

Minutes of a Regular Meeting of the Verona Township Council on Monday, February 6, 2017 beginning at 7:00 P.M. in the Municipal Building, 600 Bloomfield Avenue, Verona, New Jersey.

Call to Order:

Municipal Clerk reads notice of Open Public Meetings law.

Roll Call:

Mayor Kevin Ryan; Deputy Mayor Michael Nochimson and Councilman Alex Roman. Township Manager Matthew Cavallo, Township Attorney Brian Aloia and Jennifer Kiernan, Municipal Clerk are also present. Councilman Jay Sniatkowski and Councilman Bob Manley are absent.

Mayor Ryan leads the Pledge of Allegiance.

Mayor's Report:

Mayor Ryan invites County liaison Julius Coltre to the lectern. Mr. Coltre reports that the County Executive will present the State of the County at the Essex County Hospital Center at 7:00 p.m. on February 27, 2017. The CDBG Presentation Ceremony will be held at noon at the O'Toole Center in Cedar Grove on February 8, 2017.

Mayor Ryan states he attended the dinner honoring Kenton Gerlach, Chief of the Verona Volunteer Fire Department for the years 2015 and 2016. During the dinner, the Mayor presented the former Chief with a Certificate of Recognition for his 17+ years of service. The Mayor also attended the Verona Rescue Squad's annual Pancake Breakfast on Sunday, February 5th.

He reports that the Annin Lofts project is moving along as the Planning Board has passed a resolution approving the project. The next step is to develop a PILOT (payment in lieu of tax) agreement to be approved by Council.

Volunteer Night was held on January 24, 2017. About 28 organizations participated this year as the event was well attended.

The Mayor states that as publically promised, the tax rate has remained flat and services did not diminish. He reports that the Council is working closely with the Township Manager to review the budget and make recommendations. He is hopeful that this year's budget will be adopted before the Municipal Election.

Manager's Report:

Essex County's Annual CDBG Check Presentation Ceremony will be held on Wednesday, February 8th at Noon at the Robert J. O'Toole Community Center. Mr. Cavallo will be attending with Mayor Ryan and Township Engineer James Helb.

ACH debiting is now available for residents and businesses interested in paying their Water/Sewer utility payments. This service is available "free of charge" to the user. Anyone interested in signing up, can download the form online or contact the Tax Office. He anticipates this will be available for tax payments as well, beginning in the 4th quarter (May 2017).

The Emergency horn is back in operation. The horn sound two rounds of 3 for the Rescue Squad, two rounds of 2 for the Fire Department and one round of 2 for a 6 pm test. The horn will only blasts from 8 a.m. to 8 p.m. daily unless otherwise requested by a Fire Department or Rescue Squad Officer to request additional man power.

The Children's Open Gym begins on Sunday, January 8th from 4:30 – 6:30 p.m.

The program is open to Verona residents only. No registration needed. Adult supervision is required.

The Verona Environmental Commission in cooperation with the Cedar Grove Environmental Commission and the Essex County Environmental Center will be conducting a cleanup of the West Essex Trail on Saturday, April 1st from 9 a.m. to noon.

Upcoming meetings are the Municipal Alliance Committee, Thursday, February 9th, at 7 p.m.; Board of Adjustment, Thursday, February 9th at 8 p.m.; Shade Tree Commission meeting scheduled for Monday, February 13th has been cancelled as the Public Library and Municipal Offices are closed in observance of Lincoln's Birthday. The Environmental Commission meets Wednesday, February 15th at 7 p.m.; Mayor and Council meets Tuesday, February 21st at 7 p.m. and the Planning Board will meet Thursday, February 23rd at 7:30 p.m.

Mr. Cavallo reports that PSE&G is replacing old gas lines with steel piping on the north-east corner of town. PSE&G will repave the section of roadways that are disrupted by the work. Mr. Cavallo clarifies that this work will not be performed on Claremont Avenue, which is in the middle of a paving project.

A letter to all two-family house owners from the Municipal Clerk's office will be send out this week. The letter explains an enclosed tenant occupancy form informing the Township of owner occupied premises.

The draft 2017 Municipal Budget was distributed to the Council this past Friday. The budget reflects a 0% Tax Rate Increase. It reflects tighter controls on expenses with a large decrease in health care benefits. He is still working on decreasing costs by offering lower cost plans. Mr. Cavallo notes a 30% decrease in expended overtime in the 2016 budget. During the next council meeting, the Department of Public Works and Police Department will be in attendance for their budget presentation.

In 2014, the Council awarded projects to LandTek in the amount of \$5,431,000.00 for the construction of the Hilltop fields as a prime contract award. There were change orders completed. The Mayor requested the Township Manager address these orders as the prior administration did not bring these change orders before the Council. He explains that according to New Jersey Administrative Code, change orders are to be approved by the governing body by resolution. A total of 53 change orders were performed over the period of the project. The scope of the work was not expanded, but things were added on at a later time. Mr. Cavallo sent these change orders to the Council for their review 6 weeks ago. A resolution is on tonight's agenda for approval by the Council, however, the Mayor requests that it be pulled from tonight's meeting until the entire governing body is present. The resolution will be pulled from tonight's agenda until the next meeting.

Councilmembers' Reports:

Deputy Mayor Nochimson also attended the dinner for Chief Gerlach and comments that the event was well attended. He reports VMAC has a meeting next week. He requests an update on the parking on South Prospect. The Township Manager states the Police Chief has a report, but the Township Manager has not yet reviewed. Upon requesting an update on the possibility of putting a stop sign on Oakridge at Chestnut Road. Township Engineer James Helb reports that after referencing the Manual of Uniform Traffic Control Devices, he has determined that there could be issues in the Township's ability to input a 3-point stop. He states there are also restrictions, which, when taken into account, appears to discourage a 3-point stop. He recommends that Council approve a traffic study for further investigation into the possible solutions.

Councilman Roman reports the Council received the first draft of this year's budget on Friday. He is pleased the process is starting earlier. He comments that there were good operating results and a strong focus on expense control going forward will help the process. He also states that the Capital surplus, typically used for road projects may have leftover

funds from time to time. He explains these funds can be used in one of three ways: 1) keep the funds in the Capital Surplus; 2) return funds to the operating budget to pay down debt, and 3) identify goals to ween off as a revenue source. Councilman Roman states that wiping out the funds in one year may create a tax spike.

Councilman Roman states that many ordinances dating back to 1999 helped pay for the fields at the Hilltop. The ordinances, which were open for a long period of time, incurred debt. He is concerned with leaving ordinances open for a long period of time. The Township Manager states that under the Interim Manager and now, many ordinances have been closed out. This information is also in the Annual Examination of Accounts.

ORDINANCE NO. 2017-1

WATER/SEWER UTILITY CAPITAL BOND ORDINANCE PROVIDING FOR WATER AND SEWER UTILITY IMPROVEMENTS FOR THE TOWNSHIP OF VERONA, IN THE COUNTY OF ESSEX, NEW JERSEY, APPROPRIATING \$825,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$825,000 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE THE COST THEREOF

The Municipal Clerk reads Ordinance #2017-1 by title into record.

Mr. Cavallo states that bids were received for the WWTP Roof Replacement from eight firms. It is the opinion of the Township Engineer and the Consulting Engineer, Mott MacDonald, that the prices received are good and we should award all sections of the bid. Funding is currently available in Sewer Capital Ordinances 05-14A and 05-14F but an additional \$650,000 in funding is required to the complete the project. The ordinance also includes \$175,000 in funding for the Installation of a new Chemical Feed System as required by our DEP Permit for phosphate removal. Bid specifications for this project are in the final stages of being drafted by Mott MacDonald and we will be able to bid soon.

Motion for introduction of Ordinance #2017-1 is moved by Deputy Mayor Nochimson; seconded by Councilman Roman. Vote: 3 ayes.

ROLL CALL:

AYES: Roman, Nochimson, Ryan

NAYS:

ABSENT: Sniatkowski, Manley

Ordinance #2017-1 is approved on introduction. It will be published according to law and a public hearing will be held on February 21, 2017.

ORDINANCE No. 2017-2

AN ORDINANCE CHAPTER 150 (ZONING) OF THE CODE OF THE TOWNSHIP OF VERONA

The Municipal Clerk reads Ordinance #2017-2 by title into record.

Mr. Cavallo explains the Landmarks Preservation Commission has requested that the Mayor and Council change the name of the Commission back to the Historical Commission. The Historic Preservation Chapter of the Code was deleted in 1995 in at which time the Landmarks Commission was established. This change is to bring our Commission more in line the State Statute.

Motion for introduction of Ordinance #2017-2 is moved by Deputy Mayor Nochimson; seconded by Councilman Roman. Vote: 3 ayes.

ROLL CALL:

AYES: Roman, Nochimson, Ryan

NAYS:

ABSENT: Sniatkowski, Manley

Ordinance #2017-2 is approved on introduction. It will be published according to law and a public hearing will be held on February 21, 2017.

ORDINANCE NO. 2017-3

**AN ORDINANCE TO ESTABLISH THE VERONA GREEN TEAM AS A
PERMANENT ADVISORY COMMITTEE**

The Municipal Clerk reads Ordinance #2017-3 by title into record.

Mr. Cavallo explains that back in 2014, the Mayor and Council passed a resolution appointing members to the Sustainable Jersey Green Team (commonly known as Sustainable Verona). On Monday’s agenda is an ordinance officially creating the Green Team as a permanent advisory committee to the Township. Once this is adopted, (re)appointments can be made to the committee.

Motion for introduction of Ordinance #2017-3 is moved by Deputy Mayor Nochimson; seconded by Councilman Roman. Vote: 3 ayes.

ROLL CALL:

AYES: Roman, Nochimson, Ryan

NAYS:

ABSENT: Sniatkowski, Manley

Ordinance #2017-3 is approved on introduction. It will be published according to law and a public hearing will be held on February 21, 2017.

RESOLUTION No. 2017-37

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

TEMPORARY CAPITAL BUDGET

WHEREAS, the Township of Verona desires to pass a Temporary Capital Budget for 2017 year.

NOW, THEREFORE BE IT RESOLVED by the Mayor and Council of the Township of Verona that the 2017 Temporary Capital Budget of the Township of Verona is hereby adopted to read as follows:

Temporary Capital Budget of the Township of Verona
County of Essex, New Jersey
Project Scheduled for 2017

			Funding Source	
<u>Fund</u>	<u>Project</u>	<u>Estimated Costs</u>	<u>Capital Improvement Fund</u>	<u>Debt Authorized</u>
Water & Sewer Utility Fund	Improvement of water and sewer utility building	\$650,000	\$0	\$650,000
Water & Sewer Utility Fund	Installation of chemical feed system	\$175,000	\$0	\$175,000

BE IT FURTHER RESOLVED that the Township Clerk is hereby directed to file a certified copy of this resolution with the Division of Local Government Services Department of Community Affairs, State of New Jersey, within three days after the adoption of this project for 2017 Temporary Capital Budget, to be included in the 2017 Permanent Capital Budget as adopted.

ROLL CALL:

AYES: Ryan, Nochimson, Roman

NAYS:

ABSENT: Sniatkowski, Manley

RESOLUTION No. 2017-38

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

**APPROVAL TO SUBMIT A GRANT APPLICATION CONTRACT WITH
THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR THE
RECONSTRUCTION OF SOUTH PROSPECT STREET- SECTION III
PROJECT**

BE IT RESOLVED that the Mayor and Council of the Township of Verona formally approved the grant application for the reconstruction of Park Avenue-Section II.

BE IT FURTHER RESOLVED that the Township Engineer and Township Clerk are hereby authorized to submit an electronic grant application identified as MA-2017 South Prospect Street – Section III 00590 to the New Jersey Department of Transportation on behalf of the Township of Verona.

BE IT FURTHER RESOLVED that the Township Manager and Township Clerk are hereby authorized to sign the grant agreement on behalf of the Township of Verona and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

ROLL CALL:

AYES: Ryan, Nochimson, Roman

NAYS:

ABSENT: Sniatkowski, Manley

RESOLUTION No. 2017-39

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

**APPROVAL TO SUBMIT A GRANT APPLICATION CONTRACT WITH
THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR THE
RECONSTRUCTION OF PARK AVENUE- SECTION II PROJECT**

BE IT RESOLVED that the Mayor and Council of the Township of Verona formally approved the grant application for the reconstruction of Park Avenue-Section II.

BE IT FURTHER RESOLVED that the Township Engineer and Township Clerk are hereby authorized to submit an electronic grant application identified as MA-2017

Reconstruction of Park Avenue – Section II 00591 to the New Jersey Department of Transportation on behalf of the Township of Verona.

BE IT FURTHER RESOLVED that the Township Manager and Township Clerk are hereby authorized to sign the grant agreement on behalf of the Township of Verona and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

ROLL CALL:

AYES: Ryan, Nochimson, Roman

NAYS:

ABSENT: Sniatkowski, Manley

RESOLUTION No. 2017-40

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

AUTHORIZING THE TOWNSHIP MANAGER AND TOWNSHIP CLERK TO EXECUTE A RENEWED SHARED SERVICES AGREEMENT WITH THE BOROUGH OF ROSELAND TO PROVIDE CONSTRUCTION OFFICIAL, SUB-CODE OFFICIAL AND INSPECTION SERVICES.

WHEREAS, the Uniform Shared Services and Consolidation Act, *N.J.S.A. 40A:65- 1 et seq.* (the “Act”), authorized local units of this State to enter into agreements with any other local unit or units to provide or receive any service that each local unit participating in the agreement is empowered to provide or receive in its own jurisdiction; and

WHEREAS, the Township of Verona has previously entered into a Shared Services Agreement to provide Construction Official, Sub-Code Official and Inspection services to the Borough of Roseland which expired on December 31, 2016; and

WHEREAS, the Township of Verona and the Borough of Roseland are desirous to renew the Shared Services agreement to continue to provide Construction Official, Sub-Code Official and Inspection services during 2016; and

WHEREAS, the Township of Verona and the Borough of Roseland have reached an agreement as to the terms and conditions associated with said agreement; and

WHEREAS, it is in the best interest of both municipalities to renew this Shared Services Agreement for the period beginning January 1, 2017 and terminating December 31, 2017.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Township of Verona, in the County of Essex, New Jersey that Township Manager and Township Clerk are hereby authorized to execute a Shared Services Agreement with the Borough of Roseland to provide Construction Official, Sub-Code Official and Inspection services.

BE IT FURTHER RESOLVED that the Township Clerk shall transmit a certified copy of this resolution to the Clerk of the Borough of Roseland.

ROLL CALL:

AYES: Ryan, Nochimson, Roman

NAYS:

ABSENT: Sniatkowski, Manley

RESOLUTION No. 2017-41

A motion was made by Deputy Mayor Nochimson; seconded by Councilman Roman 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 by trade-in.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and 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: Ryan, Nochimson, Roman

NAYS:

ABSENT: Sniatkowski, Manley

RESOLUTION No. 2017-42

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

AUTHORIZING A CONTRACT WITH MARC FERRARA FOR SERVICES AS HEALTH CARE BROKER FOR THE TOWNSHIP OF VERONA

WHEREAS, the Chief Financial Officer determined a need for a Health Care Broker to handle certain insurance matters for the Township; and

WHEREAS, the Township Manager, concurring with the Chief Financial Officer, has determined that it would be beneficial in to appoint Marc Ferrara, 2 Bahr Circle, Verona, New Jersey 07044 as Health Broker to represent the Township in these matters; and

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

WHEREAS, the award of the contract with Marc Ferrara is being made pursuant to *N.J.S.A. 19:44A-20.5*; and

WHEREAS, the cost for said professional services shall be set at the amount of \$1,200 per month to be paid while the Township's Medical and Dental coverage is provided by the Bergen Municipal Health Insurance Fund and Prescription Drug coverage is provided by Benecard Services Inc. If the Township were to move Prescription Drug coverage from

Benecard Services Inc. to the Bergen Municipal Health Insurance Fund, an additional set amount of \$1,800 per month will be paid as compensation for said services. The amount of the contract shall not exceed \$36,000 without consent of the Mayor and Council; and

WHEREAS, this expenditure shall be charged to Budget Account No. 01-23-220-028 or any other account that may be deemed appropriate by the Chief Financial Officer or his designee, and the availability of funds have been contingently certified by the Chief Financial Officer of the Township pending approval of the 2017 Budget.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Township of Verona, in the County of Essex, New Jersey that Marc Ferrara, 2 Bahr Circle, Verona, New Jersey 07044 is hereby appointed as the Health Insurance Broker and shall be set at the amount of \$1,200 per month to be paid while the Township's Medical and Dental coverage is provided by the Bergen Municipal Health Insurance Fund and Prescription Drug coverage is provided by Benecard Services Inc. If the Township were to move Prescription Drug coverage from Benecard Services Inc. to the Bergen Municipal Health Insurance Fund, an additional set amount of \$1,800 per month will be paid as compensation for said services. The amount of the contract shall not exceed \$36,000 without consent of the Mayor and Council.

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

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

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

BE IT FURTHER RESOLVED that this expenditure shall be charged to Budget Account No. 01-23-220-028 or any other account that may be deemed appropriate by the Chief Financial Officer or his designee, and the availability of funds have been contingently certified by the Chief Financial Officer of the Township pending approval of the 2017 Budget.

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

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

ROLL CALL:

AYES: Ryan, Nochimson, Roman

NAYS:

ABSENT: Sniatkowski, Manley

RESOLUTION No. 2017-43

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

AUTHORIZING A CONTRACT WITH MOTT MACDONALD, LLC FOR ENGINEERING SERVICES RELATED TO THE WATER/SEWER UTILITY

WHEREAS, the Township Engineer has determined a need for an outside Engineering Firm to handle certain matters related to the maintenance of the Water/Sewer Utility; and

WHEREAS, the Township Manager, concurring with the Township Engineer, has determined that it would be beneficial in to appoint the Mott MacDonald, LLC, 111 Wood Avenue South, Iselin, New Jersey 08830-4112 to provide such services for the Township; and

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

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

WHEREAS, the cost for said professional services shall be set at a fixed in the fee schedule which shall be annexed hereto this resolution; and

WHEREAS, this expenditure shall be charged to Budget Account No. 05-55-502-374, certain Capital Ordinances, or any other account that may be deemed appropriate by the Chief Financial Officer or his designee, and the availability of funds have been contingently certified by the Chief Financial Officer of the Township pending approval of the 2017 Budget.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Township of Verona, in the County of Essex, New Jersey that Mott MacDonald, LLC, 111 Wood Avenue South, Iselin, New Jersey 08830-4112 is hereby appointed to provide engineering services related to the maintenance of the Water/Sewer Utility and shall be paid in accordance with the fee schedule annexed hereto this resolution.

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

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

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

BE IT FURTHER RESOLVED that this expenditure shall be charged to Budget Account No. 05-55-502-374, certain Capital Ordinances, or any other account that may be deemed appropriate by the Chief Financial Officer or his designee, and the availability of funds have been contingently certified by the Chief Financial Officer of the Township pending approval of the 2017 Budget.

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

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

ROLL CALL:

AYES: Ryan, Nochimson, Roman

NAYS:

ABSENT: Sniatkowski, Manley

RESOLUTION No. 2017-44

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

RESOLUTION REFUNDING ESCROW PAYMENT

WHEREAS, escrow fees for the Board of Adjustment were received from John R. O’Neil, for property located at 306 Claremont Avenue (Block 1708, Lot 1) and the fees have been held in Trust; and

WHEREAS, certification has been received from the Engineer and the Construction Code Official to release these funds, from Trust, as follows:

<u>ESCROW</u> <u>AMOUNT</u>	<u>ENGINEER’S</u> <u>FEE</u>	<u>CONS. CODE</u> <u>OFFICAL’S FEE</u>
\$1,000.00	\$0.00	\$150.00
 <u>AMOUNT TO BE</u> <u>REFUNDED</u> \$850.00		

NOW, THEREFORE, BE IT RESOLVED that the Chief Financial Officer and the Tax Collector are hereby authorized to refund, from the Trust Account, \$850 to John R. O’Neil, 306 Claremont Avenue, Verona, New Jersey 07044; and

BE IT FURTHER RESOLVED that the charge of the Construction Code Official, in the amount of \$150, be refunded to the Township of Verona Current Account from the Trust Account.

ROLL CALL:
AYES: Ryan, Nochimson, Roman
NAYS:
ABSENT: Sniatkowski, Manley

RESOLUTION No. 2017-45

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

PERMITTING ITEMS TO BE DISCUSSED IN CLOSED 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 Mayor and Council of the Township of Verona, County of Essex, State of New Jersey, as follows:

1. The public shall be excluded from discussion of an action upon the hereinafter specified subject matter.
2. The general nature of the subject matter to be discussed is as follows:
 - a. Pending Litigation pursuant to *N.J.S.A. 10:4-12(7)*
 - b. Personnel Matters pursuant to *N.J.S.A. 10:4-12(8)*
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: Ryan, Nochimson, Roman

NAYS:

ABSENT: Sniatkowski, Manley

Public Participation:

George Stafford -	16 Kitchitaw Avenue, Wharton, NJ
Clayton Rice -	50 Oakridge Road, Verona, NJ
Denise McDevitt -	48 Oakridge Road, Verona, NJ
Andrew O’Toole-	300 Claremont Avenue, Verona, NJ
Gordon Marshall -	42 Oakridge Road, Verona, NJ
Jack McEvoy -	20 Montclair Avenue, Verona, NJ
Sean DiBartolo-	34 Oakridge Road, Verona, NJ
Karen Collins-	46 Oakridge Road, Verona, NJ

Adjournment:

Council goes into Executive Session at 8:25 p.m.

Motion to adjourn Executive Session and go into Public Session at 9:20 p.m. is moved by Councilman Manley; seconded by Councilman Sniatkowski. Vote: 5 ayes.

RESOLUTION No. 2017-46

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

**AUTHORIZING THE EXECUTION OF AN AGREEMENT
WITH REGARD TO TERMINAL LEAVE PAYMENTS**

WHEREAS, the Township is the public employer of all permanent full-time and permanent part-time employees working at least 25 hours per week blue and white collar employees, excluding department heads, school crossing guards, craft workers, police, firemen, confidential employees and all other Township employees as referenced in the Collective Bargaining Agreement covering the period January 1, 2014 through December 31, 2016 (hereinafter “Agreement”); and

WHEREAS, all such employees are represented for purposes of collective negotiations by the Union; and

WHEREAS, the parties continue to negotiate the terms of a successor agreement, but have agreed to amend the current expired agreement whose terms are still effectively controlling the employees terms and conditions of employment as it relates to terminal leave payment; and

WHEREAS, the parties wish to memorialize those new and additional terms and conditions of employment that the parties desire to become effective immediately while they continue to negotiate a successor agreement.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Township of Verona, in the County of Essex, New Jersey that, subject to review by the Township Attorney, the Manager is hereby authorized to execute any agreement necessary to provide the Union

members who have 20 years of service or more that resign or retire in good standing from their employment with the Township effective after February 1, 2017, but on or before March 1, 2017, a terminal leave payment of \$7,500 in addition to payment of all other contractual benefits; and

BE IT FURTHER RESOLVED that if the employee has over 200 sick days accumulated said payment will increase to \$10,000 in addition to payment of all other contractual benefits.

ROLL CALL:

AYES: Ryan, Nochimson, Roman

NAYS:

ABSENT: Sniatkowski, Manley

Motion to adjourn the public meeting at 9:36 p.m. is moved by Councilman Roman; seconded by Deputy Mayor Nochimson. The next regular scheduled meeting is Monday, February 21, 2017 at 7:00 p.m.

Respectfully submitted,

Jennifer Kiernan

Jennifer Kiernan, Municipal Clerk

Kevin Ryan

Kevin Ryan, Mayor