

Minutes of a Special Meeting of the Verona Township Council on Minutes of a Special Meeting of the Verona Township Council on May 21, 2020 beginning at 7:00 p.m. via Zoom video conferencing platform.

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 special meeting which is being held via Zoom video conferencing; specifically, the time, date and public internet link and telephone call-in information, was posted in the Municipal Building, on the Township's website, and sent to the official newspapers of the Township, the Verona-Cedar Grove Times and the Star Ledger and MyVeronaNJ.com and TAPinto, the official online news source(s), at least 48 hours preceding the start time of this meeting. The agenda and public handouts for this meeting can be viewed online at www.veronanj.org/councilmeetings. A public comment period will be held in the order it is listed on the meeting agenda and instructions on how to comment will be provided at the appropriate time. This meeting is being recorded, both audibly and visually for retention purposes and for rebroadcast on the Township's YouTube channel and VTV.

Roll Call:

Mayor Jack McEvoy, Deputy Mayor Alex Roman, Councilman Kevin Ryan; Councilman Ted Giblin and Councilwoman Christine McGrath. Township Manager Matthew Cavallo, Township Attorney Brian Aloia and Jennifer Kiernan, Municipal Clerk are also present. Also in attendance is Township Zoning Official, Michael DeCarlo.

Mayor McEvoy leads the Pledge of Allegiance.

Mayor McEvoy conveys his condolences to the Kiernan family. He states that Patricia Kiernan was a pillar of our community and her passing is a huge loss.

He reports that Essex County is providing COVID-19 testing by appointment to anyone interested. Visit www.essexcovid.org to schedule an appointment and please do not drink, eat or smoke 30 minutes prior to arrival.

Mayor McEvoy reads a proclamation for National Police Week and Emergency Medical Services Week. He suggests the public urge their friends and neighbors to respond to the 2020 Census.

RESOLUTION No. 2020-097

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

**AUTHORIZING CARES ACT REIMBURSEMENT
AGREEMENT WITH THE COUNTY OF ESSEX**

WHEREAS, the United States Congress has enacted the Coronavirus Aid Relief and Economic Security Act (the "CARES Act") for, among other reasons, providing relief for economic damage caused to states, counties and municipalities by the COVID-19 health crisis; and

WHEREAS, the County of Essex has received CARES Act funds from the United States Treasury (the Stimulus Funds") to be used to reimburse the County and municipalities and agencies within the County, including the Township of Verona, due to economic damage caused by COVID-19 health crisis; and

WHEREAS, the Township of Verona wishes to enter into agreement with the County of Essex to receive reimbursement from the Stimulus Funds of COVID-19 related costs and damages, to the extent available and applicable.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Verona, in the County of Essex, New Jersey that Township Manager is hereby authorized to

execute a Reimbursement Agreement with the County of Essex according to the terms and conditions and in substantially the form attached hereto.

ROLL CALL:

AYES: McGrath, Giblin, Ryan, Roman, McEvoy

NAYS:

RESOLUTION No. 2020-098

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

**AWARDING CONTRACT TO ENTERPRISE FLEET MANAGEMENT
FOR THE PROCUREMENT OF AN OPEN ENDED VEHICLE LEASE
FOR POLICE DEPARTMENT VEHICLES**

WHEREAS, the Chief of Police recommends that Verona procure two (2) new 2019 Chevrolet Tahoe PPV Vehicles for use by the Police Department (“Department”); and

WHEREAS, the Department has researched vendors that would achieve the Department’s goals and determined that the sought-after equipment may be procured through a nationally-recognized and accepted cooperative purchasing contract between Sourcewell (NJPA) and Enterprise Fleet Management (“Enterprise”); and

WHEREAS, pursuant to *N.J.S.A. 52:34-6.2b(3)* (as amended by *P.L. 2011, c.139*) and LFN 2012-10, a New Jersey municipality may purchase goods and services without public bidding under the Local Public Contracts Law through the use of a nationally-recognized and accepted cooperative purchasing contract that has been developed utilizing a competitive bidding or contracting process by another contracting unit within New Jersey or another state; and

WHEREAS, Sourcewell is a regional organization of governments operating under the laws of the State of Minnesota and is a political subdivision of the State of Minnesota; and

WHEREAS, the subject cooperative purchasing contract was awarded by Sourcewell to John Deer utilizing a competitive contracting process; and

WHEREAS, also pursuant to *N.J.S.A. 52:34-6.2b.(3)* (as amended by *P.L. 2011, c.139*) and LFN 2012-10, prior to making purchases under nationally-recognized and accepted cooperative purchasing contracts, the municipality must determine that the use of the cooperative purchasing contract shall result in cost savings after all factors, including charges for service, material, and delivery, have been considered; and

WHEREAS, the Department has determined that Verona’s use of the Sourcewell cooperative purchasing contract to procure the two (2) new 2019 Chevrolet Tahoe PPV Vehicles will result in cost savings to Verona; and

WHEREAS, consistent with the Sourcewell cooperative purchasing contract and needs of Verona, John Deer has submitted a proposal to provide two (2) new 2019 Chevrolet Tahoe PPV Vehicles; and

WHEREAS, the Chief Financial Officer has certified that sufficient funds are available for this purchase.

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

1. The foregoing “WHEREAS” clauses are hereby incorporated as if fully restated.
2. A contract for the purchase of two (2) new 2019 Chevrolet Tahoe PPV Vehicles is hereby awarded to Enterprise without public bidding as permitted by law.
3. The Township Manager and Township Clerk are hereby authorized and directed to execute an Agreement and any other forms necessary for the fulfilment of this

contract with Enterprise pursuant to the terms of its nationally-recognized and accepted cooperative purchasing agreement with the Sourcewell.

4. The form and terms of the End User Agreement shall be consistent with this resolution is subject to the approval of the Township Attorney.

ROLL CALL:

AYES: McGrath, Giblin, Ryan, Roman, McEvoy

NAYS:

RESOLUTION No. 2020-099

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

AUTHORIZING AN INTERLOCAL SERVICES AGREEMENT WITH THE BOROUGH OF CALDWELL TO PROVIDE PLANT WATERING

WHEREAS, the Uniform Shared Services and Consolidation Act, *N.J.S.A. 40A:65-1 et seq.* (the "Act"), authorized local units of this State to enter into agreements with any other local unit or units to provide or receive any service that each local unit participating in the agreement is empowered to provide or receive in its own jurisdiction; and

WHEREAS, the Township of Verona and the Borough of Caldwell are desirous to enter an Interlocal Services agreement to provide flower basket watering; and

WHEREAS, the Township of Verona and the Borough of Caldwell have reached an agreement as to the terms and conditions associated with said agreement; and

WHEREAS, it is in the best interest of both municipalities to enter into this Interlocal Services Agreement for the period beginning on or around May 22, 2020 and terminating on or around October 4, 2020.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Verona, in the County of Essex, New Jersey that Township Manager and Township Clerk are hereby authorized to execute an Interlocal Services Agreement with the Borough of Caldwell to provide plant watering services.

BE IT FURTHER RESOLVED that the Township Clerk shall transmit a certified copy of this resolution to the Clerk of the Borough of Caldwell.

ROLL CALL:

AYES: McGrath, Giblin, Ryan, Roman, McEvoy

NAYS:

RESOLUTION No. 2020-100

A motion was made by Councilwoman McGrath; seconded by Deputy Mayor Roman 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)*
 - GTI New Jersey
 - Depot & Pine Redevelopment (Block 2301, Lots 11, 12, 14, 15 & 16)
 - Poekel Property (Block 2301, Lots 17 & 18)
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:

Township Manager Matthew Cavallo states that representatives from GTI, Attorney Paul Josephson and GTI's CEO, Devra Karlebach are present this evening to provide knowledge and information to the community and governing body, and answer any questions from the public pertaining to their request to open a medical cannabis dispensary at 30 Pompton Avenue.

Public Comment:

Jason Hyndman, 34 Cambridge Road, Verona, New Jersey
Paul Sciarra, 7 Crestmont Road, Verona, New Jersey
Jessica Pearson, 20 Montclair Avenue, Verona, New Jersey
Maria Squilanti, 6 Belleclair Place, Verona, New Jersey
Rob Caruso, 42 Marion Road, Verona, New Jersey
Luigi Cappello, 64 Sunset Avenue, Verona, New Jersey

Council enters into Executive Session at 9:17 p.m.

Motion to adjourn the public meeting at 10:34 p.m. is moved by Councilman Giblin; seconded by Councilman Ryan. Vote: 5 ayes.

The next regular scheduled meeting is June 8, 2020 at 7:00 p.m.

Respectfully submitted,

Jennifer Kiernan
Jennifer Kiernan, Municipal Clerk

Jack McEvoy
Jack McEvoy, Mayor

APPROVED: June 8, 2020