

Minutes of a Regular Meeting of the Verona Township Council on Monday, February 24, 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, 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. Deputy Mayor Alex Roman 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 27 and March 5, if needed. There will be a job fair at the Turtle Back Zoo for part time seasonal work in early March. The annual Cherry Blossom Run will be held in Branch Brook Park on April 5.

Mr. McEvoy thanks Building and Grounds for the excellent work they did on the first floor bathroom in Town Hall.

Manager's Report:

The Township Manager reports that the Pool Concession Bid was opened yesterday. One nonresponsive bid was received. The Bid is being rebid next Thursday. The bid for the Renovations to the Pool went out to bid two (2) days ago. Bids are due back on Tuesday, March 3. The complete refurbishment of the Public Restrooms at Town Hall is currently underway by the Buildings & Grounds Division. The former Men's Room was completed yesterday and now they will be moving onto the other Public Restroom.

The Council received the proposed 2020 Municipal Budget tonight. Budget workshops are scheduled for Monday, March 2 and Tuesday, March 3 both beginning at 7:30 p.m.

The first Township e-Newsletter was released yesterday (delayed from Tuesday due to website domain issues). Currently there are 950 people signed up to receive the e-Newsletter. After a tedious process, we have been able to obtain VeronaNJ.gov as another website domain for the Township. This site now mirrors the .org site.

Open gym has begun at the Verona Community Center on Sundays. Consult the Township Calendar for exceptions and specific times.

Applications and petitions for County Committee Candidates are due to the Municipal Clerk's office by 4:00 p.m. on Monday, March 30.

Registration for Children's Spring Recreation Programs starts on Monday, March 9 at 9:00 a.m. via Community Pass.

Essex County Executive's State of the County Address will take place Thursday, March 19 at 7:00 p.m. at the Donald M. Payne, Sr. School of Technology in Newark.

VMAC Family Night is Thursday, March 12. The purpose of Family Night is to provide Verona families a cleared schedule to enjoy quality time with each other. It is a simple reminder of the

importance of family time. Family mealtime is an effective tool in fostering family unity and helping children and adolescents remain substance free

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.

The Council received word that the Community Develop Block Grant program will be released from the 2021 Federal budget. Verona has benefited from this program since 1979 and has received over \$8 million to date. This is being eliminated at a time when our infrastructure is failing. Letters from the Council expressing their dismay will go out next week.

Councilmember's Reports:

Councilman Ryan states that he walked up to the Hilltop after the clean-up and commends the folks who cleaned up and weeded. He states that last meeting Ms. Laterza spoke during Public Comment about the status of the new Rent Control Ordinance. The Township Manager states that he is working with the Municipal Clerk in drafting a new ordinance. He also states that the complaint filed by the Verona Tenants Association against the landlord of 800 and 810 Bloomfield Avenue has been settled.

Councilman Giblin thanks the Township Manager and Buildings and Grounds for improving the public bathrooms, which was much needed. He congratulates Verona Police Chief Chris Kiernan, Lieutenant Paul Watkins, III and Lieutenant Detective John DeMars of the West Orange Police Department who were recipients of the 2020 Irish Echo Newspaper Law and Order Awards at an event in New York City. Lt. Detective and Verona resident John DeMars is Deputy Grand Marshall of the 2020 West Orange St. Patrick's Day Parade. He also reports that the County Hazardous Waste Drop Off will be May 2 and the Electronics Drop Off will be May 16.

Councilwoman McGrath states the Township's E-Newsletter is great. She reports that this April 18 is Earth Day. The Environmental Commission will be distributing seedlings and hosting a clean-up of Grove Avenue Pocket Park. She attended a League sponsored budget workshop last weekend and found it to be very informative.

**ORDINANCE NO. 2020-04**

**ADOPTING THE FIRST AMENDMENT TO THE DEPOT AND PINE REDEVELOPMENT AREA REDEVELOPMENT PLAN**

The Municipal Clerk reads Ordinance No. 2020-04 by title into record.

Public Hearing:       None

Motion to adopt Ordinance No. 2020-04 is moved by Councilman Ryan; seconded by Councilman Giblin.

**ROLL CALL:**

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

**NAYS:**

**ABSENT: Roman**

Ordinance No. 2020-06 is adopted 4-0 and will be published according to law.

**ORDINANCE NO. 2020-06**

**REPEALING CHAPTER 77 (FLOOD CONTROL) IN ITS ENTIRETY AND ESTABLISHING A NEW CHAPTER 77 (FLOOD CONTROL AND DAMAGE PREVENTION) OF THE CODE OF THE TOWNSHIP OF VERONA**

The Municipal Clerk reads Ordinance No. 2020-06 by title into record.

Motion to introduce Ordinance No. 2020-06 is moved by Mayor McEvoy; seconded by Councilwoman McGrath.

**ROLL CALL:**

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

**NAYS:**

**ABSENT: Roman**

Ordinance No. 2020-06 is introduced 4-0 and will be published according to law and a public hearing will be held on March 9, 2020.

**ORDINANCE No. 2020-07**

**ORDINANCE TO AMEND CHAPTER A175, FEES, OF THE CODE OF THE TOWNSHIP OF VERONA BY AMENDING CERTAIN SECTIONS**

The Municipal Clerk reads Ordinance No. 2020-07 by title into record.

Motion to introduce Ordinance No. 2020-07 is moved by Councilwoman McGrath; seconded by Councilman Ryan.

**ROLL CALL:**

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

**NAYS:**

**ABSENT: Roman**

Ordinance No. 2020-07 is introduced 4-0 and will be published according to law and a public hearing will be held on March 9, 2020.

**ORDINANCE # 2020-08**

**REPEALING CHAPTER 111 (RECYCLING, SOURCE SEPARATION OF LEAVES AND GARBAGE COLLECTION), ESTABLISHING A NEW CHAPTER 111 (RECYCLING, SOURCE SEPARATION OF LEAVES AND GARBAGE COLLECTION) OF CODE OF THE TOWNSHIP OF VERONA**

The Municipal Clerk reads Ordinance No. 2020-08 by title into record.

Motion to introduce Ordinance No. 2020-08 is moved by Councilwoman McGrath; seconded by Councilman Giblin.

**ROLL CALL:**

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

**NAYS:**

**ABSENT: Roman**

Ordinance No. 2020-08 is introduced 4-0 and will be published according to law and a public hearing will be held on March 9, 2020.

Minutes from the February 10, 2020 regular meeting are approved by 4-0.

Public Comment on Consent Agenda Items:

Gerard Shimonaski, 33 Kenwood Avenue, Verona, New Jersey

**RESOLUTION NO. 2020-57**

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

**RESOLUTION CONCERNING COMMENTS FROM THE VERONA PLANNING BOARD WITH RESPECT TO THE FIRST AMENDMENT TO THE DEPOT AND PINE REDEVELOPMENT AREA REDEVELOPMENT PLAN**

**WHEREAS**, the Local Redevelopment and Housing Law, *N.J.S.A. 40A:12A-1 et seq.* ("**Redevelopment Law**"), authorizes municipalities to determine whether certain parcels of land

located therein constitute areas in need of redevelopment; and

**WHEREAS**, on February 11, 2019, the Township Council for the Township of Verona (the “**Township Council**”) adopted Resolution No. 2019-55, designating as a non-condemnation redevelopment area, Block 2301, Lots 1 through 12 and 14 through 19 as shown on the Tax Map of the Township, commonly known as the “Depot and Pine Redevelopment Area,” (the “**Redevelopment Area**”); and

**WHEREAS**, on June 17, 2019, by Ordinance No. 2019-16 the Township Council adopted a redevelopment plan for the Redevelopment Area entitled “Depot and Pine Redevelopment Area, Redevelopment Plan, Block 2301, Lots 1-12, 14-19, Township of Verona, New Jersey”, dated April 22, 2019 (as may be amended and supplemented from time to time, the “**Redevelopment Plan**”); and

**WHEREAS**, the Township Council now desires to adopt an amendment to the Redevelopment Plan to, among other items, help satisfy the affordable housing commitments and constitutional obligations of the Township; and

**WHEREAS**, Benecke Economics prepared a first amendment to the Redevelopment Plan entitled, “First Amendment to: The Depot and Pine Redevelopment Area Redevelopment Plan”, dated January 21, 2020, which is attached hereto as Exhibit A (the “**Amended Redevelopment Plan**”); and

**WHEREAS**, the Township Council referred the Amended Redevelopment Plan to the Verona Planning Board for consideration in accordance with *N.J.S.A. 40A:12A-7e*; and

**WHEREAS**, pursuant to *N.J.S.A. 40A:12A-7e*, prior to the adoption of a redevelopment plan, or revision or amendment thereto, the planning board shall transmit to the governing body, a report containing its recommendation concerning the redevelopment plan including an identification of any provisions therein that are inconsistent with the master plan and recommendations concerning such inconsistencies and any other matters as the planning board deems appropriate; and

**WHEREAS**, on February 18, 2020, by Resolution 2020-01, the Verona Planning Board determined that the Amended Redevelopment Plan was consistent with the master plan; and

**WHEREAS**, by letter dated February 24, 2020 from Gregory Mascera, Esq., the Planning Board Attorney, certain comments have been transmitted from the Planning Board Members to the Township Manager for the Township Council; and

**WHEREAS**, the Township Council wishes to respond to such comments as set forth below herein.

**NOW THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Verona, in the County of Essex, New Jersey that the aforementioned recitals are incorporated herein as though fully set forth at length.

**Section 1.** Members of the Planning Board expressed concerns with the “lack of specific detail . . . relating to drainage requirements, building height restrictions, density limitations, and traffic impact.” The Township Council believes that such detail is sufficient and already included in the Amended Redevelopment Plan and Redevelopment Agreement dated January 9, 2020 between the Township and PIRHL Developers, LLC (the “Redevelopment Agreement”). Further, as set forth in the Redevelopment Agreement, the site plan application must be approved by the Township Council prior to submission to the Verona Planning Board and must be approved by the Planning Board during the preliminary and final site plan approval process. These additional steps will provide the necessary oversight to ensure that all of the issues raised by members of the Planning Board are addressed.

**Section 2.** Members of the Planning Board respectfully suggested that “the governing body include in the Ordinance specific storm water management detail in accordance with minimum New Jersey and Township of Verona requirements, building height limitations, reduced density from the density currently contemplated, and specific traffic guidelines consistent with applicable traffic manuals and New Jersey Residential Site Improvement Standards”. As with the above, the Amended Redevelopment Plan and Redevelopment

Agreement addresses the concerns of the Planning Board to the satisfaction of the Township Council concerning storm water management, building height limitations and parking. The proposed density on the site is required in order to meet the Township's affordable housing requirements in a manner that best serves the Township. Traffic concerns will be addressed during the preliminary and final site plan approval process.

**Section 3.** This resolution shall be effective immediately.

**ROLL CALL:**

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

**NAYS:**

**ABSENT:** Roman

**RESOLUTION No. 2020-58**

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

**AUTHORIZING EXECUTION OF  
2020 QUALIFIED PRIVATE COMMUNITY SERVICES AGREEMENTS**

**WHEREAS**, in accordance with *N.J.S.A. 40:67-23.1 et seq.*, the Township is required either to perform certain specified services on public roads and streets in the Condominium, which is a qualified private community, or to reimburse said Condominium to the extent specified in that statute for the actual costs to the Association of providing said specified services; and

**WHEREAS**, the Qualified Private Communities in the Township of Verona for the year 2020 are as follows:

1. The Claridges
2. Claridge Estates I
3. Claridge Estates II
4. Green Acres/Ardleigh Mews
5. Verona Bloomfield Association
6. 300 Claremont Avenue
7. 284 Claremont Avenue
8. Verona Invest.
9. Kimberly Gardens
10. Kathleen Gardens
11. Beacon Hill
12. Kips Ridge
13. Wedgewood Gardens
14. Commons at Verona
15. Linwood Village
16. Huntington Park; and

**WHEREAS**, the Township wishes to enter into a Qualified Private Community Services Agreement with the Qualified Private Communities for purposes of providing reimbursement for street ice and snow removal, street lighting, solid waste collection and leaf collection where applicable at a rate not to exceed the cost that would be incurred by the municipality in providing those services directly.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Verona, County of Essex, New Jersey that the Township is hereby authorized to enter into Qualified Private Community Service Agreements with all the Qualified Private Communities for the purpose providing reimbursement for street ice and snow removal, street lighting, solid waste collection and leaf collection where applicable at a rate not to exceed the cost that would be incurred by the municipality in providing those services directly.

**BE IT FURTHER RESOLVED** that the Township Manager and the Township Clerk are hereby authorized to execute said agreements on behalf of the Township of Verona to effectuate same.

**ROLL CALL:**

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

**RESOLUTION No. 2020-059**

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

**REFUNDING TAX LIEN REDEMPTION**

**WHEREAS**, property located at 32 Verona Place, Block 612 Lot 9, owned by Andrew & Christina Lange, has been held in tax lien since December 6, 2018; and

**WHEREAS**, payment was received, in the amount of \$38,992.90 from Christina Lange, clearing the lien as follows:

<b>Certificate #18-00004</b>	
Certificate	\$11,091.25
6% Redemption Penalty	\$ 665.48
Search Fee	\$ 12.00
Recording Fee	\$ 53.00
2018 Taxes plus Interest	\$12,766.28
2018 Utilities plus Interest	\$ 15.49
2018 6% Year End Penalty	\$ 628.92
2019 Taxes plus Interest	\$11,868.32
2019 Utilities plus Interest	\$ 1,133.74
2019 6% Year End Penalty	\$ 758.42
<b>Total</b>	<b>\$38,992.90</b>
<b>Premium</b>	<b>\$54,400.00</b>

**WHEREAS**, this certificate has been held by Tower DB VIII Trust 2018-1 and the certificate has been received and properly signed for cancellation.

**NOW, THEREFORE, BE IT RESOLVED**, that the Chief Financial Officer and Tax Collector be authorized to refund, from Trust, \$93,392.90 to:

Tower DB VIII Trust 2018-1  
50 South 16<sup>th</sup> Street Ste. 2050  
Philadelphia, PA 19102

**ROLL CALL:**

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

**RESOLUTION No. 2020-060**

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

**PERMITTING ITEMS TO BE DISCUSSED IN EXECUTIVE SESSION**

**WHEREAS**, Section 8 of the Open Public Meetings Act, Chapter 231, P.L. 1975, permits the exclusion of the Public from a meeting in certain circumstances; and

**WHEREAS**, this public body is of the opinion that such circumstances presently exists.

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

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
    - GTI
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, McEvoy**

**NAYS:**

**ABSENT: Roman**

**RESOLUTION No. 2020-061**

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

**AMENDING RESOLUTION No. 2019-163**

**WHEREAS**, on October 7, 2019 the Township Council passed Resolution No. 2019-163 entitled "AWARDING CONTRACT TO FIRE & SAFETY SERVICES LTD. FOR THE PURCHASE ONE NEW PIERCE ENFORCER FIRE PUMPER FOR THE VERONA FIRE DEPARTMENT COMPANY 1"; and

**WHEREAS**, the Verona Fire Department Company 1 ("Department") requested that the Optional Trade-In of minus \$15,000 for the 1999 Pierce Lance Pumper be removed from the purchase and the Township retain ownership of the pumper as a spare apparatus; and

**WHEREAS**, the Chief Financial Officer has certified that sufficient funds are available for the increased amount in Bond Ordinance No 2019-17 (Capital Account # C-53-46-031-001).

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Verona, in the County of Essex, State of New Jersey that the contract for the purchase of one (1) new Pierce Enforcer Model Fire Pumper awarded by Resolution No. 2019-163 be amended to remove the Optional Trade-In increasing the contract by \$15,000 for a revised contract amount of \$661,383.22.

**ROLL CALL:**

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

**NAYS:**

**ABSENT: Roman**

New Business:

The Municipal Clerk presents the Council with the Monthly Vacancy Increase Report. There is Council discussion on an ordinance prohibiting the use of plastic bags and regulating the use of paper bags by retail establishments within the Township. An ordinance should be on the agenda for the March 9 meeting.

Public Comment:

Gerard Shimonaski, 33 Kenwood Avenue, Verona, New Jersey  
Kathleen Laterza, 810 Bloomfield Avenue, Verona, New Jersey  
Al DeOld, 15 Howard Street, Verona, New Jersey

Adjournment:

Council goes into Executive Session at 8:40 p.m. Motion to adjourn the meeting at 9:19 pm is motioned by Councilwoman McGrath; seconded by Councilman Ryan.

The next regular scheduled meeting is March 9, 2020 at 7:00 p.m.

Respectfully submitted,

*Jennifer Kiernan*  
Jennifer Kiernan, Municipal Clerk

*Jack McEvoy*  
Jack McEvoy, Mayor

APPROVED: March 9, 2020