. Schels of the Verona Pubic Schools on the topic of teaching anti-Semitism. She urges the public to look at an article published this past September in the Verona Pubic Schools magazine and can be found on their website on how the schools teach about the Holocaust and genocide. She also reports that the Recreation Advisory Committee will meet on February 11 and the Environmental Commission will meet on February 12 will an earlier meeting time of 6:30 pm

**ORDINANCE NO. 2020-05**

**CAPITAL ORDINANCE APPROPRIATING \$50,000 FROM CAPITAL SURPLUS FOR THE PURCHASE AND INSTALLATION OF HVAC UNITS IN THE VERONA COMMUNITY CENTER GYMNASIUM IN AND BY THE TOWNSHIP OF VERONA, IN THE COUNTY OF ESSEX, NEW JERSEY**

The Municipal Clerk reads Ordinance No. 2020-05 by title into record.

Public Hearing:       None

Motion to adopt Ordinance No. 2020-05 is moved by Councilwoman McGrath; seconded by Mayor McEvoy.

**ROLL CALL:**

**AYES: McGrath, Giblin, Ryan, Roman, McEvoy**

**NAYS:**

Ordinance No. 2020-05 is adopted 5-0 and will be published according to law.

Minutes from the January 27, 2020 regular meeting are approved by 4-0 with Councilman Giblin abstaining as he was not present at that meeting.

A motion is made by Councilwoman McGrath; seconded by Councilman Ryan to pull resolution J-1 from the consent agenda. Vote: 5 ayes.

**RESOLUTION No. 2020-50**

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

**SUPPORT FOR THE CELEBRATION OF THE 100TH ANNIVERSARY OF  
WOMEN’S SUFFRAGE**

**WHEREAS**, the year 2020 marks the 100th anniversary of the ratification of the 19th Amendment to the United States Constitution, guaranteeing and protecting women’s right to vote; and

**WHEREAS**, this centennial offers an opportunity to commemorate a milestone of democracy; that the right of citizens of the United States to vote shall not be denied or abridged by the federal or state governments on account of gender; and

**WHEREAS**, New Jersey has had a long, storied history in the suffrage movement with New Jersey women playing a crucial role in pursuing the rights of women to vote; and

**WHEREAS**, in 1776 women property owners were enfranchised under the New Jersey State Constitution, which was unique in the nation at the time. However, in 1807, the New Jersey Legislature eliminated the property requirement for voting rights and limited the ballot to white males; and

**WHEREAS**, in 1867 New Jersey residents Lucy Stone and Harry Blackwell organized the New Jersey Woman Suffrage Association (NJWSA), devoted to gaining women’s suffrage; and

**WHEREAS**, in 1909 New Jersey’s first open air suffrage rallies were held in Orange and Newark, led by Dr. Emma O. Gantz and Martha Klatshchken with NJWSA collecting 5,000 signatures for a petition in support of the federal amendment guaranteeing and protecting women’s constitutional right to vote; and

**WHEREAS**, although the 1912 state referendum on woman’s suffrage was soundly defeated in the New Jersey Legislature a corner was turned for the New Jersey suffrage movement; and

**WHEREAS**, in 1913 an automobile rally led by “General” Rosalie Jones traveled through New Jersey on the way to Washington, D.C., in a Suffrage Parade of over 8,000 marchers with many New Jersey women including event organizer Alice Paul; and

**WHEREAS**, in 1915 a second suffrage constitutional referendum was pursued in New Jersey, New York, Pennsylvania, and Massachusetts with active campaigns by many suffrage organizations, including the “Passing of the Torch of Liberty” via tug boats on the Hudson River from New York to New Jersey, but was defeated in all four states October 1915; and

**WHEREAS**, in 1917 New Jersey suffragists Allison Turnbull Hopkins, Julia Hulburt, Beatrice Reynolds Kinkead, and Minnie D. Abbott picketed in front of the White House as part of the Silent Sentinels and subsequently were arrested and imprisoned; and

**WHEREAS**, on June 4, 1919 Congress passed the 19<sup>th</sup> Amendment guaranteeing all American women the right to vote; and

**WHEREAS**, on February 9, 1920, New Jersey became the 29<sup>th</sup> state to ratify the 19<sup>th</sup> Amendment granting women the right to vote; and

**WHEREAS**, shortly after the ratification of the 19<sup>th</sup> Amendment Margaret Laird and Jennie Van Ness were the first two women elected to the New Jersey Assembly in 1921 and in 1925 Rebecca Estelle Bourgeois Winston of Estell Manor was New Jersey’s first woman mayor.

**NOW, THEREFORE, BE IT RESOLVED**, by the Township Council of the Township of Verona, in the County of Essex, New Jersey, that in honor of the 100<sup>th</sup> Anniversary of the Ratification of the 19<sup>th</sup> Amendment the Township of Verona will light the municipal building in purple, one of the colors of the New Jersey Suffrage movement, for the week of February 10, 2020; and

**BE IT FURTHER RESOLVED** that the Township of Verona supports the efforts of New Jersey’s Suffrage Centennial NJ Women Vote and strongly encourages local celebrations of this historic milestone; and

**BE IT FURTHER RESOLVED**, a copy of this resolution will be forwarded to the

Governor of the State of New Jersey Phil Murphy, the Lieutenant Governor of the State of New Jersey Sheila Y. Oliver, the Secretary of State Tahesha Way and New Jersey League of Municipalities.

**ROLL CALL:**

**AYES: McGrath, Giblin, Ryan, Roman, McEvoy**

**NAYS:**

**RESOLUTION No. 2020-51**

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

**APPROVING CONTRACT CHANGE NO. 2, NO. 3 AND CONTRACT  
CLOSE-OUT CONTRACT NO. 18-11 - FAIRWAY AVENUE WATER TANK  
REHABILITATION**

**WHEREAS**, Manda Corporation and the Township of Verona have heretofore entered into an Agreement, more particularly known as Contract No. 18-11 - "Fairway Avenue Water Tank Rehabilitation" for the furnishing of labor, equipment and materials in the amount of \$688,400.00, in accordance with the requirements of the Local Public Contract Law, *N.J.S.A. 40A:11-1, et seq.*; and

**WHEREAS**, the Township Council has by Resolution No. 2019-102 previously approved Contract Change No. 1 in the amount of plus \$49,512.70, increasing the amount of the contract to \$737,912.70; and

**WHEREAS**, the Township Council has received Contract Change No. 2 and Contract Close-Out for the within contract in an amount of plus \$4,238.30 to substitute the altitude valve on the tank; and

**WHEREAS**, the Township Council has received Contract Change No. 3 and Contract Close-Out for the within contract in an amount of minus \$50,900.00, for a final contract amount of \$691,251.00; and

**WHEREAS**, the Contract Change No. 2, No. 3 and Contract Close-Out do not expand the scope of the within contract; and

**WHEREAS**, the within Contract Change No. 2, No. 3 and Contract Close-Out is in the best interests of 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 Contract Change No. 2, in the amount of plus \$4,238.30 be approved; and

**BE IT FURTHER RESOLVED** by the Township Council of the Township of Verona, in the County of Essex, New Jersey that Contract Change No. 3, in the amount of minus \$50,900.00, for a final contract amount of \$691,251 be approved and Contract No. 18-11 be closed out; and

**BE IT FURTHER RESOLVED** that the Township Manager, the Township Engineer, the Township Clerk and any other officer as may be deemed appropriate are hereby authorized to execute Contract Change No. 2, No. 3 and Contract Close-Out for Contract No. 18-11 on behalf of the Township.

**ROLL CALL:**

**AYES: McGrath, Giblin, Ryan, Roman, McEvoy**

**NAYS:**

**RESOLUTION No. 2020-052**

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

**APPROVING MUNICIPAL RIGHTS-OF-WAY USE TO  
CROSS RIVER FIBER, LLC**

**WHEREAS**, Cross River Fiber, LLC (“Cross River”) a New Jersey limited liability company with offices located at 461 Headquarters Plaza, Morristown, New Jersey 07960 has requested permission to occupy the municipal rights-of-way within the Township of Verona (“Township”) for the purpose of installing and operating a dark fiber system; and

**WHEREAS**, Cross River proposes to place its telecommunication facilities aerially on existing utility poles or in underground conduit in the municipal rights-of-way within the Township for the purpose of owning, constructing, installing, operating, repairing, and maintaining a dark fiber system; and

**WHEREAS**, it is deemed to be in the best interest of the Township and its citizenry particularly including commercial and industrial citizens, for the Township Committee to grant permissions to Cross River to occupy the municipal rights-of-way within the Township for this purpose; and

**WHEREAS**, the granting of such permissions is and shall be conditioned upon Cross River entering into a written agreement with the Township which is attached hereto as Exhibit “A”; and

**WHEREAS**, as set forth in the attached agreement, the granting of such permissions is and shall be conditioned upon Cross River Fiber paying all reasonable actually incurred by the Township in connection with Cross River’s request, pursuant to *N.J.S.A. 54:30A-124*;

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

1. Permission is hereby granted to Cross River, for the non-exclusive use of the municipal rights-of-way within the Township for the purpose of construction, installation, operation, and/or maintenance of a dark fiber system for a period of no less than fifteen (15) years.
2. The Township Manager and the Township Clerk are authorized to execute the agreement between the Township and Cross River Fiber, LLC attached hereto as Exhibit “A.”
3. Cross River Fiber is authorized to present the foregoing Resolution and agreement to the New Jersey Board of Public Utilities for ratification, if required, pursuant to *N.J.S.A. 48:2-14*.

**ROLL CALL:**

**AYES: McGrath, Giblin, Ryan, Roman, McEvoy**

**NAYS:**

**RESOLUTION No. 2020-053**

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

**RESOLUTION OF NEED FOR THE APARTMENTS AT  
TOWNSHIP OF VERONA AFFORDABLE HOUSING PROJECT  
BLOCK 2301, LOTS 11, 12, 14, 15, AND 16**

**WHEREAS**, PIRHL Acquisitions, LLC (hereinafter referred to as the “Sponsor”) proposes to construct approximately eighty-five (85) residential rental very low, low or moderate income restricted units (hereinafter referred to as the “Project”), to be developed and managed pursuant to the provisions of the New Jersey Housing and Mortgage Finance Agency Law of 1983, as amended (*N.J.S.A. 55:14K-1 et seq.*), the rules promulgated thereunder at *N.J.A.C. 5:80-1.1 et seq.*, and all applicable guidelines promulgated thereunder (the foregoing hereinafter collectively referred to as the “HMFA Requirements”) within the Township of Verona (hereinafter referred to as the “Township”) on a site described as Block 2301, Lots 11, 12, 14, 15, 16 as shown on the Official Assessment Map of the Township of Verona, County of Essex (the “Site”); and

**WHEREAS**, the Project will be subject to the HMFA Requirements and the mortgage and other loan documents executed between the Sponsor and the New Jersey Housing and Mortgage Finance Agency (hereinafter referred to as the “Agency”); and

**WHEREAS**, the Project may be subject to the requirements of the New Jersey Department of Community Affairs (hereinafter referred to as the “DCA”), Neighborhood Preservation Balanced Housing Program in accordance with *N.J.S.A. 52:27D-320* and applicable rules promulgated thereunder at *N.J.A.C. 5:43-1.1 et seq.*, and the mortgage and other loan documents executed between the Sponsor and the Commission of the DCA, or any other DCA programs applicable; and

**WHEREAS**, pursuant to the HMFA Requirements, the Township Council hereby determine that there is a need for this housing project in the Township.

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

- 1) The preamble to this resolution is hereby incorporated as if more fully set forth herein.
- 2) The Township Council find and determine that the proposed Project will meet or meets an existing affordable housing need.
- 3) The Township Council hereby adopt this Resolution and make the determination and findings herein contained by virtue of, pursuant to, and in conformity with the provisions of the HMFA Law to enable the Agency to process the Sponsor’s application for Agency funding to finance the Project.

**ROLL CALL:**

**AYES: McGrath, Giblin, Ryan, Roman, McEvoy**

**NAYS:**

**RESOLUTION No. 2020-054**

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

**REQUESTING APPROVAL OF THE DIRECTOR OF THE DIVISION OF  
LOCAL GOVERNMENT SERVICES TO ESTABLISH A DEDICATED TRUST  
BY RIDER FOR THE MUNICIPAL OPEN SPACE TRUST**

**WHEREAS**, the Township Council of the Township of Verona, in the County of Essex, New Jersey will be assessing a dedicated tax and allocating money in the budget appropriations to acquire, preserve and improve lands for open space, conservation , recreation and parklands as per Referendum approved by the voters on November 5, 2019; and

**WHEREAS**, it is the desire and intent of the Township Council to dedicate these funds for those purposes, and account for such funds in a Trust Fund on the Municipal Finance records, and

**WHEREAS**, *N.J.S.A. 40A:4-39* provides the dedicated revenues anticipated from the Township of Verona Open Space Trust Fund are hereby anticipated as revenue and are hereby appropriated for the purpose to which said revenue is dedicated by statute or other legal requirement; and

**WHEREAS**, it is necessary to petition the approval of the Director of the Division of Local Government Services to include these funds and allow these funds to be accounted as a “Dedication by Rider” in accordance with *N.J.S.A. 40:12-15.1 et seq.*

**NOW, THEREFORE BE IT RESOLVED** that the Township Council of the Township of Verona, County of Essex, New Jersey that the Director of the Division of Local Government Services is petitioned to approve the inclusion of the aforementioned dedicated tax and funds accrued pursuant to the Open Space, Recreation, and Farmland and Historic Preservation Trust Fund and Tax approved by the voters by Referendum and adopted by Ordinance 2019-36 as a

“Dedication by Rider” in accordance with *N.J.S.A. 40:12-15.1 et seq.* and that these funds be placed in a Trust Fund and expended for such purposes as heretofore stated.

**ROLL CALL:**

**AYES: McGrath, Giblin, Ryan, Roman, McEvoy**

**NAYS:**

**RESOLUTION No. 2020-055**

A motion was made by Mayor McEvoy; seconded by Councilman Ryan 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:

1. The public shall be excluded from discussion of an action upon the hereinafter specified subject matter.
2. The general nature of the subject matter to be discussed is as follows:
  - a. Pending, Ongoing, or Anticipated Litigation pursuant to *N.J.S.A. 10:4-12 (7)*
    - Docket No. ESX-L-4773-15  
(In All Declaratory Judgement Actions Filed by Various Municipalities, County of Essex, Pursuant to the Supreme Court’s Decision in In re Adoption of *N.J.A.C. 5:96, 221 N.J. 1 (2015)*)
  - b. Contract Negotiations pursuant to *N.J.S.A. 10:4-12 (7)*
    - Fire Truck Purchase
3. It is anticipated at this time that the above stated subject matter will be made public when said subject has been fully discussed by the Council, and the attorney rules this matter may be brought before the public without jeopardizing any pending litigation.
4. This resolution shall take effect immediately.

**ROLL CALL:**

**AYES: McGrath, Giblin, Ryan, Roman, McEvoy**

**NAYS:**

**RESOLUTION No. 2020-056**

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

**AUTHORIZING THE SUSTAINABLE JERSEY GRANT APPLICATION**

**WHEREAS**, a sustainable community seeks to optimize quality of life for its residents by ensuring that its environmental, economic and social objectives are balanced and mutually supportive; and

**WHEREAS**, the Township of Verona strives to save tax dollars, assure clean land, air and water, improve working and living environments; and

**WHEREAS**, the Township of Verona is participating in the Sustainable Jersey Program;  
and

WHEREAS, one of the purposes of the Sustainable Jersey Program is to provide resources to municipalities to make progress on sustainability issues, and they have created a grant program called the Sustainable Jersey Small Grants Program.

NOW, THEREFORE, BE IT RESOLVED, that the Township Council of the Township of Verona, in the County of Essex, New Jersey has determined that the Township should apply for the aforementioned Grant.

**BE IT FURTHER RESOLVED** that Township Council hereby authorizes the submission of the aforementioned Sustainable Jersey Grant.

**ROLL CALL:**

**AYES: McGrath, Giblin, Ryan, Roman, McEvoy**

**NAYS:**

New Business:

The Township Manager states that since the State of the County Address has been changed to a later date, the Council can reschedule the next meeting back to the original date of February 24, 2020. A motion is made by Mayor McEvoy; seconded by Councilman Giblin. Vote: 5 ayes.

The Council agrees to March 2 and March 3 for Budget Workshop Meeting Dates. The meetings will begin at 7:30 p.m. There Council discussion for a plastic bag ordinance.

Public Comment:

Kathleen Laterza, 810 Bloomfield Avenue, Verona, New Jersey

Adjournment:

Motion to enter into Executive Session is moved by Councilman Giblin; seconded by Councilwoman McGrath at 8:40 p.m. Motion to adjourn the meeting at 9:53 pm is motioned by Mayor McEvoy; seconded by Deputy Mayor Roman.

The next regular scheduled meeting is February 24, 2020 at 7:00 p.m.

Respectfully submitted,

*Jennifer Kiernan*  
Jennifer Kiernan, Municipal Clerk

*Jack McEvoy*  
Jack McEvoy, Mayor

APPROVED: February 24, 2020