

Minutes of a Regular Meeting of the Verona Township Council on Monday, August 10, 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 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, Brian Aloia, Township Attorney and Municipal Clerk Jennifer Kiernan are also present.

Mayor's Report:

Mayor McEvoy states that Julius Coltre, Essex County liaison is present this evening. Mr. Coltre reports that the County is working to clean up the parks following Tropical Storm Isaias. Verona Park will be clean of debris this week. COVID-19 testing continues throughout the County. Appointments can be made at www.essexcovid.org. Food distribution will be held tomorrow at St. James AME Church in Newark beginning at 9am. Homebound citizen can contact the County Executive's office and food will be delivered to those in need. The County is planning a hazardous waste drop off day on October 3rd and computer electronics drop off day on October 17, 2020 at 99 Bradford Avenue in Cedar Grove.

Mr. McEvoy keeps his report short this evening and thanks the emergency responders for the quick response during Tuesday's storm.

Manager's Report:

Mr. Cavallo reports that Tropical Storm Isaias knocked out power to the Passaic Water Commission causing Verona to open interconnections with Cedar Grove, Essex Fells and Montclair resulting in a decrease of water pressure for our residents. Subsequent to that, two (2) water main breaks occurred on Cumberland Avenue. The area will be milled and paved this week. PSE&G now shows no power outages in Verona. The police department responded to over 200 calls during the storm. Mr. Cavallo thanks the public works department, first responders and utility crews. He states that DPW has collected debris all this week and will continue to pick up branches and limbs if residents place them in piles at their curb.

Mr. Cavallo reports that 2020 Census takers will be going door-to-door beginning on August 11 to all dwellings that did not respond to the Census.

The Land Conservancy of NJ will update the Township's recreation and open space inventory, which is needed for the Master Plan and grant applications.

PIRHL will present their site plan application to the Planning Board on Tuesday, August 18, 2020 at 7:30 via Zoom conference platform. All documents have been posted to the Planning Board Documents webpage.

This year's food truck festival has been cancelled. Mr. Cavallo states that there is a desperate need to crossing guards. Anyone interested can contact the Police Records Bureau.

Mr. Cavallo reports that a decision has yet to be made regarding the November General Election and whether it will be all vote by mail or in-person voting. He states that the Municipal Clerk's

website will be updated as information becomes available.

DeCamp bus lines has temporarily suspended service to New York. NJ Transit does not have the resources to absorb DeCamp's lines but has information for other means of public transportation on their website.

Complying with the Township Council's decision to submit Requests for Proposals (RFP's) for professional services every two (2) years, RFPs for 2021 for the Township Attorney, Engineer and Auditor will go out in a few weeks. There are two (2) vacancies in the Police Department due to retirements. One position has been filled. Stephen Saldutto, previously a dispatcher with the department will start on August 16.

Mr. Cavallo reports that the Township has released a statement by press release and social media that after many hours of negotiating with GTI, both parties were unable to reach an amicable agreement and negotiations have ceased. The Township considers this matter closed.

Councilmember's Reports:

Deputy Mayor Roman observed the emergency response to the water/sewer system. He states it was impressive to watch DPW, the Fire Department and Police work together and solve the problem as they were completely prepared.

Councilman Ryan echoes the previous comments and appreciates the speedy and efficient jobs of public works, police and fire. Regarding GTI, Mr. Ryan cautions people that nothing new will occur until after the General Election, where a question will be posed if recreational marijuana should be legalized. He asks everyone to remain civil in their comments during Public Comment of the meetings and social media.

Councilman Giblin gives a big thank you to all the departments for getting the town back on track after the storm. He thanks the Township Manager, who worked hard to get everything back to normal. Mr. Giblin states he has heard that some residents have not been too kind to the DPW employees as they clear the roads of debris. He urges the residents to try to understand the job is not as easy as it seems. Referring to the adopted tree ordinance, he states it may need to be revisited, overhauled or maybe rescinded as the storm caused many trees to come down. He feels residents may want to remove trees and deserve to feel safe in their own home.

Mr. Giblin states that under the previous management, much was made about professional services. The Council, at that time, implemented a policy to RFP the Township Attorney and Engineer after 2 years. He states RFPs are like a review of the professional's performance. Referencing GTI, Mr. Giblin states that there were some matters that this Council, as a whole, wanted in place. Unfortunately, they never heard back from GTI. He read in a July 30 article in the Star Ledger that 68% of NJ residents are in favor of legalizing recreational marijuana.

Councilwoman McGrath thanks the Township Manager, police, first responders and public works for going above and beyond in their response to the storm. She reports that she sent a note to the Township Manager stating that at the intersection of this pandemic, many had to deal with losing power. The next storm could result in a loss of heat and/or power. She would like to have a discussion about creating heating centers and charging stations while practicing safe measures during a pandemic. She had discussed the use of reverse 911 to get info to residents.

Ms. McGrath reports that there is a lot of misinformation online about vote by mail ballots. She thanks the Municipal Clerk for updating her website for posting accurate information. Ms. McGrath also would like to have a discussion as to how the Council can support residents through the pandemic as the Federal government cannot pass a third relief package, she is concerned about the Town's residents and the rising unemployment figures. Verona currently has 1,200 unemployed residents due to the COVID-19 pandemic.

ORDINANCE No. 2020-18

WATER AND SEWER UTILITY CAPITAL ORDINANCE APPROPRIATING \$115,000 FROM WATER/SEWER UTILITY CAPITAL SURPLUS FOR ENGINEERING AND PLANNING COSTS RELATING TO THE REHABILITATION OF THE PRIMARY CLARIFIER PUMP STATION BY THE TOWNSHIP OF VERONA, IN THE COUNTY OF ESSEX, NEW JERSEY

The Municipal Clerk reads Ordinance No. 2020-18 by title into record.

Motion to adopt Ordinance No. 2020-18 is moved by Mayor McEvoy; seconded by Deputy Mayor Roman.

ROLL CALL:

AYES: McGrath, Giblin, Ryan, Roman, McEvoy

NAYS:

Introduction of Ordinance No. 2020-18 is approved 5-0 and will be published according to law. A public hearing will be held on August 24, 2020.

ORDINANCE No. 2020-19

**REPEALING CHAPTER 112 "RENT CONTROL" IN ITS ENTIRETY AND
ESTABLISHING A NEW CHAPTER 112**

The Municipal Clerk reads Ordinance No. 2020-19 by title into record.

Motion to adopt Ordinance No. 2020-19 is moved by Councilwoman McGrath; seconded by Councilman Giblin.

ROLL CALL:

AYES: McGrath, Giblin, Ryan, Roman, McEvoy

NAYS:

Introduction of Ordinance No. 2020-19 is approved 5-0 and will be published according to law. A public hearing will be held on August 24, 2020.

Public Comment on Consent Agenda Items:

None.

Minutes of the August 10, 2020 regular meeting are approved unanimously.

RESOLUTION No. 2020-141

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

CERTIFICATION OF 2019 ANNUAL AUDIT

WHEREAS, *N.J.S.A.40A:5-4* requires the governing body of every local unit to have made an annual audit of its books, accounts and financial transactions; and

WHEREAS, the Annual Report of Audit for the year 2019 has been filed by David J. Gannon a Registered Municipal Accountant with PKF O'Connor Davies LLP pursuant to *N.J.S.A. 40A:5-6*, and a copy has been received by each member of the governing body; and

WHEREAS, *R.S. 52:27BB-34* authorized the Local Finance Board of the State of New Jersey to prescribe reports pertaining to the local fiscal affairs; and

WHEREAS, the Local Finance Board has promulgated *N.J.A.C. 5:30-6.5*, a regulation requiring that the governing body of each municipality shall, by resolution, certify to the Local Finance Board of the State of New Jersey that all members of the governing body have reviewed, at a minimum, the sections of the annual audit entitled, "Comments and Recommendations"; and

WHEREAS, such resolution of certification shall be adopted by the governing body no later than forty-five days after the receipt of the annual audit, pursuant to *N.J.A.C. 5:30-6.5*; and

WHEREAS, all members of governing body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local

Finance Board; and

WHEREAS, failure to comply with the regulations of the Local Finance Board of the State of New Jersey may subject the members of the local governing body to the penalty provisions of R.S. 52:27BB-52, to wit:

R.S. 52:27BB-52: A local officer or member of a local governing body who, after a date fixed for compliance, fails or refuses to obey an order of the director (Division of Local Government Services), under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than one thousand dollars (\$1,000) or imprisoned for not more than one year, or both, in addition shall forfeit his office.

NOW, THEREFORE, BE IT RESOLVED that the Township Council of the Township of Verona, in the County of Essex, New Jersey, hereby affirms compliance *N.J.A.C. 5:30-6.5* and does hereby submit a certified copy of this resolution and the required affidavit to the Local Finance Board to show evidence of said compliance.

ROLL CALL:

AYES: McGrath, Giblin, Ryan, Roman, McEvoy

NAYS:

RESOLUTION No. 2020-142

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

REFUNDING ESCROW PAYMENT

WHEREAS, Escrow fees, for the Board of Adjustment, were received Flat Iron Development LLC, for property located at 726 Bloomfield Avenue and the fees have been held in Trust; and

WHEREAS, certification has been received from the Engineer to release these funds, from Trust, as follows:

| ESCROW AMOUNT | EXPENSES | AMOUNT TO BE REFUNDED |
|---------------|----------|-----------------------|
| \$1,000.00 | \$0.00 | \$1,000.00 |

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Verona, in the County of Essex New Jersey that the Chief Financial Officer and Tax Collector be authorized to refund, from the Trust Account, \$1,000.00 to Flat Iron Development LLC, 3 Fairview Avenue, Verona, NJ 07044.

ROLL CALL:

AYES: McGrath, Giblin, Ryan, Roman

NAYS:

ABSTAIN: McEvoy

RESOLUTION No. 2020-143

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

REFUNDING ESCROW PAYMENT

WHEREAS, Escrow fees, for the Planning Board, were received Desmond Morrow, for property located at 175 Grove Avenue and the fees have been held in Trust; and

WHEREAS, certification has been received from the Engineer to release these funds, from

Trust, as follows:

| ESCROW AMOUNT | EXPENSES | AMOUNT TO BE REFUNDED |
|------------------|----------|--------------------------|
| \$1,000.00 | \$0.00 | \$1,000.00 |

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Verona, in the County of Essex New Jersey that the Chief Financial Officer and Tax Collector be authorized to refund, from the Trust Account, \$1,000.00 to Desmond Morrow, 155 N. Mountain Avenue, Montclair, NJ 07042

ROLL CALL:

AYES: McGrath, Giblin, Ryan, Roman, McEvoy

NAYS:

RESOLUTION No. 2020-144

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

REFUNDING ESCROW PAYMENT

WHEREAS, Escrow fees, for the Board of Adjustment, were received Bob Smith & Associates Attorneys at Law, for property located at 15 Pompton Avenue and the fees have been held in Trust; and

WHEREAS, certification has been received from the Engineer to release these funds, from Trust, as follows:

| ESCROW AMOUNT | EXPENSES | AMOUNT TO BE REFUNDED |
|------------------|----------|--------------------------|
| \$1,000.00 | \$0.00 | \$1,000.00 |

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Verona, in the County of Essex New Jersey that the Chief Financial Officer and Tax Collector be authorized to refund, from the Trust Account, \$1,000.00 to Bob Smith & Associates, c/o Pep Boys Auto, 216 Stelton Road Ste. B1, Piscataway, NJ 08854.

ROLL CALL:

AYES: McGrath, Giblin, Ryan, Roman, McEvoy

NAYS:

RESOLUTION No. 2020-145

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

REFUNDING ESCROW PAYMENT

WHEREAS, Escrow fees, for the Planning Board, were received Ashenfelter, Slous, McDonough & Trevenen, LLP, for property located at 303 Pompton Avenue and the fees have been held in Trust; and

WHEREAS, certification has been received from the Engineer to release these funds, from Trust, as follows:

| ESCROW AMOUNT | EXPENSES | AMOUNT TO BE REFUNDED |
|------------------|----------|--------------------------|
| \$2,250.00 | \$0.00 | \$2,250.00 |

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Verona, in the County of Essex New Jersey that the Chief Financial Officer and Tax Collector be authorized to refund, from the Trust Account, \$2,250.00 to Ashenfelter, Slous, McDonough & Trevenen LLP, 363 Bloomfield Avenue Ste. 2C, Montclair, NJ 07042.

ROLL CALL:

AYES: McGrath, Giblin, Ryan, Roman, McEvoy

NAYS:

New Business:

Council discusses the Public Comment period, as adopted in Ordinance 2019-04, and the manner in which the public addresses the Council and how the Council responds to the public.

Council considers a request for an Extraordinary Tree removal for the property located at 41 Mountain Road. Motion to grant the request is made by Mayor McEvoy; seconded by Councilman Giblin. Vote: 5-0.

The Council makes the following appointments by a unanimous vote motioned by Councilman Ryan; seconded by Deputy Mayor Roman. Vote: 5-0

1. Board/Committee/Commission Appointments
 - a. Planning Board
 - i. Al DeOld Class IV Member Unexpired Term Ending 6/30/2021
 - ii. David Freschi Alternate #1 Unexpired Term Ending 6/30/2022
 - ii. Jason Hyndman Alternate #2 Unexpired Term Ending 6/30/2021

Councilwoman McGrath raises concerns with the DeCamp bus lines suspending direct bus transportation in and out of Manhattan. She recommends working with other towns to approach NJ Transit to consider accompanying commuters. Council is in agreement that a formal resolution urging elected officials and Agency chairs to look into assisting West Essex residents. The Township Manager will draft a letter to send NJ Transit and circulated it among the Council prior to sending. Ms. McGrath asks residents to reach out to the governing body if they have any recommendations.

Public Comment:

Kathleen Laterza, 810 Bloomfield Avenue, Verona, New Jersey
Paul Sciarra, 7 Crestmont Road, Verona, New Jersey

Adjournment:

Motion to adjourn the meeting at 9:30 pm is motioned by Councilman Giblin; seconded by Councilman Ryan.

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

Respectfully submitted,

Jennifer Kiernan
Jennifer Kiernan, Municipal Clerk

Jack McEvoy
Jack McEvoy, Mayor

APPROVED: August 24, 2020