

Minutes of a Regular Meeting of the Verona Township Council on Monday, November 9, 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 announces that the Director of the County Parks Department is implementing new signage for dogs and bikes, etc. in County parks. A bid will be going out shortly. He reminds the public that there is COVID testing available every Friday in Weequahic Park from 8:30am - Noon. This Friday there will be a food distribution at 9:00 am. The County will hold a testing site at the Verona Community Pool parking lot on November 25.

Mayor McEvoy states that the General Election was held last week and thanks the Municipal Clerk for her hard work and a job well done.

Manager's Report:

There have been 67 new confirmed cases of COVID 19 in the last month. We are seeing evidence of household spread. Please be vigilant in your interactions in the community. Wear a face covering and stay 6 feet apart from others.

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, November 25. Registration will be opened later next week at www.EssexCovid.org.

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 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. Residents with any questions are urged to contact the DPW offices.

The update personnel policies and procedures were received back from the JIF attorney on Friday. They are being reviewed and should be rolled out 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.

The tentative closing date on the Poekel Properties is this Thursday, November 12. We are still waiting on final closing authority from the Title Company.

Essex County has set aside \$5.5 million to create the Essex County Coronavirus Emergency Rental Assistance Program. The program closed on October 23 but is expected to reopen for leftover monies in the future.

Mr. Cavallo thanks the staff of the Verona Public Library, the Junior Women's Club, Verona Arts, Hillcrest Farms & Hearth Realty for running and sponsoring this year's Pumpkin Fest! Over 120 children participated. It was a great event.

Verona's first annual Halloween House Decorating Contest was a great success. Mr. Cavallo thanks Hearth Realty Group for sponsoring! Congratulations to Jennifer and Jennifer Vinciguerra from Grove Avenue who were this year's winners.

Mr. Cavallo reminds the public that the vendor portion of the Fair in the Square will not occur this year. We plan to hold the tree lighting that day in some form with more details to follow. The Township is also planning some pop-up 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.

The annual Veteran's Day Ceremony will be held this Wednesday, November 11 at 11:00 a.m. The event will be broadcast on Facebook LIVE and the recording will be released on the Township's YouTube Channel. In case of rain, the event will be held indoors but physical attendance will be limited to just the Township Council and our local veterans.

Mr. Cavallo also has some "save the date" reminders: Interfaith Thanksgiving Service is Sunday, November 29, the Civic Center Holiday Tree Lighting is tentatively scheduled for Saturday, December 5, and the Hanukkah Menorah Lighting is also tentatively scheduled for Sunday, December 13.

Councilmember's Reports:

Deputy Mayor Roman commends the Municipal Clerk on her work on the Election and congratulates Lisa Freschi on her victory to serve a 3rd term on the Board of Education.

Councilman Ryan extends his thanks to the Municipal Clerk and gives a "shout out" to the poll workers. He states there were no lines and everyone who came to vote was directed to the right place and the operation went smoothly. He also congratulates Congresswoman Mikie Sherrill on her victory. He attended the Green Team meeting where there was a discussion of an effort to educate residents on the recycling program. Environmental Commission members also attended that meeting. Councilman Ryan also states the Governor signed the bag ban and states there will be more information to come.

Councilman Giblin thanks the Municipal Clerk and states it was great to see the amount of voter turnout. The Neighborhood Traffic and Safety Advisory Committee met to discuss concerns about traffic in and around the Township. Councilman Giblin then makes a statement in regards to the settlement of the two (2) discrimination lawsuits settled by the Township with two current employees and gives a report to the public of how the Township got to this point.

Councilwoman McGrath commends MVAC for all the activities they created for Family Week. She reports that there is a Parks and Recreation Advisory Committee meeting tomorrow night at 6:30 pm. Councilwomen then makes a statement on the two discrimination lawsuits and voices concerns over breaches of confidential information, the negotiation process, salary setting inconsistencies and lack of annual performance reviews. She then presents ideas to prevent this from happening again.

There is council discussion relating to the two settlements.

Public Comment on the proposed resolution:

None.

RESOLUTION No. 2020-183

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

PERMITTING THE EXTENSION OF TEMPORARY ZONING PERMITS FOR SIDEWALK CAFES AND OUTDOOR RESTAURANT SEATING DURING THE COVID-19 PANDEMIC SHUTDOWN RECOVERY

WHEREAS, restaurants are an integral part of the local economies and social fabrics of municipalities; and

WHEREAS, policies regarding restaurants established by the State of New Jersey through law, regulation and executive order rightfully prioritize public health; and

WHEREAS, the proper adherence of measures to mitigate the spread of the COVID-19 virus has greatly affected the business model of restaurants; and

WHEREAS, Resolution No. 2020-119 passed by the Township Council on June 8, 2020 permits Temporary Zoning Permits for Sidewalk Cafes and Outdoor Restaurant Seating through October 31, 2020.

WHEREAS, restaurant owners are seeking additional guidance as to how they may safely continue dine-in service in an outdoor setting as cold weather approaches; and

WHEREAS, the Township wishes to continue to help its local businesses through this difficult time by allowing additional time for Temporary Zoning Permits for Sidewalk Cafes and Outdoor Restaurant Seating through March 31, 2021.

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

1. All prior regulations under Resolution No. 2020-119 shall still apply, unless otherwise revised as part of this extension.
2. Temporary Zoning Permits for Sidewalk Cafes and Outdoor Restaurant Seating as defined in § 150-7.22 and 150-7.23 in the Township Zoning Ordinance shall be permitted. Temporary Zoning Permits shall be issued by the Zoning Officer. All Temporary Zoning Permits issued pursuant to this Resolution shall expire on March 31, 2021.
3. Zoning-Engineering Regulations.
 - a. No standing patrons will be permitted; everyone must be seated to be served.
 - b. All on premise alcohol service must be done by wait staff to seated patrons.
 - c. Capacity for any outside dining area or expansion will be limited to no more than the indoor capacity of the associated business and will be strictly limited by the number of seats identified in their previously submitted and approved outdoor dining layout. *Applicants must submit a new seating layout if they intend on revising what was previously approved under the original seating layout which is on file with the zoning office.
 - d. No instrumentalist(s), live, recorded or outdoor music shall be permitted in any outdoor dining area which is being permitted as part of this temporary permit for outdoor dining or any outdoor patio dining area which was given prior approval by the Township of Verona's land use boards, unless the such use was granted approval as part of the conditions of that approval.
 - e. No outdoor seating area shall be located within any designated fire lane, vehicular circulation aisle or parking space, except when a temporary outdoor seating area may be permitted within the parking area on the lot if it was determined by township officials that there is no public health, welfare, and safety concerns related to such location. A site inspection will be required by the township or may be requested by the applicant in order to determine whether a parking area or a portion thereof may be utilized for the purposes of the location of such temporary outdoor seating.

- f. If the outdoor seating is located directly in front of the applicant's retail food establishment, the applicant shall demonstrate that a minimum of four (4) feet of unobstructed paved surface will be available for pedestrian traffic around and through the outdoor seating area measured from the perimeter of the proposed outdoor seating area to the wall or curb of walkway.
 - g. Each permittee is responsible for keeping the area of the outdoor seating and the adjacent areas free and clear of any debris or litter occasioned by the outdoor seating. Areas shall be cleaned as needed and at the time that business is closed and at the beginning of each business day.
 - h. Tents shall be permitted however their size and minimum requirement of openings shall be governed by the rules and regulations set forth by the Township Building, Fire and Health Dept. TENTS MUST BE REMOVED NO LATER THAN NOVEMBER 30, 2020.
 - i. Portable/Patio style heaters shall be permitted. Use shall be governed by the rules and regulations set forth by the Township Building, Fire Prevention Bureau.
4. Building Department Regulations. For tents or canopies under the Uniform Construction Code 5:23-2.14 subsection (ii) a construction permit is not required if ALL of the conditions below are met:
- a. The tent, tensioned membrane structure, or canopy is 140 feet or less in any dimension and 16,800 square feet or less in area whether it is one unit or is composed of multiple units;
 - b. The tent, tensioned membrane structure, or canopy remains in place or will remain in place for fewer than 180 days;
 - c. The tent, tensioned membrane structure, or canopy is used or occupied ONLY BETWEEN APRIL 1 AND NOVEMBER 30;
 - d. The tent, tensioned membrane structure, or canopy does not have a permanent anchoring system or foundation;
 - e. The tent, tensioned membrane structure, or canopy does not contain platforms or bleachers greater than 11 feet high.
5. Fire Prevention Bureau Regulations. Executive Order No. 163 (Murphy) defines Outdoor Areas as "Open air spaces that have no roof or cover or have a fixed roof or temporary or seasonal awning or cover, with at least two open sides that would comprise over 50 percent of the total wall space if the space were fully enclosed".
- a. TENT & APPURTENANCES (PERMIT MAY BE REQUIRED)
 - i. Flame Propagation Performance Certification required
 - ii. Heaters prohibited under tent
 - iii. Cooking prohibited
 - iv. Smoking prohibited (signage required)
 - v. Candles or open flame prohibited under tent
 - vi. Electrical lighting – direct or outdoor rated cords to GFI
 - vii. Vehicle barriers may be required
 - viii. 2A-10BC fire extinguisher required under tent
 - b. PERGOLA
 - i. Two open sides required as per Executive Order No. 163 (Murphy)
 - c. HEATERS
 - i. Heaters prohibited under tent except for an electric space heater
 - ii. Patio/mushroom heaters (Propane)
 - iii. Must be minimum of five feet horizontally from all structures and overhangs
 - iv. Maintain a minimum clearance of three feet vertically and two feet horizontally from combustibles
 - v. Maintain a clearance of twenty feet from all tents and canopies, do not block egress ways.
 - vi. "Bullet" type heaters prohibited – must be vertical type
 - vii. Electric space heater permitted – plugged directly into a GFI outlet with an outdoor rated cord

viii. Generator prohibited under tent

d. GAS TABLES / FIREPLACES

i. Prohibited under tents, canopies and pergolas

6. This Resolution shall take effect retroactively on November 1, 2020 and remain in effect until March 31, 2021 or revoked or modified beforehand by the Township Council.

ROLL CALL:

AYES: McGrath, Giblin, Ryan, Roman, McEvoy

NAYS:

RESOLUTION No. 2020-184

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

**AUTHORIZING A CONTRACT WITH
EG TECHNOLOGY NJ LLC**

WHEREAS, there exists a need for the information technology services for the Police Department and backup information technology services for the Township; and

WHEREAS, the Chief of Police has recommended and the Township Manager concurs that EG Technology NJ LLC, 107 East Mount Pleasant Avenue, Suite 4, Livingston, New Jersey 07039 shall be awarded a contract to provide said services.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Verona, in the County of Essex, New Jersey that EG Technology NJ LLC, 107 East Mount Pleasant Avenue, Suite 4, Livingston, New Jersey 07039 is hereby awarded a contract for providing information technology services for the Police Department and backup information technology services for the Township not to exceed \$35,000.00 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. 2020-185

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

**AUTHORIZING A CONTRACT WITH
AQUA PRO-TECH, INC.**

WHEREAS, there exists a need for laboratory services for the water and sewer utility that cannot be performed in-house; and

WHEREAS, the Supervising Sewage Plant Operator has recommended and the Township

Manager concurs that Aqua Pro-Tech, Inc., 1275 Bloomfield Avenue, Building #6, Suite #37D, Fairfield, New Jersey 07004 shall be awarded a contract to provide said services.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Verona, in the County of Essex, New Jersey that Aqua Pro-Tech, Inc., 1275 Bloomfield Avenue, Building #6, Suite #37D, Fairfield, New Jersey 07004 is hereby awarded a contract for providing laboratory services for the water and sewer utility that cannot be performed in-house not to exceed \$35,000.00 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. 2020-186

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

**AUTHORIZING A CONTRACT WITH
LONGO ELECTRICAL-MECHANICAL, INC.**

WHEREAS, there exists a need for the services of a Licensed Electrician at the Wastewater Treatment Facility and other various Township-owned facilities; and

WHEREAS, the Supervising Sewage Plant Operator has recommended and the Township Manager concurs that Longo Electrical-Mechanical, Inc., 1 Harry Shupe Boulevard, Wharton, New Jersey 07885 shall be awarded a contract to provide said services.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Verona, in the County of Essex, New Jersey that Longo Electrical-Mechanical, Inc., 1 Harry Shupe Boulevard, Wharton, New Jersey 07885 is hereby awarded a contract for providing the services of a Licensed Electrician at the Wastewater Treatment Facility and other various Township-owned facilities not to exceed \$35,000.00 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. 2020-187

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

AUTHORIZING AN EMERGENCY CONTRACT WITH ALL CLEAR SOLUTIONS LLC

WHEREAS, there exists an emergent need for bi-weekly and on-demand disinfection of Township-owned facilities due to the COVID-19 Pandemic; and

WHEREAS, the Township has procured the services of All Clear Solutions, LLC, 18 Ronnie Road, Wayne, New Jersey 07470 to provide said services; and

WHEREAS, the Township Manager as certified the need to invoke the emergency purchasing procedures of the Local Public Contract’s Law to secure these services as the failure to act would affect the public health, safety and welfare of the general public.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Verona, in the County of Essex, New Jersey that All Clear Solutions, LLC, 18 Ronnie Road, Wayne, New Jersey 07470 is hereby awarded an emergency contract for providing bi-weekly and on-demand disinfection of Township-owned facilities due to the COVID-19 Pandemic not to exceed \$125,000.00 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. 40A:11-6, N.J.A.C 5:34-6.1 and 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. 2020-188

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 Christopher Zink, for property located at 35 Pease 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
\$500.00	\$156.00	\$344.00

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, \$344.00 to Christopher Zink, 35 Pease Avenue, Verona, NJ 07044.

ROLL CALL:

AYES: McGrath, Giblin, Ryan, Roman, McEvoy

NAYS:

RESOLUTION No. 2020-189

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

AUTHORIZING THE REFUND OF TAX PAYMENT

WHEREAS, the Township of Verona has received notification from the Tax Assessor's office that property located at 8 Otsego Road is totally exempt; and

WHEREAS, this property should not have been billed for taxes; and

WHEREAS, the Township of Verona received payment from Wells Fargo on this tax account; and

WHEREAS, the homeowner has requested a refund of payment.

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 Lorenzo Urbano, in the amount of \$2,637.51.

ROLL CALL:

AYES: McGrath, Giblin, Ryan, Roman, McEvoy

NAYS:

RESOLUTION No. 2020-190

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)*
 - 2021 Professional Services
 - i. Outstanding Municipal Charges - 56 Grove Avenue
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:

Jeremy Katzeff, 81 Forest Avenue, Verona, New Jersey
Jesse Sengstacke, 114 Linn Drive, Verona, New Jersey
Katy McClure, 25 Floyd Road, Verona, New Jersey
Toral Patel, 169 Forest Avenue, Verona, New Jersey
Maria Squilanti, 6 Belleclaire Place, Verona, New Jersey
Carrie Ford, 50 E. Reid Place, Verona, New Jersey

Adjournment:

Council enters into Executive Session at 10:15 pm. Motion to adjourn the meeting at 11:11 pm is motioned by Mayor McEvoy; seconded by Councilwoman McGrath.

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 23, 2020