

Minutes of a Regular Meeting of the Verona Township Council on Monday, October 19, 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 of the Township Council which is being held via Zoom video conferencing due to restrictions on indoor public gatherings resulting from the COVID-19 pandemic. Specifically, the time and date were included in the public meeting notice. This information, along with the public internet link and telephone call-in information was posted in the Municipal Building, and sent 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) of the Township, 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:

Julius Coltre, Essex County Liaison states Covid testing continues on 10/20 from 4-6 pm at 99 Bradford Avenue, Cedar Grove; 10/21 from 4-6 pm at 40 Bloomfield Avenue, Nutley; 10/22 from 4-6 pm at 50 South Clinton Street, East Orange and every Friday from 8:30 am - 12:30 pm, in Weeuhahic Park. Strut Your Mutt will be Saturday, October 24 in Brookdale Park; 10/25 at 11 am in Grover Cleveland Park and 10/24 at 1pm in Branch Brook Park.

Mayor McEvoy attended the CEM Physical Therapy grand opening along with Councilwoman McGrath. He thanks the Environmental Commission for organizing the Peckman River cleanup. He attended the Shade Tree Commission meeting and reminds residents that if they are aware of a town tree that needs trimming, they are to contact DPW. He cautions the public that as we get back into the cold season, Covid numbers are going up. He advises the public to be smart and wear a mask.

Manager's Report:

Mr. Cavallo requests Municipal Clerk Jennifer Kiernan give an update on the upcoming General Election. He then gives a presentation of the budget at October 1 during the pandemic.

The rebid of the Pool Renovations Project took place and the bids are under review.

The County of Essex will be conducting an additional COVID-19 testing site at the Verona Community Pool from 4:00 p.m. to 6:00 p.m. on Wednesday, October 28. Registration will be opened later this week at www.EssexCovid.org.

The 2020 Pool Survey has officially closed. The results are currently being reviewed by the Parks & Recreation Advisory Committee.

The special outdoor dining permits that were permitted pursuant to Resolution No. 2020-119 are set to expire on October 31. We are meeting internally this week about the possibility of extending. We are reviewing lessons learned (especially when it comes to noise and entertainment) and also building, fire and health codes. We are also hopeful that there will be an announcement from the State regarding indoor dining this week.

Mr. Cavallo shows a presentation regarding a Recycling Tagging Program. The Township is planning to implement a Recycling Tagging Program in an effort to fight recycling contamination. Recycling contamination has caused us to see an increase in fines and penalties since regulations

on accepted materials have significantly tightened the past couple of years. The Township plans to begin "tagging and leaving" curbside recycling containers with an unacceptable amount of contaminated materials beginning November 1st. This will only affect commingled materials placed at the curb.

A Township employee will check certain streets in a different quadrant of town each week on the designated day prior to the collection company making their rounds and tag recycling bins that contain an obvious amount of unaccepted materials, such as plastic bags, garbage, hazardous materials, etc. The collection company will be notified to leave any tagged bins at the curb.

Any tagged container will be logged and maintained through DPW and the Department of Administration. Multiple violations will result in a follow-up letter explaining the proper way to recycle. The goal of this program is to reprogram people's recycling behaviors. Many residents are guilty of "aspirational recycling", meaning they are trying to do the right thing but it is actually making the situation worse and costing the taxpayer's money.

Leading up to the implementation of this program, there will be a strong educational campaign on how to properly recycle and what to expect with the tagging program. We want residents to be fully aware prior to the start of the program so we can avoid any issues. For more information on recycling you can visit www.veronanj.org/garbagecollection

Mr. Cavallo reports that we expect to have a final transcript for review and adoption of the recodification by the end of the year!

The updated personnel policies and procedures were received back from the JIF attorney on Friday. They are being reviewed and should be rolled out via PowerDMS for all employees with computer access by the first week in November. All other employees without Township computer access will be provided these policies in hard copies.

Demolition has begun on the four houses that were acquired with the Cameco factory. Our tentative closing date on the Poekel Properties is Wednesday, November 4.

Essex County has set aside \$5.5 million to create the Essex County Coronavirus Emergency Rental Assistance Program. Applications are due by October 23. Visit the Essex County website for more details. There is a litany of service listed on the Essex County website that are available to residents. Most are free of charge.

Governor Phil Murphy today signed Executive Order No. 190, extending a moratorium preventing New Jersey residents from having their utilities disconnected through at least March 15, 2021. The moratorium applies to all residential gas, electric and water utilities, both public and private. Further, the utilities will not be charging late fees nor fees to reconnect services that have been disconnected. The Order also requires that all residential services that were disconnected after social distancing measures went into effect on March 16 be reconnected. The Governor and legislative leadership further announced that \$15 million from the Coronavirus Relief Fund will be allocated to assisting low income households in paying off utility arrearages.

The Low Income Home Energy Assistance Program (LIHEAP) helps low-income residential customers pay for heating and cooling bills, even if heat is included as part of rent payments. LIHEAP may also provide emergency assistance funds during certain times of the year. The New Jersey Board of Public Utilities created the Universal Service Fund (USF) to help make energy bills more affordable for low-income customers. If you're eligible, USF can lower the amount you have to pay for your gas and electric bills. You may be able to receive from \$5 to \$150 per month toward your gas and electric bills. New Jersey Lifeline is a \$225 yearly electric or gas bill credit for seniors or disabled adults in New Jersey. To qualify, you must be a New Jersey resident, 65 years of age or older, or 18 years of age or older and receiving Social Security Title II Disability benefits. Your personal annual income (not the household income), cannot exceed \$28,399 if single or \$34,817 if married. If you continue to need utility assistance, please contact 2-1-1 or click nj211.org.

Halloween and trick or treating are still on this year but we will share some guidelines for residents so everyone can take part in the festivities as safely as possible. For Residents Looking to Opt-out of Trick-or-Treating, please download and print out a flyer to hang on your door to let trick-or-treaters know that you won't be participating this year. The flyer is available at VeronaNJ.org. For Residents Who Wish to Participate in Trick-or-Treating we have also prepared an

instructional flyer in English or Spanish that is also available for download from VeronaNJ.org

Join us outside in the Civic Center for pumpkin painting and treats on Halloween! Verona families are invited to register for a 1-hour time slot to decorate a pumpkin with a ghoulish design. Pumpkins and paint will be provided, but please bring your own brushes. Masks are required and please practice social distancing. Sponsored by Verona Public Library, Township of Verona, Verona Junior Women's Club, Verona Arts, Hillcrest Farms & Hearth Realty.

Decorate your house to be the creepiest, spookiest and most frightful sight in the neighborhood with Verona's first annual Halloween House Decorating Contest! Out Boo your neighbors for a chance to win \$1,000 courtesy of Hearth Realty Group! To enter TEXT a picture of your house to 973-913-5055 or TAG @hearthrealtygroup on Instagram. Entries will be posted on their website and social media. Deadline is 10/29 @ 11:59pm. Winner chosen 10/30. Contest open to Verona residents 18 & over.

Unfortunately, due to the pandemic we have made the decision that we are not going to be able to hold the vendor portion of the Fair in the Square this year. We have not received a very good response from the vendors up to this point and crowd control is a concern. However, we plan to hold the tree lighting that day in some form with more details to follow. We are planning some popup shops at some of our local businesses leading up to the holidays so people can still have the opportunity to buy some gifts from our local crafters and artisans.

We are also planning to partner with the Chamber of Commerce to hold a holiday lighting contest along Bloomfield Avenue to really make it an inviting place to walk and explore even in the cold weather. We still want to encourage the community to support our local businesses in a spread out and safe manner as much as possible throughout the winter months.

The 3rd Annual Opioid Awareness Walk is Saturday, October 24th. The Veteran's Day Ceremony will be held Wednesday, November 11th. This year's Interfaith Thanksgiving Service will tentatively be held Sunday, November 29th. The Holiday Tree Lighting is tentatively scheduled for Saturday, December 3rd and the Hanukkah Menorah Lighting is tentatively scheduled for Sunday, December 13.

Councilmember's Reports:

Deputy Mayor Roman has no report tonight.

Councilman Ryan reports that the Verona Park Conservancy held a clean-up on Saturday and had a great turnout. The Environmental Commission met on October 14 and discussed the recycling issue. He also states the he received an email from NJ Bike and Walk Coalition regarding the Essex-Hudson Trail Project. They are trying to persuade both counties to do a joint effort to purchase the right-of-way and turn into a greenway. More information can be found at www.essexhudsongreenway.org.

Councilman Giblin hopes everyone stays safe this Halloween. He states that items G-1 and G-2 on tonight's agenda are the last documents of prolong litigation. He states that in all, \$500,000.00 in damages, attorney fees and back pay equal enough money to re-carpet Centennial Field. Township Attorney Brian Aloia warns that the Joint Intergovernmental Insurance Fund (JIIF) has requested Council not discuss the agreements. Mr. Giblin states that it is a big number and he feels this issue was preventable. He comments that the attorney for the JIIF works in these cases every day and has advised the Council that these were real cases with real merit. He states the only way to move forward is to vote in favor of adopting these ordinances as a "no" vote will cause these complaints to go to trial.

Councilwoman McGrath reports VMAC met this week to discuss SAFE Homes month. VMAC has implemented Family Week, as opposed to Family Night. The Recreation Advisory Committee met and talked about the challenge that Rec basketball provides. Verona schools will not allow use of their gyms and Director of Community Services, Jim Cunningham will keep working on that. Hundreds of children participate in the basketball program.

Councilman McGrath congratulates the Municipal Clerk Jennifer Kiernan in her efforts in promoting the Census along with all other municipal staff, especially Steve Neale and Matt Cavallo.

Verona Fights Hunger week has concluded with incredible effort. The final tally of more than 1,200 bags of food and \$3,700 cash was donated along with a \$1,000 donation from Kings Supermarket.

ORDINANCE No. 2020-22

AN ORDINANCE FIXING THE SALARIES, COMPENSATION OF CERTAIN PAID EMPLOYEES OF THE TOWNSHIP

The Municipal Clerk reads Ordinance No. 2020-22 by title into record.

Motion to introduce Ordinance No. 2020-22 is moved by Councilman Giblin; seconded by Councilman Ryan.

Public Hearing:

Carrie Ford, 50 East Reid Place, Verona, New Jersey
Jeremy Katzeff, 31 Forest Avenue, Verona, New Jersey
Kathleen Laterza, 810 Bloomfield Avenue, Verona, New Jersey
Kathrine McClure, 25 Floyd Road, Verona, New Jersey
Christina Ford, 50 East Reid Place, Verona, New Jersey

Council Discussion.

ROLL CALL:

AYES: McGrath, Giblin, Ryan, Roman, McEvoy

NAYS:

Ordinance No. 2020-22 is adopted 5-0 and will be published according to law.

ORDINANCE No. 2020-23

AN ORDINANCE FIXING THE SALARIES, COMPENSATION OF CERTAIN PAID EMPLOYEES OF THE TOWNSHIP

The Municipal Clerk reads Ordinance No. 2020-23 by title into record.

Motion to introduce Ordinance No. 2020-23 is moved by Mayor McEvoy; seconded by Deputy Mayor Roman.

Public Hearing:

Kathleen Laterza, 810 Bloomfield Avenue, Verona, New Jersey
Carrie Ford, 50 East Reid Place, Verona, New Jersey

Council Discussion.

ROLL CALL:

AYES: McGrath, Giblin, Ryan, Roman, McEvoy

NAYS:

Ordinance No. 2020-23 is adopted 5-0 and will be published according to law.

Public Comment on the proposed resolution:

Kelly Drury, 50 Howard Street, Verona, New Jersey

RESOLUTION No. 2020-174

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

RECOGNIZING NOVEMBER AS SAFE HOMES MONTH

WHEREAS, the Governor's Council on Alcoholism and Drug Abuse established the

Municipal Alliances for the Prevention of Alcoholism and Drug Abuse in 1989 to educate and engage residents, local government and law enforcement officials, schools, nonprofit organizations, the faith community, parents, youth and other allies in efforts to prevent alcoholism and drug abuse in communities throughout New Jersey; and

WHEREAS, the Township Council of the Township of Verona recognize that the abuse of alcohol and drugs is a serious problem in our society among persons of all ages; and therefore has an established the Municipal Alliance Committee; and

WHEREAS, the Verona Municipal Alliance Committee is a sponsor of Safe Homes, a program that empowers parents and guardians to create a community of people who have pledged to not allow underage alcohol and drug use in their homes and on their property and to provide secure storage places for firearms, matches, toxic chemicals and to monitor computer use; and

WHEREAS, parents could be held civilly liable for any incident arising as a result of serving or allowing alcohol to be consumed on their property; and

WHEREAS, the Township Council further recognizes that it is incumbent upon not only public officials but upon the entire community to take action to prevent such abuses in our community; and

NOW, THEREFORE BE IT RESOLVED, that the Township Council of the Township of Verona, in the County of Essex, New Jersey recognize November to be Safe Homes Month.

ROLL CALL:

AYES: McGrath, Giblin, Ryan, Roman, McEvoy

NAYS:

RESOLUTION No. 2020-175

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

**AWARDING CONTRACT No. 20-06
COLLECTION, REMOVAL & DISPOSAL OF RECYCLABLE MATERIALS**

WHEREAS, on October 14, 2020, the Township of Verona received bids for Collection, Removal & Disposal of Recyclable Materials, Contract 20-06, and

WHEREAS, Waste Industries LLC, 800 East Grand Street, Elizabeth, New Jersey 07201, was the lowest responsible bidder for Contract 20-06 for a period of three years in the amount of \$222,300 in Year 1 (2021), \$222,300 in Year 2 (2022), and \$222,300 in Year 3 (2023); and

WHEREAS, funds are available in Account No. 01-26-305-190, or any other account that may be deemed appropriate by the Chief Financial Officer or his designee, and the availability of funds has been certified by the Chief Financial Officer.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Verona, in the County of Essex, New Jersey that the bid of Waste Industries LLC, 800 East Grand Street, Elizabeth, New Jersey 07201 for Contract 20-06 for a period of three (3) years commencing on January 1, 2021 in the amount of \$222,300 in Year 1 (2021), \$222,300 in Year 2 (2022), and \$222,300 in Year 3 (2023) be accepted and it be awarded Contract 20-06; and

BE IT FURTHER RESOLVED that this expenditure shall be charged to Account No. 01-26-305-190 or any other account that may be deemed appropriate by the Chief Financial Officer or his designee. The availability of funds shall be certified annually by the Chief Financial Officer upon adoption of the municipal budget.

ROLL CALL:

AYES: McGrath, Giblin, Ryan, Roman, McEvoy

NAYS:

RESOLUTION No. 2020-176

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

AUTHORIZING AN INCREASE TO THE MAXIMUM CONTRACT AMOUNT WITH RT ENVIRONMENTAL SERVICES, INC.

WHEREAS, on September 21, 2020 the Township Council passed Resolution No. 2020-156 appointing RT Environmental Services, Inc., 15 Heron Drive, Suite 202, Bridgeport, New Jersey 08014 to provide the services of a Licensed Site Remediation Professional related to the acquisition and redevelopment of real property within the Township of Verona at a rate not to exceed \$50,000 for the calendar year without further authorization by the Township Council; and

WHEREAS, the Township Manager has determined that the aforementioned services are expected to exceed the \$50,000 maximum contract amount set by Resolution 2020-156 due to required remediation of decommissioned underground storage tank at 100 Pine Street; and

WHEREAS, the Local Public Contracts Law (*N.J.S.A. 40A:11-5(a)(1)(i)*) permits contracts for professional services to be negotiated and awarded by the governing body without public advertising for bids and requires that the resolution authorizing the award of a contract for professional services without competitive bids and the contract itself be available for public inspection; and

WHEREAS, the award of the contract to RT Environmental Services, Inc. is being made pursuant to *N.J.S.A. 19:44A-20.5*; and

WHEREAS, this expenditure shall be charged to Capital Account No. C-53-46-035-000 (Bond Ordinance No. 2020-12), or any other account that may be deemed appropriate by the Chief Financial Officer of the Township upon presentation of a properly executed Purchase Order.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Verona, in the County of Essex, New Jersey that the maximum contract amount awarded to RT Environmental Services, Inc., 15 Heron Drive, Suite 202, Bridgeport, New Jersey 08014 to provide the services of a Licensed Site Remediation Professional related to the acquisition and redevelopment of real property within the Township of Verona shall be increased to a maximum amount not to exceed \$100,000 for the calendar year without further authorization by the Township Council.

BE IT FURTHER RESOLVED that the Business Entity Disclosure Certification and Determination of Value have been previously been placed on file with Resolution 2020-156.

BE IT FURTHER RESOLVED, that the Township reserves the right to cancel this contract upon thirty (30) days' notice and RT Environmental Services, Inc. shall only be paid for the work completed; furthermore, no minimum amount of work or payment is implied or guaranteed.

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 this expenditure shall be charged to Capital Account No. C-53-46-035-000 (Bond Ordinance No. 2020-12), or any other account that may be deemed appropriate by the Chief Financial Officer or his designee, and the availability of funds which shall be certified by the Chief Financial Officer of the Township upon presentation of a properly executed Purchase Order.

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

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. 2020-177

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

**AUTHORIZING AN INCREASE TO THE MAXIMUM CONTRACT AMOUNT
WITH LYONS ENVIRONMENTAL SERVICES, LLC**

WHEREAS, on January 6, 2020 the Township Council passed Resolution No. 2020-33 appointing Lyons Environmental Services, LLC, 1105 Green Grove Road, Building #2, Neptune, New Jersey 07753 to provide Licensed Sewage Collection, Licensed Water Treatment and Licensed Water Distribution System Operators to meet the requirements of the system permits from the New Jersey Department of Environmental Protection at a rate not to exceed \$28,000 for the calendar year without further authorization by the Township Council; and

WHEREAS, the Township Manager has determined that the aforementioned services are expected to exceed the \$28,000 maximum contract amount set by Resolution 2020-33; and

WHEREAS, the Local Public Contracts Law (*N.J.S.A. 40A:11-5(a)(1)(i)*) permits contracts for professional services to be negotiated and awarded by the governing body without public advertising for bids and requires that the resolution authorizing the award of a contract for professional services without competitive bids and the contract itself be available for public inspection; and

WHEREAS, the award of the contract to Lyons Environmental Services, LLC is being made pursuant to *N.J.S.A. 19:44A-20.5*; and

WHEREAS, this expenditure shall be charged to Budget Account No. 05-55-502-028, or any other account that may be deemed appropriate by the Chief Financial Officer of the Township upon presentation of a properly executed Purchase Order.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Verona, in the County of Essex, New Jersey that the maximum contract amount awarded to Lyons Environmental Services, LLC, 1105 Green Grove Road, Building #2, Neptune, New Jersey 07753 to provide Licensed Sewage Collection, Licensed Water Treatment and Licensed Water Distribution System Operators to meet the requirements of the system permits from the New Jersey Department of Environmental Protection and shall be increased to a maximum amount not to exceed \$35,000 for the calendar year without further authorization by the Township Council.

BE IT FURTHER RESOLVED that the Business Entity Disclosure Certification and Determination of Value have been previously been placed on file with Resolution 2020-33.

BE IT FURTHER RESOLVED, that the Township reserves the right to cancel this contract upon thirty (30) days' notice and Lyons Environmental Services, LLC shall only be paid for the work completed; furthermore, no minimum amount of work or payment is implied or guaranteed.

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 this expenditure shall be charged to Budget Account No. 05-55-502-028, or any other account that may be deemed appropriate by the Chief Financial Officer or his designee, and the availability of funds which shall be certified by the Chief Financial Officer of the Township upon presentation of a properly executed Purchase Order.

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

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. 2020-178

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

**AUTHORIZING AN INCREASE TO THE MAXIMUM CONTRACT AMOUNT
WITH McMANIMON, SCOTLAND & BAUMANN, LLC FOR SERVICES AS
SPECIAL LEGAL COUNSEL**

WHEREAS, on January 6, 2020 the Township Council passed Resolution No. 2020-32 appointing McManimon, Scotland & Baumann, LLC, 75 Livingston Avenue, Roseland, New Jersey 07068 as Special Legal Counsel at a rate not to exceed \$50,000 for the calendar year without further authorization by the Township Council; and

WHEREAS, the Township Attorney and the Township Manager have determined a need for outside Special Legal Counsel to handle certain matters related to but not limited to land acquisition, litigation, and redevelopment matters which are expected to exceed the \$50,000 maximum contract amount set by Resolution 2020-32; and

WHEREAS, the Local Public Contracts Law (*N.J.S.A. 40A:11-5(a)(1)(i)*) permits contracts for professional services to be negotiated and awarded by the governing body without public advertising for bids and requires that the resolution authorizing the award of a contract for professional services without competitive bids and the contract itself be available for public inspection; and

WHEREAS, the award of the contract to McManimon, Scotland & Baumann, LLC, is being made pursuant to *N.J.S.A. 19:44A-20.5*; and

WHEREAS, the cost for said professional services shall be set at a fixed hourly rates of ranging from \$125.00 to \$ 215.00 per hour for services plus the cost of reimbursable expenses; and

WHEREAS, this expenditure shall be charged to Budget Account No. 01-20-155-028, certain Capital Ordinances, Certain Escrow/Trust Accounts or any other account that may be deemed appropriate by the Chief Financial Officer or his designee, and the availability of funds which shall be certified by the Chief Financial Officer of the Township upon presentation of a property executed Purchase Order.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Verona, in the County of Essex, New Jersey that the maximum contract amount awarded to McManimon, Scotland & Baumann, LLC, 75 Livingston Avenue, Roseland, New Jersey 07068 acting as Special Legal Counsel and shall be increased to a maximum amount not to exceed \$100,000 for the calendar year without further authorization by the Township Council.

BE IT FURTHER RESOLVED that the Business Entity Disclosure Certification and Determination of Value have been previously been placed on file with Resolution 2020-32.

BE IT FURTHER RESOLVED, that the Township reserves the right to cancel this contract upon thirty (30) days' notice and McManimon, Scotland & Baumann, LLC shall only be paid for the work completed; furthermore, no minimum amount of work or payment is implied or guaranteed.

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 this expenditure shall be charged to Budget Account No.

01-20-155-028, certain Capital Ordinances, Certain Escrow/Trust Accounts or any other account that may be deemed appropriate by the Chief Financial Officer or his designee, and the availability of funds which shall be certified by the Chief Financial Officer of the Township upon presentation of a property executed Purchase Order.

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

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. 2020-179

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

REFUNDING ESCROW PAYMENT

WHEREAS, Escrow fees, for the Board of Adjustment, were received Ashenfelter, Slous, McDonough & Trevenen LLP, for property located at 100 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	\$351.00	\$649.00

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, \$649.00 to Shenfelter, Slous, McDonough & Trevenen LLP, 363 Bloomfield Avenue, Suite 2C, Montclair, NJ 07042

ROLL CALL:

AYES: McGrath, Giblin, Ryan, Roman, McEvoy

NAYS:

RESOLUTION No. 2020-180

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

REFUNDING ESCROW PAYMENT

WHEREAS, Escrow fees, for the Board of Adjustment, were received DCH Montclair LLC, for property located at 100 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
\$3,000.00	\$0.00	\$3,000.00

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, \$3,000.00 to DCH Montclair, LLC, 100 Bloomfield Avenue, Verona, NJ 07044

ROLL CALL:

AYES: McGrath, Giblin, Ryan, Roman, McEvoy

NAYS:

RESOLUTION No. 2020-181

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

PROPERTY MAINTENANCE LIEN

WHEREAS, the Construction Code Official determined that the owner of the Block 902, Lot 10 on the Tax Maps of the Township of Verona, commonly known as 111 Linden Avenue, to comply with the Township property maintenance code, specifically lawn maintenance of the property; and

WHEREAS, clean up was performed by Green Valley Landscape Design on behalf of the Township in the month of September totaling the amount of \$150.00; and

WHEREAS, these charges shall be imposed on the property in the form of a municipal lien for above services pursuant to *N.J.S.A. 54:5-8* and to any other applicable State of Federal regulation.

NOW, THEREFORE BE IT RESOLVED by the Township Council of the Township of Verona, County of Essex, New Jersey, that the Tax Collector be and is hereby authorized and directed to take all appropriate actions to impose on the property commonly known as 111 Linden Avenue, Verona, New Jersey (Block 902, Lot 10) a municipal lien in the amount of the tax lien certificate (\$150.00), where upon the Tax Collector shall, within ten (10) days of encumbering of the property, send official notice of said encumbrance via certified mail, return receipt requested and regular mail to any and all other lien holders or creditors with a secured interest in the property.

ROLL CALL:

AYES: McGrath, Giblin, Ryan, Roman, McEvoy

NAYS:

RESOLUTION No. 2020-182

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. Contract Negotiations pursuant to *N.J.S.A. 10:4-12(7)*
 - Proposed Donation of Land
 - Depot and Pine Redevelopment Area
 - b. Pending, Ongoing, or Anticipated Litigation pursuant to *N.J.S.A. 10:4-12(7)*
 - Docket No. ESX-L-1710-19; A-1010-19

- (Kensington Senior Development v. Township of Verona, et al.)
- 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))

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:

Public Comment:

Chris Budesza, 28 Sylvan Road, Verona, New Jersey
Paul Sciarra, 7 Crestmont Road, Verona, New Jersey

Adjournment:

Council enters into Executive Session at 9:30 pm. Motion to adjourn the meeting at 10:06 pm is motioned by Councilman Giblin; seconded by Deputy Mayor Roman.

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

Respectfully submitted,

Jennifer Kiernan
Jennifer Kiernan, Municipal Clerk

Jack McEvoy
Jack McEvoy, Mayor

APPROVED: November 9, 2020