

Minutes of a Regular Meeting of the Verona Township Council on Monday, September 21, 2020, beginning at 7:01 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 reports that he attended the Historical Preservation Commission meeting this week. The committee rehashed items to go over. They were pleased with the Poekel property purchase and look forward to seeing the preservation of the shed.

Mayor McEvoy urges the public to check the Town calendar on the Township website for events. He thanks everyone that came out for the 9/11 ceremony and thanks Sue DeWitt, Lenny Waterman & the 9/11 committee along with DPW for setting up the event and helping place the flags in the Civic Center.

Manager's Report:

The rebid of the Pool Renovations Project is currently out to bid. An addenda was issued and the new bid date is September 30. Bids will be available on BidNet for the Collection, Removal and Disposal of Recyclable Materials tomorrow. The bid date on this bid is October 14. RFPs for our 2021 Professional Service Contracts, specifically attorney and engineering services, will be available tomorrow. The bid date on these RFPs is October 20.

The PIRHL Developers application to the New Jersey Housing and Mortgage Finance Agency (HMFA) was submitted last week. Mr. Cavallo thanks the Council and Planning Board for getting this done in a timely fashion.

The County of Essex testing sites are still open and appointments can be made at www.EssexCovid.org for the second mobile testing site here in Verona tomorrow, September 22 at the Verona Community Pool from 4 - 6pm.

Free Shredding will take place on September 26 from 8:00 am - Noon. The event is co-sponsored by Berkshire Hathaway HomeServices and Sustainable Verona. Located at the parking lot of the Verona Community Pool. Masks must be worn. Residents are asked to enter the parking lot to get in line and remain inside the vehicle. A masked and gloved DPW employee will remove the items from your vehicle for you. Once the material is removed, you can drive away. Donations to benefit The Sunshine Kids will be collected and greatly appreciated.

New Jersey has officially surpassed the self-response rates of the last three Censuses, setting a thirty-year record! Our response rate is good, but we can't stop now! Data collected this year will determine whether New Jersey receives more than \$45 billion in annual federal funds. Do your part for your community. The last day to fill out the Census is September 30.

The County of Essex is continuing their Emergency Food Distribution Events every Thursday

through the end of the year. More information is available on the Essex County website.

The Township's 2nd EV Charging Station has been installed at the Community Center. An ordinance is on tonight officially establishing these parking spots for EV charging only and amending the fees charged for use of the stations.

The Community Garden is finally coming to fruition. It is located adjacent to Municipal Lot 1 and HBW Middle School.

Mr. Cavallo urges the residents who have garden tools they may be looking to donate, the Verona Community Garden is in its birth stages and would appreciate any gardening equipment are no longer in use. Donations to purchase for the garden would also be appreciated. Items will be collected through November 1st. Depending on size, the Township will be happy to pick these items up from residents. Pick-ups can be scheduled on the Township's website.

The 2nd Annual Verona Arts Chalkfest will be held this Saturday. Share your creativity from the comfort of your own sidewalk or driveway.

Essex County will be hosting their Hazardous Waste Collection Days at the Essex County Public Works Fleet Management, 99 West Bradford Avenue in Cedar Grove. Thursday, October 1 and Friday, October 2 from 9:00 a.m. to 1:00 p.m. and Saturday, October 3 from 8:30 a.m. to 4:00 p.m.

Verona Electronic Waste Drop-Off will take place on Friday, October 9 and Saturday October 10. Verona Fights Hunger Week is October 11 through October 17. VMAC Family Night is Thursday, October 15, 2020.

Essex County Computer & Electronic Recycling will be held on Friday, October 16 and Saturday, October 17. The 3rd Annual Opioid Awareness Walk will be on Saturday, October 24.

Councilmember's Reports:

Deputy Mayor Roman has no report tonight.

Councilman Ryan compliments County Clerk Chris Durkin, Municipal Clerk Jennifer Kiernan and the Democratic County Committee Chairperson Laura Fortgang for their timely and informative Zoom presentation on the upcoming General Election. He attended a webinar at the end of August giving landlord and tenant information on people unable to pay rent and New Jersey moratorium on evictions. He states he has ideas on how to revise the rent ordinance he wants to be careful during a period of a pandemic to not exasperate things.

Councilman Giblin attended the 9/11 ceremony. He gives a big "thank you" to Mr. Cavallo, Buildings and Grounds Department, the lifeguards and pool managers who worked to make the pool operational for 2020. He received an email from Mr. Manousos regarding traffic ideas and new developments. The Library Board has implemented a new service through an organization that offers online tutoring services to those with a library card. He urges anyone interested to contact the Verona Public Library.

Councilwoman McGrath gives an update on the Recreation Advisory Committee. The committee provided a lot of feedback to the Director of Community Services, Jim Cunningham and the recreation department to have that super successful pool season, safely. There are strong volunteers on this committee and the Councilwoman reports that there is an upcoming survey for pool members with certain questions to probe the snack bar absence and how that impacted the pool goers experience. Enrollment for fall activities was sold out. Including adult activities. The Committee is also looking in to offering activities for winter and may be offering outdoor activities as the Committee continues to think outside the box. There was also a conversation on long term recreational capital management, identifying assets and what assets need to be built upon. She attended a meeting with Assemblyman Weber for elected officials where the issue of the DeCamp bus line was raised by the Councilwoman. The Assemblyman was not really aware of and a conversation on the importance of not losing direct bus service to Manhattan following the pandemic.

Verona Fights Hunger week is coming. The Juniors are ready to collect food to support local

food pantries. Details are still to come at the next Council meeting. She urges the community to be generous during this difficult time.

ORDINANCE No. 2020-17

BOND ORDINANCE AUTHORIZING THE PURCHASE OF PROPERTY IN AND BY THE TOWNSHIP OF VERONA, IN THE COUNTY OF ESSEX, NEW JERSEY KNOWN AS BLOCK 501, LOT 83 AND BLOCK 1201, LOT 3.01 ON THE TAX MAP OF THE TOWNSHIP, APPROPRIATING \$12,800,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$12,190,000 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF

The Municipal Clerk reads Ordinance No. 2020-17 by title into record.

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

Public Hearing:
None.

ROLL CALL:

AYES: McGrath, Giblin, Ryan, Roman, McEvoy

NAYS:

ORDINANCE No. 2020-20

AMENDING CHAPTER 36 (PERSONNEL BENEFITS, COMPENSATION AND REGULATIONS), ARTICLE I (BENEFITS AND COMPENSATION), SECTION 36-25 (DONATED LEAVE PROGRAM) OF THE CODE OF THE TOWNSHIP OF VERONA

The Municipal Clerk reads Ordinance No. 2020-20 by title into record.

Motion to introduce Ordinance No. 2020-20 is moved by Councilwoman McGrath; seconded by Councilman Giblin.

ROLL CALL:

AYES: McGrath, Giblin, Ryan, Roman, McEvoy

NAYS:

Introduction of Ordinance No. 2020-20 is approved 5-0 and will be published according to law. A public hearing will be held on October 5, 2020.

ORDINANCE No. 2020-21

AMENDING AND SUPPLEMENTING CHAPTER 140 (VEHICLES AND TRAFFIC) AND CHAPTER A175-1 (SCHEDULE OF FEES) OF THE CODE OF THE TOWNSHIP OF VERONA TO AMEND REGULATIONS FOR PUBLIC PARKING SPACES FOR CHARGING OF ELECTRIC VEHICLES

The Municipal Clerk reads Ordinance No. 2020-21 by title into record.

Motion to introduce Ordinance No. 2020-21 is moved by Deputy Mayor Roman; seconded by Councilman Ryan.

ROLL CALL:

AYES: McGrath, Giblin, Ryan, Roman, McEvoy

NAYS:

RESOLUTION No. 2020-153

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

**AUTHORIZING EXECUTION OF A LEASE EXTENSION
AGREEMENT WITH THE COUNTY OF ESSEX FOR THE
CONTINUED LEASE OF VETERAN’S FIELD**

WHEREAS, on July 22, 1976, the Township of Verona (the “Township”) and the County of Essex (the “County”) entered into the lease agreement which expired on July 21, 2001 (25 years later) for the lease of Veteran’s Field by the County to the Township; and

WHEREAS, the County and the Township have continued to operate as though the Lease was still in effect; and

WHEREAS, Township has indicated a desire to confirm a renewal of the Lease that allows Township to continue to occupy the entire Premises and to continue to abide by the conditions of the Lease; and

WHEREAS, the County has indicated a desire to confirm the extension of the Lease to allow the Township to continue to utilize the property for baseball and other sporting and community events; and

WHEREAS, based upon the above understandings, the County and the Township desire to enter into the Lease Extension Agreement reaffirming their duties and responsibilities under the Lease.

NOW THEREFORE, BE IT RESOLVED by the Township Council of the Township of Verona, in the County of Essex, New Jersey that the Lease and all of the terms, conditions, duties and responsibilities contained therein shall continue in full force and effect for another 25 years beginning upon the original Lease expiration and continuing until this Lease Extension Agreement expires on July 21, 2026, unless extended or cancelled by either the County or the Township in accordance with the terms of the Lease.

BE IT FURTHER RESOLVED that the Township Manager and the Township Clerk are hereby authorized to execute the Lease Extension Agreement a copy of which shall be available for public inspection in the Office of the Township Clerk.

ROLL CALL:

AYES: McGrath, Giblin, Ryan, Roman, McEvoy

NAYS:

RESOLUTION No. 2020-154

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

**APPROVING CONTRACT CLOSE-OUT CONTRACT NO. 19-02A -
RECONSTRUCTION OF LINN DRIVE**

WHEREAS, KM Construction Corp and the Township of Verona have heretofore entered into an Agreement, more particularly known as Contract No. 19-02A - “Reconstruction of Linn Drive REBID” for the furnishing of labor, equipment and materials in the amount of \$569,759.31, in accordance with the requirements of the Local Public Contract Law, *N.J.S.A. 40A:11-1, et seq.*; and

WHEREAS, the Council has received Contract Close-Out for the within contract; and

WHEREAS, the Contract Close-Out does not expand the scope of the within contract; and

WHEREAS, the within Contract Close-Out is in the best interests of the Township.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Verona, in the County of Essex, New Jersey that Contract No. 19-02A 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 Close-Out for Contract No. 19-02A on behalf of the Township.

ROLL CALL:

AYES: McGrath, Giblin, Ryan, Roman, McEvoy

NAYS:

RESOLUTION No. 2020-155

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

**AUTHORIZING A CONTRACT WITH
PRECISION ELECTRIC MOTOR WORKS, INC.**

WHEREAS, there exists a need for the acquisition of goods and services for the operation of the Sewer Utility from Precision Electric Motor Works, Inc.; and

WHEREAS, the Supervising Sewage Plant Operator has recommended and the Township Manager concurs that Precision Electric Motor Works, Inc., 18 Sebago Street, Clifton, New Jersey 07013-1924 be awarded a contract to provide said goods and services.

THEREFORE, BE IT RESOLVED by the Township Council of the Township of Verona, in the County of Essex, New Jersey that Precision Electric Motor Works, Inc. is hereby awarded a contract for providing goods and services not to exceed \$43,500.00 without further authorization of the Governing Body.

BE IT FURTHER RESOLVED that the Business Entity Disclosure Certification and Determination of Value are to be placed on file with this Resolution; and

BE IT FURTHER RESOLVED that this contract is being awarded pursuant to *N.J.S.A. 19:44A-20.5*.

BE IT FURTHER RESOLVED that a notice of this action shall be published once in the Verona-Cedar Grove Times; and

BE IT FURTHER RESOLVED that the Township Manager and the Township Clerk are hereby authorized to enter into an agreement for the aforementioned services a copy of which shall be available for public inspection in the Office of the Township Clerk.

ROLL CALL:

AYES: McGrath, Giblin, Ryan, Roman, McEvoy

NAYS:

RESOLUTION No. 2020-155

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

**AUTHORIZING A CONTRACT WITH
RT ENVIRONMENTAL SERVICES, INC.**

WHEREAS, there exists a need for the services of a Licensed Site Remediation Professional related to the acquisition and redevelopment of real property within the Township of Verona; and

WHEREAS, the Township's Redevelopment Consultant has recommended and the Township Manager concurs that RT Environmental Services, Inc., 15 Heron Drive, Suite 202, Bridgeport, New Jersey 08014 be awarded a contract to provide said services.

THEREFORE, BE IT RESOLVED by the Township Council of the Township of Verona, in the County of Essex, New Jersey that RT Environmental Services, Inc., 15 Heron Drive, Suite 202, Bridgeport, New Jersey 08014 is hereby awarded a contract for providing the services of a

Licensed Site Remediation Professional not to exceed \$50,000.00 without further authorization of the Governing Body.

BE IT FURTHER RESOLVED that the Business Entity Disclosure Certification and Determination of Value are to be placed on file with this Resolution; and

BE IT FURTHER RESOLVED that this contract is being awarded pursuant to *N.J.S.A. 19:44A-20.5*.

BE IT FURTHER RESOLVED that a notice of this action shall be published once in the Verona-Cedar Grove Times; and

BE IT FURTHER RESOLVED that the Township Manager and the Township Clerk are hereby authorized to enter into an agreement for the aforementioned services a copy of which shall be available for public inspection in the Office of the Township Clerk.

ROLL CALL:

AYES: McGrath, Giblin, Ryan, Roman, McEvoy

NAYS:

RESOLUTION No. 2020-157

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

AUTHORIZING A CONTRACT WITH RUSCON TRUCK SERVICE & EQUIPMENT CO., INC.

WHEREAS, there exists a need for repair services to Fire Department apparatus owned by the Township; and

WHEREAS, the Fire Chief has recommended and the Township Manager concurs that Ruscon Truck Service & Equipment Co., Inc., 290 North Route 9W, P.O. Box 289, Congers, New York 10920 be awarded a contract to provide said services.

THEREFORE, BE IT RESOLVED by the Township Council of the Township of Verona, in the County of Essex, New Jersey that Ruscon Truck Service & Equipment Co., Inc., 290 North Route 9W, P.O. Box 289, Congers, New York 10920 is hereby awarded a contract for providing the repair services to Fire Department apparatus owned by the Township not to exceed \$25,000.00 without further authorization of the Governing Body.

BE IT FURTHER RESOLVED that the Business Entity Disclosure Certification and Determination of Value are to be placed on file with this Resolution; and

BE IT FURTHER RESOLVED that this contract is being awarded pursuant to *N.J.S.A. 19:44A-20.5*.

BE IT FURTHER RESOLVED that a notice of this action shall be published once in the Verona-Cedar Grove Times; and

BE IT FURTHER RESOLVED that the Township Manager and the Township Clerk are hereby authorized to enter into an agreement for the aforementioned services a copy of which shall be available for public inspection in the Office of the Township Clerk.

ROLL CALL:

AYES: McGrath, Giblin, Ryan, Roman, McEvoy

NAYS:

RESOLUTION No. 2020-158

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

REFUNDING TAX LIEN REDEMPTION

WHEREAS, property located at 200 Bloomfield Avenue (Block 202 Lot 1), owned by DMH2, LLC, has been held in tax lien since December 1, 2016; and

WHEREAS, payment was received, in the amount of \$65,788.11 from Michael Harrison, clearing the lien as follows:

Certificate #16-00002	
Certificate	\$ 3,885.53
6% Redemption Penalty	\$ 77.71
Recording Fee	\$ 53.00
Search Fee	\$ 12.00
6% Year End Penalty	\$ 899.82
2016 Taxes plus Interest	\$11,130.92
2016 Water/Sewer plus Interest	\$ 989.46
2017 Taxes plus Interest	\$ 9,884.17
2017 Water/Sewer plus Interest	\$ 864.04
2018 Taxes plus Interest	\$ 8,881.17
2018 Water/Sewer plus Interest	\$ 772.53
2019 Taxes plus Interest	\$16,362.42
2019 Water/Sewer plus Interest	\$ 709.07
2020 Taxes plus Interest	\$10,914.79
2020 Water/Sewer plus Interest	\$ 351.48
Total	\$65,788.11
Premium	6,700.00

WHEREAS, this certificate has been held by Isaac Moradi 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, \$72,488.11 to Isaac Moradi, 520 Elm Street, Kearny, New Jersey 07032.

ROLL CALL:

AYES: McGrath, Giblin, Ryan, Roman, McEvoy

NAYS:

RESOLUTION No. 2020-159

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

REFUNDING TAX LIEN REDEMPTION

WHEREAS, property located at 176 Bloomfield Avenue (Block 202 Lot 23), owned by DMH2, LLC, has been held in tax lien since December 1, 2016; and

WHEREAS, payment was received, in the amount of \$102,449.28 from Michael Harrison, clearing the lien as follows:

Certificate #16-00004	
Certificate	\$ 5,141.18
6% Redemption Penalty	\$ 205.65
Recording Fee	\$ 53.00
Search Fee	\$ 12.00
6% Year End Penalty	\$ 1,699.61
2016 Taxes plus Interest	\$15,384.39
2017 Taxes plus Interest	\$13,661.36
2018 Taxes plus Interest	\$12,274.85
2019 Taxes plus Interest	\$32,245.26

2020 Taxes plus Interest	\$21,771.98
Total	\$102,449.28
Premium	\$ 3,200.00

WHEREAS, this certificate has been held by Isaac Moradi 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, \$105,649.28 to Isaac Moradi, 520 Elm Street, Kearny, New Jersey 07032.

ROLL CALL:

AYES: McGrath, Giblin, Ryan, Roman, McEvoy

NAYS:

RESOLUTION No. 2020-160

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

REFUNDING TAX LIEN REDEMPTION

WHEREAS, property located at 69 Newman Avenue (Block 88.04 Lot 7), owned by Burns 3rd, John F. & Doreen A. ("Property Owner"), has been held in tax lien, under Certificate No. 2012-1 ("Certificate"), by D-1 Softball Clinic, LLC ("Lien Holder") since December 6, 2012; and

WHEREAS, on August 13, 2015, the Property Owner filed a Petition of Bankruptcy, under Chapter 13 of Title 11 of the United States Bankruptcy Code, in the United States Bankruptcy Court, District of New Jersey, Bankruptcy Petition No. 15-25253-RG ("Bankruptcy Action"); and

WHEREAS, in accordance with the October 27, 2015 Order of the United States Bankruptcy Court entered on the docket of the Bankruptcy Action, Property Owner satisfied the tax lien as it related to the Certificate by remitting full payment to Lien Holder pursuant to the United States Bankruptcy Code; and

WHEREAS, on August 14, 2020, United States Bankruptcy Court granted Property Owner an Order of Discharge of the Bankruptcy Action, under 11 U.S.C. § 1328(a), thereby clearing the tax lien as it related to the Certificate;

WHEREAS, the Certificate has been held by the Lien Holder, and the Certificate has been received and properly signed for cancellation.

NOW, THEREFORE, BE IT RESOLVED, that the Chief Financial Officer and Tax Collector are hereby authorized to refund, from Trust, \$12,700 to D-1 Softball Clinic, LLC, 20 Glenside Terrace, Montclair, New Jersey 07043

ROLL CALL:

AYES: McGrath, Giblin, Ryan, Roman, McEvoy

NAYS:

RESOLUTION No. 2020-161

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

AUTHORIZING THE REFUND OF TAX PAYMENTS DUE TO DUPLICATE PAYMENT (BLOCK 2201/LOT 8)

WHEREAS, the Tax Collector received payment on September 17, 2018 in the amount of \$2,347.66 for 4th quarter taxes by Foundation Title Agency for Block 2201, Lot, property known as 130 Hillside Avenue, and

WHEREAS, the Township of Verona received a duplicate payment from Lereta on the same account which resulted in an overpayment on the account, and

WHEREAS, the owner has requested the refund.

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 Chief Financial Officer and Tax Collector are hereby authorized to issue a refund to Robertino Cervino in the amount of \$2,347.66.

ROLL CALL:

AYES: McGrath, Giblin, Ryan, Roman, McEvoy

NAYS:

RESOLUTION No. 2020-162

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

**AUTHORIZING THE REFUND OF TAX PAYMENTS DUE
TO DUPLICATE PAYMENT (BLOCK 2201/LOT 5)**

WHEREAS, the Tax Collector received payment on August 10, 2020 in the amount of \$5,614.43 for 3rd quarter taxes by the homeowner for Block 2202, Lot 5, property known as 146 Morningside Road, and

WHEREAS, this payment has resulted in an overpayment in the amount of 126.99, and

WHEREAS, the owner has requested the refund.

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 Chief Financial Officer and Tax Collector are hereby authorized to issue a refund to Lori Van Doren in the amount of \$126.99.

ROLL CALL:

AYES: McGrath, Giblin, Ryan, Roman, McEvoy

NAYS:

RESOLUTION No. 2020-163

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

**AUTHORIZING THE REFUND OF WATER/SEWER PAYMENTS DUE
TO DUPLICATE PAYMENT (BLOCK 2201/LOT 8)**

WHEREAS, the Tax Collector received payment on August 21, 2020 in the amount of \$615.40 for past due utility bills due by the Law Offices of Pearl & Levy for (Block 2201, Lot 8), property known as 130 Hillside Avenue, and

WHEREAS, the Township of Verona received a duplicate payment from the owner on the same account and this payment has resulted in an overpayment on the account, and

WHEREAS, the owner has requested the refund, and

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 Chief Financial Officer and Tax Collector are hereby authorized to issue a refund to Robertino Cervino in the amount of \$341.58.

ROLL CALL:

AYES: McGrath, Giblin, Ryan, Roman, McEvoy

NAYS:

RESOLUTION No. 2020-164

A motion was made by Mayor McEvoy; 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)*
 - Essex Fells Water
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. 2020-165

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

**APPROVAL OF PLENARY RETAIL CONSUMPTION
LIQUOR LICENSE RENEWALS**

WHEREAS, the submitted renewal application forms are complete in all respects and the applicants are qualified to be licensed according to all standards established by *N.J.S.A. 33* and regulations promulgated thereunder, as well as pertinent local ordinances and conditions consistent with Title 33; and

WHEREAS, the following licensees have obtained a Tax Clearance Certificate from the New Jersey Division of Taxation; and

WHEREAS, pursuant to Administrative Order 2020-02 signed by the Director of the Division of Alcoholic Beverage Control (ABC), in light of the COVID-19 pandemic, all Retail Licenses will expire on September 30, 2020.

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 following applications for renewal of Plenary Retail Consumption License be granted, effective October 1, 2020; and

BE IT FURTHER RESOLVED that the Municipal Clerk is hereby authorized to sign and issue said license certificates to the following applicants:

0720-33-007-008

470 Bloomfield Avenue Inc., dba AVENUE BISTRO
470 Bloomfield Avenue
Verona, New Jersey

0720-33-006-014	Amadeo, Inc., dba MIELE'S RESTAURANT 125 Bloomfield Avenue Verona, New Jersey
0720-33-004-009	Macari Spirits Inc., dba ARIANE KITCHEN & BAR 706 Pompton Avenue Verona, New Jersey
0720-33-008-005	RJV Corporation, dba RICHFIELD REGENCY 420 Bloomfield Avenue Verona, New Jersey
0720-33-011-010	Verona Liquor License LLC, dba VERONA INN 624 Pompton Avenue Verona, New Jersey

ROLL CALL:

AYES: McGrath, Giblin, Ryan, Roman, McEvoy

NAYS:

RESOLUTION No. 2020-166

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

**APPROVAL OF PLENARY RETAIL DISTRIBUTION
LIQUOR LICENSE RENEWALS**

WHEREAS, the submitted renewal application forms are complete in all respects and the applicants are qualified to be licensed according to all standards established by *N.J.S.A. 33* and regulations promulgated thereunder, as well as pertinent local ordinances and conditions consistent with Title 33; and

WHEREAS, the following licensees have obtained a Tax Clearance Certificate from the New Jersey Division of Taxation; and

WHEREAS, pursuant to Administrative Order 2020-02 signed by the Director of the Division of Alcoholic Beverage Control (ABC), in light of the COVID-19 pandemic, all Retail Licenses will expire on September 30, 2020.

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 following applications for renewal of Plenary Retail Distribution License be granted, October 1, 2020; and

BE IT FURTHER RESOLVED that the Municipal Clerk be and is hereby authorized to sign and issue said license certificates to the following applicants:

0720-44-010-009	Ami & Tithi LLC t/a KRAUSER'S LIQUOR LOCKER 645 Bloomfield Avenue Verona, New Jersey
0720-44-001-003	Hinixi, LLC t/a VERONA WINE CELLAR 360 Bloomfield Avenue Verona, New Jersey
0720-44-003-005 t/a PILGRIM LIQUORS	Vallabh Krupa Inc. 283 Pompton Avenue

ROLL CALL:

AYES: McGrath, Giblin, Ryan, Roman, McEvoy

NAYS:

New Business:

There are two (2) settlement agreements. The title of the first resolution is read by the Municipal Clerk by request of the Mayor. Mayor McEvoy then defers to Township Attorney Brian Aloia. Mr. Aloia states both these agreements are contemplated to be entered into assuming the Council votes "yes". The agreements will be executed by both the Township and individual plaintiff's counsel. Until that time the agreement is actually confidential because multiple things have to happen: first, both sides have to actually sign the agreement then there has to be stipulations of dismissal and whatnot, at which time the agreements will become public, so with regard to discussion on these agreements, it is our recommendation, (both the Township Attorney's recommendation and the JIIF's attorney, who the Council met with in Closed Session, that there be no discussion or description of the terms because they are, by the terms, confidential until they are executed so this is not like a "gag order" but there are reasons why, that were discussed in Closed Session. Mayor McEvoy then opens the floor for Council discussion but McEvoy says he will not say anything on advisement of Counsel. Councilman Giblin gives a brief statement, as does Councilwoman McGrath. Deputy Mayor Roman and Councilman Ryan do not comment.

RESOLUTION No. 2020-167

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

AUTHORIZING A SETTLEMENT AGREEMENT AND RELEASE

WHEREAS, Docket No. ESX-L-781-19 entitled Jennifer Kiernan vs. Township of Verona was filed in the Superior Court of New Jersey in which certain wrongful acts are alleged (the "Complaint"); and

WHEREAS, the Township is provided with insurance coverage through the New Jersey Intergovernmental Insurance Fund (herein "NJIIIF") for the claims raised in the Complaint; and

WHEREAS, Plaintiff, and the NJIIF on behalf of the Township, have reached agreement on the resolution of the Complaint and desire and intend to memorialize the settlement by execution of a Settlement Agreement and Release (the "Agreement"); and

WHEREAS, it is in the best interest of the Township to settle the aforementioned Complaint, pursuant to the terms as outlined in the proposed Settlement Agreement and Release, which terms have been presented to the Township Council by the General Counsel to the NJIIF.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Verona, in the County of Essex, New Jersey that the settlement of the Complaint be approved and that the form of Agreement reflecting the terms of the settlement be executed on behalf of the Township by the Township Manager following approval of same by the Executive Board of the NJIIF.

ROLL CALL:

AYES: McGrath, Giblin, Roman

NAYS: McEvoy

ABSENT:

ABSTAIN: Ryan

There is a second settlement agreement. Councilwoman McGrath comments and explains her reason for abstaining on the upcoming vote to the public. Councilman Giblin also comments.

RESOLUTION No. 2020-168

A motion was made by Mayor McEvoy; seconded by Deputy Roman that the

following resolution be adopted:

AUTHORIZING A SETTLEMENT AGREEMENT AND RELEASE

WHEREAS, Docket No. ESX-L-2391-19 entitled Erika Varela vs. Township of Verona and Matthew Cavallo was filed in the Superior Court of New Jersey in which certain wrongful acts are alleged (the "Complaint"); and

WHEREAS, the Township is provided with insurance coverage through the New Jersey Intergovernmental Insurance Fund (herein "NJIIF") for the claims raised in the Complaint; and

WHEREAS, Plaintiff, and the NJIIF on behalf of the Township, have reached agreement on the resolution of the Complaint and desire and intend to memorialize the settlement by execution of a Settlement Agreement and Release (the "Agreement"); and

WHEREAS, it is in the best interest of the Township to settle the aforementioned Complaint, pursuant to the terms as outlined in the proposed Settlement Agreement and Release, which terms have been presented to the Township Council by the General Counsel to the NJIIF.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Verona, in the County of Essex, New Jersey that the settlement of the Complaint be approved and that the form of Agreement reflecting the terms of the settlement be executed on behalf of the Township by the Mayor following approval of same by the Executive Board of the NJIIF.

ROLL CALL:

AYES: Giblin, Roman, McEvoy

NAYS: Ryan

ABSENT:

ABSTAIN: McGrath

There is discussion on a request of Iris and DUBY Moskowitz for a resolution endorsing an application to the New Jersey Department of Transportation for a traffic control signal at the intersection of Pompton Avenue (State Route 23) and Claremont Avenue. Mr. Cavallo states this resolution is not approving the application, but rather approving the Council's support on an application that is being made to the NJ Department of Transportation. The same request is being made to the County of Essex by said property owners. Mr. Cavallo states it is his understanding that the County Board of Freeholders intends to pass a similar resolution.

Public Comment on the proposed resolution:

Natalya Vasilchenko, 148 Claremont Avenue, Verona, New Jersey
Vikas Gupta, 1 Otis Place, Verona, New Jersey
Elaine Quilici, 9 Crestmont Road, Verona, New Jersey
Joanna Gags, 22 Otis Place, Verona, New Jersey
Tara Bratek, 7 Otis Place, Verona, New Jersey
Brad Stonberg, 110 Claremont Avenue, Verona, New Jersey
George Manousos, 37 Morningside Road, Verona, New Jersey

RESOLUTION No. 2020-169

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

**IN SUPPORT OF AN APPLICATION FOR THE INSTALLATION OF A
TRAFFIC SIGNAL AT THE INTERSECTION OF POMPTON AVENUE
(STATE ROUTE 23) AND CLAREMONT AVENUE IN THE TOWNSHIP OF
VERONA**

WHEREAS, the intersection of Pompton Avenue (State Route 23) and Claremont Avenue in the Township of Verona is an intersection under control of the New Jersey Department of Transportation; and

WHEREAS, residents and property owners have expressed concern to the Township regarding the safety of the intersection and the economic detriment caused by the lack of proper

traffic control at the intersection; and

WHEREAS, a local property owner commissioned Simoff Engineering Associates, Inc. to perform a Traffic Signal Warrant Study of the intersection and has since made application to the New Jersey Department of Transportation for the installation of a traffic signal at the intersection; and

WHEREAS, commissioned by the Township to review the Traffic Signal Warrant Study of Simoff Engineering Associates, Joseph A. Fishinger, Jr., P.E., P.P., PTOE, Director of Traffic Engineering at Bright View Engineering has confirmed the Traffic Signal Warrant Study does meet the conditions for a traffic signal warrant pursuant to the Manual for Uniform Traffic Control Devices (MUTCD); and

WHEREAS, it is opined by the Township's professionals that the installation of a traffic signal at the intersection is in the best interest of the residents and property owners of the Township.

NOW, THEREFORE, BE IT RESOLVED that the Township Council of the Township of Verona, in the County of Essex, New Jersey hereby endorses the application for an installation of a traffic signal at the intersection of Pompton Avenue (State Route 23) and Claremont Avenue in the Township of Verona.

BE IT FURTHER RESOLVED that the Township Clerk shall forward a copy of this resolution to:

Diane Gutierrez-Scaccetti, Commissioner, Department of Transportation,
Senator Joseph Pennacchio,
Assemblywoman BettyLou DeCrocce,
Assemblyman Jay Weber,
Joseph N. DiVincenzo, Jr., Essex County Executive, and
Brendan Gill, Essex County Freeholder President.

ROLL CALL:

AYES: McGrath, Giblin, Ryan, Roman, McEvoy

NAYS:

Council discusses Halloween. Steve Neale, Director of Administration and Economic Development calls in to state that the Township is organizing a pumpkin painting/Halloween event with social distancing. Pre-registration is required and time slots will be assigned. More information will come.

There is Council discussion on the status of the Rent Control ordinance and Children's Fund ordinance. Mr. Cavallo hopes to have more details at the October 5 meeting.

Public Comment on the proposed resolution:

Kathleen Laterza, 810 Bloomfield Avenue, Verona, New Jersey
Laura Fisher, 286 Grove Avenue, Verona, New Jersey

Adjournment:

Council enters into Motion Executive Session at 9:36 pm. Motion to adjourn the meeting at 9:54 pm is motioned by Mayor McEvoy; seconded by Councilman Ryan.

The next regular scheduled meeting is October 5, 2020 at 7:00 p.m.

Respectfully submitted,

Jennifer Kiernan
Jennifer Kiernan, Municipal Clerk

Jack McEvoy
Jack McEvoy, Mayor

APPROVED: October 5, 2020