

Minutes of a Regular Meeting of the Verona Township Council on Monday, November 23, 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. Bob Benecke and Chelsea Gleis from Benecke Economics are also present to participate in an Affordable Housing discussion later in the meeting.

Mayor's Report:

Mayor McEvoy reports that the Veteran's Day Ceremony was well attended. He thanks all men and women who served our Country. The Interfaith Services will be held on the steps of Town hall at 3pm on November 29. He also reports that the recreational marijuana referendum was passed in the General Election. Legislation is moving quickly. He states some highlights to keep an eye on: should every town do nothing, they will default to "opting in" and will be locked in for 5 years before opting out. Towns looking to opt out will have about 180 days to do so. He also recommends keeping an eye on funding in regards to taxes in that a percentage of taxes can add to municipal revenue. He thanks the County Executive for his office's hard work during Covid and commends him on his robo-calls keeping the public informed. Mr. McEvoy wishes everyone a great Thanksgiving and cautions the public to be safe, follow the rules and don't gather in large groups over the weekend.

Manager's Report:

Mr. Cavallo reports that Verona has recorded the highest number of COVID positive test results in all of West Essex since October 1st. There have been 45 new confirmed cases plus 1 death of COVID-19 in the last month. Please be vigilant in your interactions in the community. Wear a face covering and stay 6 feet apart from others. The COVID-19 pandemic has been stressful and isolating for many people. Gatherings during the upcoming holidays can be an opportunity to reconnect with family and friends. This holiday season, consider how your holiday plans can be modified to reduce the spread of COVID-19 to keep your friends, families, and communities healthy and safe.

The County of Essex will be conducting COVID-19 testing site at the Verona Community Pool from 3:30 p.m. to 6:30 p.m. on Wednesday, November 25. Registration is CLOSED at this time as they are oversubscribed at 507 registrants. The County has also expanded testing to six days per week (Monday through Saturday). Testing information is available on the County of Essex website homepage.

The Township of Montclair, in conjunction with the State of New Jersey will hosting be six COVID-19 testing events in Montclair from 2:00 p.m. to 7:00 p.m., on November 23, 24 and 30, and December 1, 7 and 8, at the Essex County Glenfield Park Wally Choice Community Center, 49 Maple Avenue. Participants are asked not to eat or drink 30 minutes before testing. There is no

pre-registration, it will be walk-in based and clients will register as they arrive. People with insurance will be asked to provide insurance info. Their insurance will be billed however and the client will not be balance billed. They will be performing a saliva test, turnaround time is anticipated to be 2-3 days from end of each test date. Both residents and techs administering the test are expected to social distance and wear face coverings.

The Essex County Emergency Thanksgiving Food Distribution Event will be held tomorrow at 9:00 a.m. at Essex County Branch Brook Park Cherry Blossom Welcome Center in Newark. You must enter the park via Heller Parkway. Walk ups are welcome; Buses cannot be served. 3,000 boxes to be distributed on a first-come, first-served basis. 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 County Executive has announced that Essex County is allocating \$2 million for a grant program to help residential property owners from Essex County who have been negatively impacted by the Coronavirus and are behind on their mortgage payments. Applications for the Essex County Coronavirus Mortgage Assistance Program are now available and can be found through a link on the Essex County website homepage. Grants will be awarded on a first come, first served basis. In addition to completing a short questionnaire, applicants must be able to provide proof of income loss on or after March 1, 2020, because of the Coronavirus Pandemic. The property for which the applicant is seeking assistance must be their primary residence. Any grant awards from Essex County will be paid directly to the lending institution.

The Township has been receiving this question from a few people and the quick answer is YES. You still have to pay whatever electric, gas and water bills you normally pay. If you cannot pay now, you will still have to pay later. The utilities, including our water utility here in Verona, are not cancelling debts; we are just postponing shutoffs for the time being. We ask that if you are unable to pay the entire amount, please consider paying in installments and what you can. To find out if you're eligible for utility payment assistance, call 2-1-1 or visit for a full listing of assistance programs <http://nj.gov/dca/dcaid>.

The first half of the updated personnel policies and procedures were rolled out via PowerDMS for all employees with computer access last week. The second half will be distributed this Wednesday to the same group. All other employees and volunteers without Township computer access will be provided these policies in hard copies by the end of next week.

Demolition has begun on the four houses that were acquired with the Cameco factory.

The Township's tentative closing date on the Poekel Properties is TOMORROW, November 24, 2020.

The vendor portion of the Fair in the Square will not occur this year. At this time, we don't think it is a wise course of action to have a tree lighting this year. The tree will be lit on Saturday, December 5 but this will not be a public event.

Last week the County of Essex was awarded \$26.4 million for safety improvements that will be undertaken at 39 intersections throughout Essex County. The corner of Fairview Avenue and Personette Avenue in Verona is one of those intersections receiving attention. This intersection will be receiving a traffic signal.

NJDOT has awarded a \$500,000 grant to the Township for the reconstruction of Derwent Avenue.

The Township wants to hear from you about overnight parking. How do you feel about the Township's current overnight parking regulations? The Township is seeking feedback from residents through the PlanetCivic platform on its current overnight parking regulations and future plans. In an effort to ease some of the burdens caused by the COVID-19 pandemic, we have refrained from enforcing the overnight parking rules through the end of December 2020. Please let us know if you are in favor of reverting back to the overnight restrictions or if you prefer the current relaxed regulations. Contrary to rumors that are going around, this survey was not put out due to lack of parking at our new developments, this was sent out due to the number of residents who have commented that they are in favor of relaxed parking restrictions and we are trying to gauge the interest of the town. Mr. Cavallo reminds the public that in the event of any snow fall later in the year, vehicles will still have to be removed from the roadway for storm clean

up as required.

For those of you that have not driven through Lot 1 by HBW Middle School recently, the Community Garden is coming along great. The fence was installed last week around the property. More information on the Community Garden will be released after the first of the year.

Now, more than ever, we need to support our local businesses. Please consider supporting Verona businesses as much as possible as you prepare for the holiday shopping season. Keep an eye out for local ads, specials and ordering info.

The meeting scheduled for December 2 has been cancelled and will be postponed (tentatively) for Tuesday, December 8. Check the Township's website for updates.

The library will be closed to the public for 2 weeks after Thanksgiving, but operations will not change. Mr. Cavallo cannot rule out that the library may need to close again after the Christmas holiday.

Mr. Cavallo invites Director of Administration and Economic Development, Steven Neale to give an update on the Sustainable Essex Alliance's Energy Aggregation Program.

Councilmember's Reports:

Deputy Mayor Roman encourages the public to participate in the overnight parking survey and urges the public to comment to the governing body one way or another on whichever way they feel. He compliments the County on all the good work they've done with Covid. He wishes everyone a happy and safe Thanksgiving.

Councilman Ryan suggests the administration looking at crime statistics regarding the hours with parking restrictions and see if there's a correlation. He wishes everyone a happy and healthy Thanksgiving holiday.

Councilman Giblin comments that he is glad the holiday tree will be lit this year. He states that several towns like West Orange, Caldwell and West Caldwell have a nativities with their holiday decorations and menorah. He asks the Township Manager how it would work if residents wanted to make donations in order to make that happen. He wishes everyone a safe holiday, but cautions the public as he has seen alarming statistics stating that one million people flew out of our area's three (3) airports over the weekend, signaling a rough three (3) weeks ahead.

Councilwoman McGrath reports that the Parks and Recreation Advisory Committee met and discussed this year's basketball season will not occur this year and talked about outdoor activities that can be held this winter if the weather permits. She attended the NJ League of Municipalities On-line Conference this week and took several classes which she found informative and insightful.

Public Comment on the proposed resolution:

Paul Sciarra, 7 Crestmont Road, Verona, New Jersey

RESOLUTION No. 2020-193

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

**REJECTING BIDS RECEIVED FOR CONTRACT 20-01A -
RENOVATIONS TO THE VERONA COMMUNITY POOL (REBID) AND
AUTHORIZING THE TOWNSHIP MANAGER TO NEGOTIATE WITH
INTERESTED VENDORS**

WHEREAS, on Wednesday, September 30, 2020, the Township of Verona received bids for Contract 20-01A - Renovations to the Verona Community Pool (Rebid); and

WHEREAS, the bids substantially exceeds the project estimate for this project; and

WHEREAS, it is the recommendation of the Township Manager who is a Qualified Purchasing Agent certified by the State of New Jersey Division of Local Government Services that the bids received for Contract 20-01A be rejected; and

WHEREAS, the Township advertised for bids for the Renovations to the Verona Community Pool on two separate occasions and no bids were received; and

WHEREAS, it is the recommendation of the Township Manager that he be authorized to negotiate with interested vendors for the Renovations to the Verona Community Pool.

NOW THEREFORE BE IT RESOLVED by the Township Council of the Township of Verona, in the County of Essex, New Jersey that the bids received for Contract 20-01A are hereby rejected, in accordance with the provisions of *N.J.S.A. 40A:11-13.2(a)* and that that Township Manager is hereby authorized to negotiate with interested vendors for an the Renovations to the Verona Community Pool.

ROLL CALL:

AYES: McGrath, Giblin, Ryan, Roman, McEvoy

NAYS:

RESOLUTION No. 2020-194

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

**RESOLUTION AUTHORIZING THE TOWNSHIP MANAGER TO EXECUTE
AN AGREEMENT ALLOWING THE PAYMENT OF CERTAIN
DELINQUENT PROPERTY TAXES**

WHEREAS, the Taxpayer owner of real property located at 56 Grove Avenue, Verona, New Jersey (hereinafter "Property") is Delinquent on 2019 property taxes; and

WHEREAS, as of the date of this Agreement, property taxes for the Property are in default for the fiscal year 2019 in the sum of \$31,004.99, excluding interest and costs ("Delinquent Taxes"); and

WHEREAS, the Tax Collector has listed the Delinquent Taxes for tax sale in accordance with Law; and

WHEREAS, N.J.S.A. 54:5-19 et al., allows the Township by resolution to direct that there shall be omitted from tax sale any or all such unpaid taxes, and other municipal liens, or parts thereof, on real property, upon which regular, equal monthly installment payments are being made; and

WHEREAS, the Taxpayer wishes to make monthly installment payments of the Delinquent Taxes to the Township in order to avoid tax sale; and

WHEREAS, the Property has not been included in any plan theretofore adopted by the Township under and pursuant to the provisions of any public statute of this State whereunder prior extensions for the payment of delinquent taxes were authorized; and

WHEREAS, the Township Council have reviewed this matter and believe it is appropriate that the attached Agreement be executed authorizing payment of the Delinquent Taxes and the Delinquent Taxes not be included in the tax sale as currently listed.

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 Township Manager is hereby authorized to execute the attached Agreement and take any additional action to effectuate the intent of this Resolution.

ROLL CALL:

AYES: McGrath, Giblin, Ryan, Roman, McEvoy

NAYS:

RESOLUTION No. 2020-195

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

AUTHORIZING TAX SALE WITHOUT DELINQUENT SEWER CHARGES

WHEREAS, on October 15, 2020, Governor Murphy issued Executive Order 190 which, among other things, requires that *“No gas or electric public or municipal utility or privately or publicly owned water system shall collect any fee or charge imposed for late or otherwise untimely payments or service reconnections that have accrued, and will continue to accrue, during the Public Health Emergency”*; and

WHEREAS, the Township shall conduct an upcoming tax sale on December 3, 2020; and

WHEREAS, the Tax Collector has determined that in order to fully comply with the requirements of Executive Order 190, the Township should not sell any sewer delinquencies at the December 3, 2020 tax sale.

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 Tax Collector shall proceed with the December 3, 2020 tax sale but shall not sell any sewer delinquencies at said tax sale in order to fully comply with Executive Order 190.

ROLL CALL:

AYES: McGrath, Giblin, Ryan, Roman, McEvoy

NAYS:

RESOLUTION No. 2020-196

A motion was made by Councilwoman McGrath; 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 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
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:

New Business:

Mr. Cavallo gives a presentation regarding the deficit of revenue resulting from the Covid pandemic.

ORDINANCE NO. 2020-24

AUTHORIZING A SPECIAL EMERGENCY APPROPRIATION PURSUANT TO N.J.S.A. 40A:4-53(m) FOR THE EXPECTED DEFICIT IN OPERATIONS RELATED TO THE COVID-19 PANDEMIC IN THE CURRENT FUND

The Municipal Clerk reads Ordinance No. 2020-24 by title into record.

Motion to introduce Ordinance No. 2020-24 is moved by Mayor McEvoy; seconded by Councilman Giblin.

ROLL CALL:

AYES: McGrath, Giblin, Ryan, Roman, McEvoy

NAYS:

Introduction of Ordinance No. 2020-24 is approved 5-0 and will be published according to law. A public hearing will be held on December 7, 2020.

ORDINANCE NO. 2020-25

AUTHORIZING A SPECIAL EMERGENCY APPROPRIATION PURSUANT TO N.J.S.A. 40A:4-53(m) FOR THE EXPECTED DEFICIT IN OPERATIONS RELATED TO THE COVID-19 PANDEMIC IN THE SWIMMING POOL UTILITY OPERATING FUND

The Municipal Clerk reads Ordinance No. 2020-25 by title into record.

Motion to introduce Ordinance No. 2020-25 is moved by Councilwoman McGrath; seconded by Deputy Mayor Roman.

ROLL CALL:

AYES: McGrath, Giblin, Ryan, Roman, McEvoy

NAYS:

Introduction of Ordinance No. 2020-25 is approved 5-0 and will be published according to law. A public hearing will be held on December 7, 2020.

RESOLUTION No. 2020-197

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

AUTHORIZING THE CHIEF FINANCIAL OFFICER TO SUBMIT APPLICATION TO THE DIVISION OF LOCAL GOVERNMENT SERVICES TO AUTHORIZE A SPECIAL EMERGENCY PURSUANT TO N.J.S.A. 40A:4-53

WHEREAS, *N.J.S.A. 40A:4-53* allows local units to treat COVID-19 pandemic related operating deficits as a special emergency that can be certified through the Division and then spread over several subsequent budgets as a deferred charge, rather than budgeted fully in the current or next year; and.

WHEREAS, the Township has substantial revenue shortages in the Current Fund estimated to total \$450,000.00 at year end; and

WHEREAS, the Township has substantial revenue shortages in the Swimming Pool Utility Operating Fund estimated to total \$300,000.00 at year end; and

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

SECTION ONE. That the Chief Financial Officer is authorized file application with the Director of the Division of Local Government Services requesting the approval of a special emergency pursuant to *N.J.S.A. 40A:4-53*.

SECTION TWO. The Township hereby authorizes the Chief Financial Officer to finance such appropriation from either fund balance available or by issuing special emergency notes from time to time in accordance with the provisions of *N.J.S.A. 40A:4-53*.

SECTION THREE. That a copy of this Resolution will be filed with the Director of Local Government Services in the Department of Community Affairs of the State of New Jersey.

ROLL CALL:

AYES: McGrath, Giblin, Ryan, Roman, McEvoy

NAYS:

Mr. Cavallo gives a presentation on the recodification process, overview and next steps. The recodification ordinance will be on the December 7, 2020 meeting agenda for introduction.

Bob Benecke and Chelsea Gleis of Benecke Economics give a presentation on the Sunset Avenue Redevelopment plan.

Prior to continued discussion on amending the Zoning Ordinance establishing the Town Center Mixed Use Zoning District permitting residential uses with an affordable housing element, Mayor Jack McEvoy recuses himself from the discussion as he is the owner of one of the properties that would potentially be effected with the adoption of the ordinance. Mayor McEvoy leaves the meeting and signs in as a public member. Deputy Mayor Roman leads the remainder of the discussion.

Bob Benecke and Chelsea Gleis then give a presentation on the zoning expansion for Affordable Housing in the Town Center district. Mr. Benecke states that the first step would be to introduce a zoning ordinance at the December 21 meeting so the Planning Board can hold a Consistency Review meeting in January and get back to the Council for their February meeting.

Public Comment:

Cynthia Holland, 109 South Prospect Avenue, Verona, New Jersey
Jack McEvoy, 20 Montclair Avenue, Verona, New Jersey
Maria Squilante, 6 Belleclaire Place, Verona, New Jersey
Jackie Quatrocchi, 44 Afterglow Way, Verona, New Jersey
Maria Squilanti, 6 Belleclaire Place, Verona, New Jersey
Jessica Pearson, 20 Montclair Avenue, Verona, New Jersey

Adjournment:

Council enters into Executive Session at 10:40 pm. Motion to adjourn the meeting at 11:20 pm is motioned by Deputy Mayor Roman; seconded by Councilman Giblin.

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

Respectfully submitted,

Jennifer Kiernan
Jennifer Kiernan, Municipal Clerk

Jack McEvoy
Jack McEvoy, Mayor

APPROVED: December 7, 2020