

Minutes of a Regular Meeting of the Verona Township Council on Monday, January 20, 2025, beginning at 7:00 p.m. in the Municipal Building, 600 Bloomfield Avenue, Verona, New Jersey, and via Zoom video conferencing.

Call to Order:

The Municipal Clerk reads the notice of Open Public Meetings Act.

Roll Call:

Mayor Tamburro, Deputy Mayor McEvoy, Councilman Roman, Councilwoman McGrath, Councilwoman Holland, Township Manager Joseph D’Arco, Deputy Township Manager Kevin O’Sullivan, Township Attorney Brian Aloia and Municipal Clerk Jennifer Kiernan are present.

Mayor’s Report:

Mayor Tamburro congratulates the members of the Board of Education and was honored to swear in the reelected members. He wishes everyone a happy Martin Luther King Day and hopes that everyone will take time today to reflect on the legacy of Dr. King. This Saturday is the Junior Women’s Club Spelling Bee and the Mayor thanks the Department of Public Works for their excellent work in getting the snow cleared from the storm. Lastly, Mayor Tamburro thanks the public for their tremendous outpouring of support shown to one of our Township staff members going through a very difficult time.

County Liaison J. Coltre reports on the Deer Management Program. All venison will be sent to surrounding food kitchens.

Manager’s Report:

Township Manager Joseph D’Arco sent the governing body his report over the weekend. Council has no questions for him.

The Township Manager makes the following appointments:

			Term Expires
1.	Planning Board		
	a.	Kevin O’Sullivan Class II Member (Emp Des)	12/31/2025
2.	New Jersey Intergovernmental Insurance Fund		
	a.	Kevin O’Sullivan Commissioner	12/31/2025
3.	Bergen Municipal Employee Benefits Fund (Gateway BMED)		
	a.	Kevin O’Sullivan Commissioner	12/31/2025
	b.	Jennifer Muscara Alt. Commissioner	12/31/2025

Dan Hauben, DMR Architects has a presentation to discuss the NJ Affordable Housing 4th Round.

RESOLUTION No. 2025-25

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

VERONA 4TH ROUND NUMBERS DECLARATORY RESOLUTION

WHEREAS, the State Legislature of the State of New Jersey passed, and, on March 18, 2024, Governor Phil Murphy signed, a Bill commonly known as A4/S50 or P.L. 2024, c.2, hereinafter referred to as the 4th Round Rules; and

WHEREAS, the 4th Round rules abolished the Council on Affordable Housing, also known as COAH, and delegated its responsibilities to the New Jersey Department of Community Affairs (hereinafter “DCA”), the Jew Jersey Housing and Mortgage Finance Agency, and the Affordable Housing Dispute Resolution Program (hereinafter “DRP”), ordered to be formed by the same law; and

WHEREAS, the 4th Round rules ordered the DCA to calculate and publish, not later than October 20, 2024, the “Prospective Need” and “Present Need” housing obligations for each municipality in the State of New Jersey according to a methodology based largely upon the methodology approved by the Honorable Mary C. Jacobsen, A.J.S.C. of Mercer County on March 8, 2018 for the 3rd Round; and

WHEREAS, the Prospective Need represents the need for newly constructed or preserved affordable housing units projected over the next 10 years, calculated for “regions” consisting of three to four counties and allocated to each municipality based upon factors that consider their available vacant land, median household income, and growth in equalized assessed non-residential property value relative to their region. The Township of Verona is located in Region 2, identified in the 4th Round rules as consisting of all municipalities in Essex, Union, Morris, and Warren Counties; and

WHEREAS, the Present Need represents the need for rehabilitation of substandard homes in the municipality, occupied by low- and moderate-income households, based upon publicly available local estimates of housing that lacks adequate plumbing or kitchens, is overcrowded, is more than 50 years old, and is likely to be occupied by low- and moderate-income households; and

WHEREAS, on October 18, 2024, the DCA published its non-binding calculations of the Prospective and Present Needs for every municipality in New Jersey, which included, for the Township of Verona, a Prospective Need of 173 units and a Present Need of zero (0) units; and

WHEREAS, the 4th Round rules require that every municipality adopt before January 31, 2025, and upload onto the DRP’s website within 48 hours, a binding resolution identifying their affordable housing obligations; and

WHEREAS, the rules permit municipalities to either accept the calculations published by DCA or alternative numbers which are based upon the methodology laid out in the 4th Round rules; and

WHEREAS, DMR Architects, the Township’s affordable housing planning consultant, has reviewed the data utilized by the DCA and determined that the 23.9 acres considered in the land capacity factor for allocating regional affordable housing need to Verona Township includes 18.5 acres of lands that have been preserved for open space and recreation purposes but which were not included in the State-level mapping used in DCA’s calculations; and

WHEREAS, correcting the land capacity factor to account for those 18.5 preserved acres reduces the Township’s Prospective Need to 149 units; and

WHEREAS, the 4th Round rules, as written at Section 23 of P.L.2024, c.2 (C.52:27D-310.1), allow built-out communities to seek an adjustment of their Prospective Need obligations based on a lack of vacant, available, and environmentally unconstrained land on which to build new homes, called a vacant land adjustment, with the caveat that any municipality seeking a vacant land adjustment shall be required to prepare a Housing Element and Fair Share Plan providing for the satisfaction of not less than 25% of its 149-unit Prospective Need, or 38 units; and

WHEREAS, DMR Architects conducted an analysis according to the 4th Round rules and methodologies, and concluded that the Township of Verona was eligible to adjust its 149-unit Prospective Need to 66 units, which exceeds the statutory minimum of 25% of the Prospective Need; and

WHEREAS, the Planning Board of Verona Township shall adopt not later than June 30, 2025 a Housing Element and Fair Share Plan addressing its Prospective and Present Needs, with the Prospective Need to be adjusted to reflect the results of the vacant land analysis but not below 38 units, pursuant to section 23 of P.L.2024, c.2 (C.52:27D-310.1); and

WHEREAS, the Township Council shall adopt not later than March 15, 2026, all ordinances necessary to implement that Plan, as required by the 4th Round rules passed by the Legislature and signed by the Governor; and

WHEREAS, failure to comply with the 4th Round rules -- including but not limited to meeting the deadlines stated herein, or declaring affordable housing obligations that are not consistent with the methodologies dictated and endorsed in the 4th Round rules -- would leave the Township vulnerable to exclusionary zoning or builders’ remedy lawsuits that, if successful, would strip the Township of the zoning powers that enable it to control the location, intensity, and design of multi-unit residential development that would produce affordable housing.

NOW, THEREFORE, THE FOLLOWING SHALL BE RESOLVED, by the Township Council of the Township of Verona, Essex County, New Jersey:

1. The Township declares that it has a 149-unit Prospective Need for the 4th Affordable Housing Round, based upon the methodology used by the DCA in calculating the Prospective Need but accounting for the protected status of 18.5 of the 23.9 acres of land included in DCA’s calculation

of the Township's land capacity relative to that of its affordable housing region and that reduction complies with the requirements and methodologies in sections 6 and 7 of P.L.2024, c.2 (C.52:27D-304.2 and C.52:27D-304.3); and

2. The Township declares that it has a 0-unit Present Need for the 4th Affordable Housing Round, as calculated by the DCA; and
3. The Township has conducted an analysis of its vacant, available land based upon section 23 of P.L.2024, c.2 (C.52:27D-310.1), and estimates that it will be eligible to adjust its Prospective Need to 66 units. The Township reserves the right and opportunity to update this calculation prior to the adoption of its Fourth Round Housing Element and Fair Share Plan; and
4. The Township Planning Board shall adopt, and the Council shall endorse, a Housing Element and Fair Share Plan, not later than June 30, 2025, that addresses the affordable housing obligations above, as may be adjusted in accordance with the N.J.S.A. 52:27D-301 et seq., P.L. 2024, c.2, and applicable case law and determinations of the Affordable Housing Dispute Resolution Program; and
5. The Township specifically reserves all rights and positions, without prejudice, to revoke this resolution and commitment in the event of a successful challenge to P.L. 2024 c.2 in the context of Borough of Montvale, et al. v. State of New Jersey, Docket No. MER-L-1778-24 or any other such action challenging P.L. 2024 c.2 or calculations of Fourth Round Present or Prospective Obligations, or any legislation adopted and signed into law by the Governor of New Jersey altering the deadlines and/or requirements of P.L. 2024 c.2; and

The Township's Legal Counsel, within 48 hours of the passing of this resolution, file an action with the DRP regarding this resolution in order to maintain the Township's immunity from exclusionary zoning litigation. The Township Clerk shall publish the filing materials and this resolution on a publicly accessible page of the Township's website

ROLL CALL:

AYES: Holland, McGrath, Roman, McEvoy, Tamburro

NAYS:

Deputy Township Manager Kevin O'Sullivan reports on the pool fees, wastewater infrastructure, the Claridge Pump Station, Everett Field, emergency repairs to the Communications Tower Building and the repainting of Town Hall and replacement of the windows.

Council Members Reports:

Deputy Mayor McEvoy recognizes Dr. Martin Luther King Day today and attended the swearing in of the Board of Education members. Lastly, he mentions Public Works and thanks them for all their hard work on the water main break and the snow storm.

Councilman Roman congratulates the School Board members and also thanks DPW for all their recent hard work.

Councilwoman McGrath attended the swearing in of our new Essex County Sheriff and the register of deeds and mortgages. She thanks Public Works for their hard work on the snow removal and mentions attending the Shade Tree Committee and the Neighborhood Traffic and Safety Committee meetings. The Multicultural Inclusion Accessibility Advisory Committee is meeting on Wednesday on Zoom and the nominations for the Women of Impact Event are once again open.

Councilwoman Holland also thanks DPW for the effort that has been put into addressing the water main breaks and to clear the streets during the snowy weather. Lastly, with colder weather approaching, she reminds all residents to educate themselves of any information regarding warming centers and the Winter Termination Program.

ORDINANCE No. 2025-01

BOND ORDINANCE PROVIDING FOR THE ACQUISITION OF TWO SALT TRUCKS WITH EQUIPMENT IN AND BY THE TOWNSHIP OF VERONA, IN THE COUNTY OF ESSEX, NEW JERSEY, APPROPRIATING \$200,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$190,000 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF.

The Municipal Clerk reads Ordinance 2025-01 in to the record.

Motion to move the ordinance is made by Deputy Mayor McEvoy; seconded by Councilwoman McGrath.

Public Hearing:
None.

ROLL CALL:
AYES: Holland, McGrath, Roman, McEvoy, Tamburro
NAYS:

Ordinance No. 2025-01 is adopted 5-0 and will be published according to law.

ORDINANCE # 2025-02

**AMENDING CHAPTER 5 (ADMINISTRATION OF GOVERNMENT) ARTICLE II
(TOWNSHIP COUNCIL) SECTIONS 14, 16 & 22 OF THE CODE OF THE
TOWNSHIP OF VERONA**

The Municipal Clerk reads Ordinance H-1 into the record.

Motion to move the ordinance is made by Councilman Roman; seconded by Councilwoman Holland.

ROLL CALL:
AYES: Holland, McGrath, Roman, McEvoy, Tamburro
NAYS:

Ordinance H-1 is numbered 2025-02. It will be published according to law and a public hearing will be held on February 3, 2025.

Consent Agenda:

The minutes from the January 6, 2025 meeting are unanimously approved.

RESOLUTION No. 2025-26

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

**AUTHORIZE BUDGET TRANSFERS BETWEEN APPROPRIATION ACCOUNTS
PURSUANT TO N.J.S.A. 40A:4-59**

WHEREAS, certain transfers of funds for various 2024 budget appropriations are necessary to cover anticipated expenditures; and

WHEREAS, N.J.S.A. 40a:4-59 provides for transfer of appropriations with an excess over and above the amount deemed necessary to fulfil their purposes to those appropriations deemed to be insufficient;

WHEREAS, the appropriations subject to fund transfers hereby are not within those restricted by N.J.S.A. 40a:4-59 for transfer purposes.

NOW, BE IT RESOLVED, by the Township Council of the Township of Verona that the Chief Financial Officer shall and is hereby authorized to make transfers between appropriations accounts of the 2024 Municipal Budget as follows:

	TO	FROM
Recreation – Salary and Wages	\$10,000.00	
Police – Salary and Wages	\$16,000.00	

Dispatch - Salary and Wages	\$2,000.00	
S&H - Salary and Wages		\$11,000.00
Administration - Salary and Wages		\$10,000.00
Seniors - Salary and Wages		\$3,000.00
Health - Salary and Wages		\$4,000.00
TOTAL:	\$28,000.00	\$28,000.00

ROLL CALL:

AYES: Holland, McGrath, Roman, McEvoy, Tamburro

NAYS:

RESOLUTION No. 2025-27

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

DETERMINING THE FORM AND OTHER DETAILS OF ITS "NOTE RELATING TO THE CONSTRUCTION FINANCING PROGRAM OF THE NEW JERSEY ENVIRONMENTAL INFRASTRUCTURE TRUST", TO BE ISSUED IN THE PRINCIPAL AMOUNT OF UP TO \$2,360,000 AND PROVIDING FOR THE ISSUANCE AND SALE OF SUCH NOTE TO THE NEW JERSEY ENVIRONMENTAL INFRASTRUCTURE TRUST, AND AUTHORIZING THE EXECUTION AND DELIVERY OF SUCH NOTE BY THE TOWNSHIP OF VERONA IN FAVOR OF THE NEW JERSEY ENVIRONMENTAL INFRASTRUCTURE TRUST, ALL PURSUANT TO THE NEW JERSEY ENVIRONMENTAL INFRASTRUCTURE TRUST CONSTRUCTION FINANCING PROGRAM.

WHEREAS, the TOWNSHIP OF VERONA (the "Local Unit"), in the County of Essex, New Jersey, has determined that there exists a need within the Local Unit for improvements to the Primary Clarifier Pump Station at the Verona Wastewater Treatment Facility, including but not limited to, pump replacements, including all work and materials necessary therefor and incidental thereto (the "Project"), and it is the desire of the Local Unit to obtain financing for such Project through participation in the environmental infrastructure financing program (the "Environmental Infrastructure Financing Program") of the New Jersey Environmental Infrastructure Trust (the "Trust");

WHEREAS, the Local Unit has determined to temporarily finance the acquisition, construction, renovation or installation of the Project prior to the closing with respect to the Environmental Infrastructure Financing Program, and to undertake such temporary financing with the proceeds of a short-term loan to be made by the Trust (the "Construction Loan") to the Local Unit, pursuant to the Construction Financing Program of the Trust (the "Construction Financing Program");

WHEREAS, in order to (i) evidence and secure the repayment obligation of the Local Unit to the Trust with respect to the Construction Loan and (ii) satisfy the requirements of the Construction Financing Program, it is the desire of the Local Unit to issue and sell to the Trust the "Note Relating to the Construction Financing Program of the New Jersey Environmental Infrastructure Trust" in an aggregate principal amount of up to \$2,360,000 (the "Note");

WHEREAS, it is the desire of the Local Unit to authorize, execute, attest and deliver the Note to the Trust pursuant to the terms of the Local Bond Law of the State of New Jersey, constituting Chapter 2 of Title 40A of the Revised Statutes of the State of New Jersey (the "Local Bond Law"), and other applicable law; and

WHEREAS, Section 28 of the Local Bond Law allows for the sale of the Note to the Trust, without any public offering, and N.J.S.A. 58:11B-9 allows for the sale of the Note to the Trust without any public offering, all under the terms and conditions set forth therein.

NOW, THEREFORE, BE IT RESOLVED by the governing body of the Local Unit as follows:

Section 1. In accordance with Section 28 of the Local Bond Law and N.J.S.A. 58:11B-9, the Local Unit hereby authorizes the issuance, sale and award the Note in accordance with the provisions hereof in a total aggregate principal amount not to exceed \$2,360,000. The obligation represented by the Note has been appropriated and authorized by bond ordinance #2021-27 of the Local Unit, finally adopted on October 8, 2021, entitled "Bond Ordinance Providing for Various Water and Sewer Utility Improvements In and By the Township of Verona, in the County of Essex, New Jersey, Appropriating \$1,405,000 Therefor and Authorizing the Issuance of \$1,405,000 Bonds or Notes of the Township to Finance the Cost Thereof," (in the amount of \$1,200,000) and referred to and are described in bond ordinance #2024-21 of the Local Unit, finally adopted on May 24, 2024 entitled "Bond Ordinance Providing for the Improvement of the Water and Sewer Utility System and by the Township of Verona, in the County of Essex, New Jersey, appropriating \$8,406,000 Therefor and Authorizing the Issuance of \$8,406,000 Bonds or Notes of the Township to Finance the Cost Thereof" (in the amount of \$1,160,000). The aforementioned ordinances were finally adopted by the Local Unit at meetings duly called as set forth above, at which time a quorum was present and acted throughout, all pursuant to the terms of the Local Bond Law and other applicable law.

Section 2. The Chief Financial Officer of the Local Unit (the "Chief Financial Officer") is hereby authorized to determine, in accordance with the Local Bond Law and pursuant to the terms and conditions hereof, (i) the final principal amount of the Note (subject to the maximum limitation set forth in Section 4(a) hereof), and (ii) the dated date of the Note.

Section 3. Any determination made by the Chief Financial Officer pursuant to the terms hereof shall be conclusively evidenced by the execution and attestation of the Note by the parties authorized pursuant to Section 4(h) hereof.

Section 4. The Local Unit hereby determines that certain terms of the Note shall be as follows:

- (a) the principal amount of the Note to be issued shall be an amount up to \$ in a total aggregate principal amount not to exceed \$2,360,000;
- (b) the maturity of the Note shall be as determined by the Trust;
- (c) the interest rate of the Note shall be as determined by the Trust;
- (d) the purchase price for the Note shall be par;
- (e) the Note shall be subject to prepayment prior to its stated maturity in accordance with the terms and conditions of the Note;
- (f) the Note shall be issued in a single denomination and shall be numbered "CFP-__-__";
- (g) the Note shall be issued in fully registered form and shall be payable to the registered owner thereof as to both principal and interest in lawful money of the United States of America; and
- (h) the Note shall be executed by the manual or facsimile signatures of the Mayor and the Chief Financial Officer under official seal or facsimile thereof affixed, printed, engraved or reproduced thereon and attested by the manual signature of the Local Unit Clerk.

Section 5. The Note shall be substantially in the form attached hereto as Exhibit A.

Section 6. The law firm of McManimon, Scotland & Baumann, LLC is hereby authorized to arrange for the printing of the Note, which law firm may authorize McCarter & English, LLP, bond counsel to the Trust for the Construction Financing Program, to arrange for same.

Section 7. The Authorized Officers of the Local Unit are hereby further severally authorized to (i) execute and deliver, and the Local Unit Clerk is hereby further authorized to attest to such execution and to affix the corporate seal of the Local Unit to, any document, instrument or closing certificate

deemed necessary, desirable or convenient by the Authorized Officers or the Secretary of the Local Unit, as applicable, in their respective sole discretion, after consultation with counsel and any advisors to the Local Unit and after further consultation with the Trust and its representatives, agents, counsel and advisors, to be executed in connection with the issuance and sale of the Note and the participation of the Local Unit in the Construction Financing Program, which determination shall be conclusively evidenced by the execution of each such certificate or other document by the party authorized hereunder to execute such certificate or other document, and (ii) perform such other actions as the Authorized Officers deem necessary, desirable or convenient in relation to the execution and delivery of the Note and the participation of the Local Unit in the Construction Financing Program.

Section 8. This resolution shall take effect immediately.

Section 9. Upon the adoption hereof, the Local Unit Clerk shall forward certified copies of this resolution to McManimon, Scotland & Baumann, LLC, bond counsel to the Local Unit, David Zimmer, Executive Director of the Trust, and Richard T. Nolan, Esq., McCarter & English, LLP, bond counsel to the Trust.

ROLL CALL:

AYES: Holland, McGrath, Roman, McEvoy, Tamburro

NAYS:

RESOLUTION No. 2025-028

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

**AUTHORIZING THE TOWNSHIP OF VERONA TO CANCEL OLD
OUTSTANDING CHECKS AND RECONCILING ITEMS**

WHEREAS, certain checks have been identified in the Court General /Court Bail Account by the Chief Financial Officer as outstanding; and

WHEREAS, it is a normal financial practice to review the bank accounts for old outstanding items for cancellation with the balances to be returned to the Fund Balance; and

WHEREAS, it is necessary to formally cancel said checks so that the unnecessary balances may be returned to the fund balance of the respective funds;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Township of Verona, County of Essex, State of New Jersey that the following old outstanding checks, be cancelled;

<u>Date of Check Issue</u>	<u>Check Number</u>	<u>Amount</u>
6/7/2024	1079	\$2.00
	Total Bail Account	\$2.00

BE IT FURTHER RESOLVED, that two certified copies of the resolution are to be filed with the Director of the Division of Local Government Services and that a certified copy of this resolution shall be provided by the Township Clerk to each of the following:

1. Chief Financial Officer
2. Township Auditor

ROLL CALL:

AYES: Holland, McGrath, Roman, McEvoy, Tamburro

NAYS:

RESOLUTION No. 2025-029

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

**STATE OF NEW JERSEY
DEPARTMENT OF ENVIRONMENTAL PROTECTION
GREEN ACRES PROGRAM**

ENABLING RESOLUTION for SUPPLEMENTAL FUNDING REQUEST

WHEREAS, the New Jersey Department of Environmental Protection, Green Acres Program (“State”), provides loans and/or grants to municipal and county governments and grants to nonprofit organizations for assistance in the acquisition and development of lands for outdoor recreation and conservation purposes; and

WHEREAS, the Township of Verona has previously obtained a Green Acres grant of **\$1,900,000** from the State to fund the following project(s):

#0720-21-001 Verona Open Space Acquisition; and

WHEREAS, the Township of Verona desires to further the public interest by requesting an additional Green Acres grant of **\$1,816,000.00** from the State to fund the project(s); and

WHEREAS, the State shall determine if the supplemental funding request is complete and in conformance with the scope and intent of the Green Acres Program, and notify the applicant of the amount of the funding award; and

WHEREAS, the applicant is willing to use the State’s funds in accordance with its rules, regulations and applicable statutes, and is willing to enter into an Amendment of the Agreement with the State for the above-named project.

NOW, THEREFORE BE IT RESOLVED by the Township Council of the Township of Verona:

1. Joseph D’Arco or the successor to the office of Township Manager
 - (a) request such a loan and/or such a grant,
 - (b) provide additional information and furnish such documents as may be required, and
 - (c) act as the authorized correspondent of the above-named applicant; and
2. The applicant agrees to provide the local government/nonprofit share if a match is required.
3. The applicant agrees to comply with all applicable federal, state, and local laws, rules, and regulations in its performance of the project.
4. This resolution shall take effect immediately.

ROLL CALL:

AYES: Holland, McGrath, Roman, McEvoy, Tamburro

NAYS:

RESOLUTION No. 2025-030

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

APPOINTING MUNICIPAL COURT JUDGE OF THE SHARED MUNICIPAL COURT OF THE BOROUGH OF ESSEX FELLS AND NORTH CALDWELL AND THE TOWNSHIP OF VERONA

WHEREAS, pursuant to N.J.S.A. 2A:8-18.1, the Borough of North Caldwell, the Borough of Essex Fells and the Township of Verona have consolidated the use of the Municipal Court accommodations and personnel; and

WHEREAS, North Caldwell Mayor Joshua H. Raymond has advised that he has conferred with Essex Fells Mayor Edward Davis and Verona Mayor Christopher Tamburro and they have reached agreement upon the appointment of the Honorable Joseph C. Angelo as Judge of the Shared Municipal Courts of their respective municipalities; and

WHEREAS, Section 3-41 of the North Caldwell Code mandates that the Municipal Court Judge be appointed by the Mayor with the advice and consent of the Council; and

WHEREAS, Mayor Joshua H. Raymond has nominated the Honorable Joseph C. Angelo for appointment as Judge of the Municipal Court of the Borough of North Caldwell for a three (3) year term effective January 1, 2025 through December 31, 2027 thereby complimenting a similar nomination by Mayor Edward Davis of Essex Fells and Mayor Christopher Tamburro of Verona in connection with the Shared Municipal Court; and

WHEREAS, pursuant to N.J.S.A. 19:44-20.8, The Honorable Joseph C. Angelo has provided to the Borough written certification that he has not made a campaign contribution that would bar the award of the Contract to him by the Borough pursuant to N.J.S.A. 19:44A-20.5 (New Jersey Local Pay-to-Play) and said proposed Contract prohibits the making of contributions in violation of said statute during the term of the Contract; and

WHEREAS, pursuant to N.J.S.A. 19:44A-20.5, the New Jersey Local Pay-to-Play Law and pursuant to N.J.S.A. 40A:11-5 (1) (a) (1) of the New Jersey Local Public Contracts Law, the Borough may enter into said Professional Service Agreement without public bidding under these circumstances; and

WHEREAS, the Applicant has completed and submitted, a Business Entity Disclosure Certification ("Certification"), which Certification provides that the applicant Joseph C. Angelo, nor any member of his private practice law firm has made any reportable contributions to candidate committees, joint candidates committees or political party committees representing the elected officials of the Borough of North Caldwell, Borough of Essex Fells, Township of Verona in the one year period preceding the award of the Contract, and that the Contract will prohibit the Applicant and any member of the firm from making any reportable contributions through the term of the contract that would bar the award of this Agreement pursuant to N.J.S.A. 19:44A-20.5 et seq.; and

WHEREAS, the Applicant has completed and submitted a Political Contribution Disclosure Form and Stockholder Disclosure Certification, as required pursuant to N.J.S.A. 19:44A-20.26, no later than 10 days prior to entering into the contract, disclosing all reportable political contributions (more than \$300 per election cycle made over the 12 months prior to submission to the committees of the government entities listed on the Form provided by the Borough; and

WHEREAS, the Business Entity Disclosure Certification further provides that the Applicant and the members of the firm have not made any and will not make any contributions or solicit any contributions of money or pledge of a contribution in violation of N.J.S.A. 19:44A-1 et seq.; and

WHEREAS, the Borough's Chief Financial Officer has certified to the availability of funds for this purpose.

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 appointment of The Honorable Joseph C. Angelo as Municipal Judge of the Shared Municipal Court of the Boroughs of North Caldwell and Essex Fells and the Township of Verona be and hereby is confirmed for a three (3) year term.

2. That this contract be awarded through a non-fair and open process and without a competitive bid pursuant to N.J.S.A. 19:44A-20.5 and as a professional service, pursuant to N.J.S.A. 40A:11-1 et seq.
3. A notice of this award be printed in the official newspaper of the Borough of North Caldwell within 20 days of the award of this contract in accordance with N.J.S.A. 40A:11-1 et seq. and N.J.A.C. 5:34-9.5.
4. Be it further resolved that a certified copy of this resolution shall be forwarded to the Borough's Business Administrator and Chief Financial Officer.
5. The written Resolution and subject Contract shall be on file and available for public inspection in the office of the Borough Clerk.
6. This Resolution shall take effect immediately upon passage and publication in accordance with law, if required.

ROLL CALL:

AYES: Holland, McGrath, Roman, McEvoy, Tamburro

NAYS:

RESOLUTION No. 2025-031

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

**AUTHORIZING THE AWARD OF DISCRETIONARY AND OPEN CONTRACTS
FOR MUNICIPAL PROSECUTOR OF THE SHARED MUNICIPAL COURT OF THE
BOROUGH OF ESSEX FELLS AND NORTH CALDWELL AND THE TOWNSHIP
OF VERONA**

WHEREAS, there is a need for professional municipal prosecutor services for the Shared Municipal Court of the Boroughs of North Caldwell and Essex Fells and the Township of Verona; and

WHEREAS, pursuant to N.J.S.A. 19:44-20.8, the firm of Friend & Wenzel, LLC of Clifton, NJ has provided to the Borough written certification that it has not made a campaign contribution that would bar the award of a Contract to it by the Borough pursuant to N.J.S.A. 19:44A-20.5 (New Jersey Local Pay-to-Play) and said proposed Contract prohibit the making of contributions in violation of said statute during the term of the Contract; and

WHEREAS, pursuant to N.J.S.A. 19:44A-20.5, the New Jersey Local Pay-to-Play Law and pursuant to N.J.S.A. 40A:11-5 (1) (a) (1) of the New Jersey Local Public Contracts Law, the Borough may enter into said Professional Service Agreement without public bidding under these circumstances; and

WHEREAS, the Borough's Chief Financial Officer has certified to the availability of funds for this purpose.

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 Mayor and other officials of the Borough of North Caldwell are hereby directed and authorized to enter into a Professional Services Agreement with Friend & Wenzel, LLC of Clifton, NJ for professional municipal prosecutor services for the Municipal Court of the Boroughs of North Caldwell and Essex Fells and the Township of Verona, a copy of which is annexed hereto, at an annual cost of \$27,500.00 for 2025.
2. The Mayor and all other officials of the Borough of North Caldwell are hereby directed and authorized to take any and all necessary and appropriate actions to carry out the subject and intent of this Resolution.
3. The subject contract is awarded by the Borough pursuant to N.J.S.A. 19:44A-20.5 and specifically N.J.S.A. 19:44A-20.8, the New Jersey Local "Pay-to-Play Law", as a Professional Services Contract, in accordance with the provisions of N.J.S.A. 40A:11-5 (1) (a) (1) of the New Jersey Local Public Contracts Law.
4. Notice of the award of the within Contract shall be published in accordance with law.
5. The within Resolution and subject Contract shall be on file and available for public inspection in the office of the Borough Clerk.
6. This Resolution shall take effect immediately upon passage and publication in accordance with law, if required.

ROLL CALL:

AYES: Holland, McGrath, Roman, McEvoy, Tamburro

NAYS:

RESOLUTION No. 2025-032

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

AUTHORIZING THE APPOINTMENT OF PUBLIC DEFENDER

WHEREAS, pursuant to N.J.S.A. 2A:8-18.1, the Borough of North Caldwell and the Borough of Essex Fells and the Township of Verona have consolidated the use of the Municipal Court accommodations and personnel; and

WHEREAS, North Caldwell Mayor Joshua H. Raymond has advised that he has conferred with the mayors from Essex Fells and Verona and they have reached agreement upon the appointment of James Pomaco, Esq. as the Public Defender of the Shared Municipal Courts of their respective municipalities; and

WHEREAS, said appointment is subject to the advice and consent of the Borough Council.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of North Caldwell, County of Essex, State of New Jersey as follows:

1. Consent is hereby given to the Mayor's appointment of James Pomaco, Esq. as Public Defender of the Boroughs of North Caldwell and Essex Fells and the Township of Verona effective January 1, 2025 and continuing through December 31, 2025, at an annual cost of \$8,000.00 subject to the acceptance of contract terms.
2. The Mayor and all other officials of the Borough of North Caldwell are hereby directed and authorized to take any and all necessary and appropriate actions to carry out the subject and intent of this Resolution.
3. Upon execution by the parties, a copy of the subject agreement shall be maintained by the Borough Clerk for public inspection.
4. This Resolution shall take effect immediately upon passage and publication in accordance with law, if required.

ROLL CALL:

AYES: Holland, McGrath, Roman, McEvoy, Tamburro

NAYS:

RESOLUTION No. 2025-033

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

**REAPPOINTING ASHLEY MCMILLION MUNICIPAL COURT ADMINISTRATOR
OF THE SHARED MUNICIPAL COURT OF THE BOROUGHS OF ESSEX FELLS
AND NORTH CALDWELL AND THE TOWNSHIP OF VERONA**

WHEREAS, The Code of the Borough of North Caldwell 3-42 requires the annual appointment of a Municipal Court Administrator; and

WHEREAS, Ashley McMillion currently serves as the Municipal Court Administrator of the Shared Court of the Boroughs of Essex Fells and North Caldwell and the Township of Verona; and

WHEREAS, Ashley McMillion is a Certified Municipal Court Administrator of the State of New Jersey, is found to be in good standing and has satisfied the continuing education requirements for said certification as a Certified Municipal Court Administrator; and

WHEREAS, the Township Council of the Township of Verona finds it to be in the best interest of the Township to reappoint Ashley McMillion to the position of Municipal Court Administrator for the Shared Court of the Boroughs of Essex Fells and North Caldwell and the Township of Verona.

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

1. Ashley McMillion is hereby reappointed as Municipal Court Administrator for the Shared

Court of the Boroughs of Essex Fells and North Caldwell and the Township of Verona for the calendar year 2025.

2. The salary for Ashley McMillion shall be fixed in the annual Salary Ordinance and corresponding Salary Resolution of the Borough of North Caldwell.
3. The Mayor and all other officials of the Borough of North Caldwell are hereby directed and authorized to take any and all necessary and appropriate actions to carry out the subject and intent of this Resolution.
4. Upon execution by the parties, a copy of this Resolution shall be maintained by the Borough Clerk for public inspection.
5. This Resolution shall take effect immediately upon passage and publication in accordance with law, if required.

ROLL CALL:

AYES: Holland, McGrath, Roman, McEvoy, Tamburro

NAYS:

RESOLUTION No. 2025-034

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

DISPOSAL OF OBSOLETE TOWNSHIP EQUIPMENT

WHEREAS, the Township Manager has advised the Township Council that there is obsolete equipment that is no longer needed for public use; and

WHEREAS, *N.J.S.A. 40A:11-36(7)* authorizes the disposition of personal property not needed for public use as part of a purchase to offset the price of the new purchase; and

WHEREAS, it is in the best interest of the Township to dispose of said equipment

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NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Verona, in the County of Essex, New Jersey that the obsolete equipment referenced by the Township Manager which is no longer needed for public use by the Township shall be disposed of according to the manner as prescribed by law.

ROLL CALL:

AYES: Holland, McGrath, Roman, McEvoy, Tamburro

NAYS:

RESOLUTION No. 2025-035

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

DISPOSING OF OBSOLETE EQUIPMENT TO THE CEDAR GROVE FIRE DEPARTMENT

WHEREAS, the Township of Cedar Grove donated a gas powered portable hydraulic unit with multiple extrication tips, a Hurst spreader, a Hurst cutter, a Combi tool (spreader/cutter) and other miscellaneous extrication tools; and

WHEREAS, the Township Council of the Township of Verona adopted Resolution No. 2023-057, accepting the donated equipment from the Cedar Grove Fire Department to the Verona Fire Department; and

WHEREAS, the Township of Verona benefited from the donation of said equipment for use.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Verona, County of Essex, State of New Jersey acknowledges the disposing of said equipment to the Township of Cedar Grove.

ROLL CALL:

AYES: Holland, McGrath, Roman, McEvoy, Tamburro

NAYS:

RESOLUTION No. 2025-036

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

CANCEL TAXES BLOCK 906 LOT 30 TOTALLY EXEMPT VETERAN

WHEREAS, the Tax Collector was notified from the Tax Assessor’s office that Block 906 Lot 30, property known as 94 Elmwood Road, as of January 7, 2025 should be totally exempt due to the owner being a totally disabled veteran, and

NOW, THEREFORE, BE IT RESOLVED, that the Tax Collector be authorized to cancel a portion of the 1st quarter billing and the balance of 2025 billing on Block 906 lot 30.

ROLL CALL:

AYES: Holland, McGrath, Roman, McEvoy, Tamburro

NAYS:

RESOLUTION No. 2025-037

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

CONTINUING MEMBERSHIP IN THE NEW JERSEY INTERGOVERNMENTAL INSURANCE FUND (NJIF)

WHEREAS, the Township Council of the Township of Verona (hereinafter the “Local Unit”) has determined that MEMBERSHIP IN THE New Jersey Intergovernmental Insurance Fund (hereinafter the “Fund) established pursuant to Chapter 372, Laws of 1983 (N.J.S.A. 40A:10-36 et seq), is in the best interest of the municipality.

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

SECTION 1. The Township of Verona hereby agrees to continue as a member in the “Fund” for a period commencing on 01/01/2025 and terminating on 12/31/2027 for the following types of insurance coverage:

- a) Workers Compensation and Employers Liability
- b) General Liability (including Police Professional & Public Officials Liability);
- c) Motor Vehicle and Equipment Liability Coverage;
- d) Property Damage (including Building & Contents, Automobile Physical Damage, Contractors Equipment, Crime and Boiler & Machinery)
- e) Environmental Impairment Liability
- f) Cyber Liability

SECTION 2. Local Unit agrees to enter into and abide by the terms of the Indemnity and Trust Agreement, attached hereto as Exhibit 1. Local Unit hereby authorizes and directs Township of Verona

to execute the Indemnity and Trust Agreement and such other documents as are necessary to comply with the requirements of the Fund.

SECTION 3. The Bylaws of the New Jersey Intergovernmental Insurance Fund are hereby adopted and accepted by the Local Unit and the Local Unit hereby agrees to conduct its membership in the "Fund" according to the rights and obligations set forth therein.

SECTION 4. The Local Unit certifies that it has never defaulted on claims under a self-insurance plan and that it has not had its insurance canceled for non-payment of premium for a period of at least two (2) years prior to this application.

SECTION 5. Inconsistent Resolutions. All resolutions or parts thereof that are or may be, inconsistent with provisions of this Resolution are hereby repealed to the extent of such inconsistency.

SECTION 6. Severability. If any section, paragraph, subdivision, clause or provision of this Resolution shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, subdivision, clause or provision so adjudged and the remainder of the Resolution shall be deemed valid and effective.

SECTION 7. Effective Date. This Resolution shall take effect upon its passage.

ROLL CALL:

AYES: Holland, McGrath, Roman, McEvoy, Tamburro

NAYS:

RESOLUTION No. 2025-038

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

APPOINTMENT OF REPRESENTATIVE'S TO THE ESSEX COUNTY COMMUNITY DEVELOPMENT BLOCK GRANT COMMITTEE

BE IT RESOLVED by the Township Council of the Township of Verona, in the County of Essex, New Jersey, that Deputy Township Manager Kevin O'Sullivan and Supervisor of Public Works Chuck Molinaro are hereby appointed to serve as the Township's representatives to the Community Development Block Grant Committee for the year 2025.

ROLL CALL:

AYES: Holland, McGrath, Roman, McEvoy, Tamburro

NAYS:

RESOLUTION No. 2025-039

A motion was made by Deputy Mayor McEvoy; seconded by Mayor Tamburro 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:

The public shall be excluded from discussion of an action upon the hereinafter specified subject matter.

1. Purchase, Lease or Acquisition of Real Property pursuant to *N.J.S.A. 10:4-12 (5)*
2. Pending, Ongoing, or Anticipated Litigation and Contract Negotiations pursuant to *N.J.S.A. 10:4-12 (7)*

ROLL CALL:

AYES: Holland, McGrath, Roman, McEvoy, Tamburro

NAYS:

New Business:

Council discusses the 2025 pool rates.

Public Comment:

None.

Council goes into Executive Session at 8:28 p.m. and returns to the Public Session at 9:08 p.m.

Adjournment:

Motion to adjourn is made by Councilman Roman; seconded by Councilwoman Holland at 9:08 p.m. 5 ayes.

The next meeting is February 3, 2025.

Respectfully submitted,


Jennifer Kiernan, Municipal Clerk


Christopher Tamburro, Mayor

APPROVED: February 3, 2025