

Minutes of a Regular Meeting of the Verona Township Council on Monday, October 21, 2019 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. The notice requirements of the Open Public Meetings Act have been satisfied with respect to this meeting; specifically, the time, date and location were included in the annual notice of meetings adopted by the governing body, posted in the Municipal Building, and sent to the official newspapers of the Township, the Verona Cedar Grove Times and the Star Ledger. Additionally, the agenda for this meeting was posted in the Municipal Building and sent to the two newspapers before 4:30 p.m. on the Friday preceding this meeting.

Roll Call:

Mayor Jack McEvoy, Deputy Mayor Alex Roman, Councilman Kevin Ryan; Councilman Ted Giblin and Councilwoman Christine McGrath. Township Attorney Brian Aloia and Municipal Clerk Jennifer Kiernan are also present. Matthew Laracy is present tonight in place of Township Manager Matthew Cavallo, who is out of town.

Mayor's Report:

Mayor McEvoy calls for the pledge of allegiance.

Julius Coltre approaches the lectern to update the public on County activities. He reports that the County will pave the section of Pompton and Bloomfield Avenues later this year. They are working at Verona Park today to clean storm drains. Early voting has begun. The Municipal Clerk has the flyer. The Drug Enforcement Administration's Drug Take Back Day is October 26 and Gardens Aglow will be held on October 25.

Mayor McEvoy announces this year's Environmental Commission's Poster Contest winners and reads a proclamation.

Mr. McEvoy then reads a proclamation for the Junior Woman's Club Verona Fights Hunger Week.

The Mayor announces that a special meeting of the Township Council will be held in the Ballroom of the Community Center on Monday, October 28, 2019 at 7:00 pm. He also announces that Chief Financial Officer Matthew Laracy is present tonight in Matthew Cavallo's absence.

Manager's Report:

Mr. Laracy reports that Reconstruction of Park Avenue, South Prospect Street and Harrison Street Paving is scheduled to begin on Tuesday, weather permitting. Notices are being hand delivered to affected residents. Alerts will be sent via NIXLE and through the Schools when confirmed. Town Hall will be open on the General Election Day and on Veteran's Day this year. The Verona Music Parents Association invites you to attend the third Annual NJSMA Marching Band Festival! Great Music, Food Trucks & Family Friendly. It will be held this year on Saturday, October 26 at Verona High School. The EV Charging Station at Town Hall is officially activated and fully functional. Currently the device is set up with no fee charged. We plan to introduce a Fee Ordinance in November for use of this Station. The Downtown Trick or Treating event will be on Halloween, Thursday, October 31 from 2:00 p.m. to 4:00 p.m. It is being sponsored by the Verona Chamber of Commerce, Township of Verona, Sustainable Verona and the Junior Woman's Club of Verona. The event will kick off from the Verona Civic Center, 600 Bloomfield Ave. The Junior Woman's Club will have a list of participating businesses and their discount cards for sale. The Chamber of Commerce and Sustainable Verona will have information on buying local, dining guides, handouts and ways to donate unused candy.

The Motor Vehicle Commission "Agency on Wheels" program will be here in Verona on Thursday, November 14 from 10:00 a.m. to 2:00 p.m. outside the Community Center. More information is available on the Verona website.

This year's Veteran's Day Remembrance Ceremony will be held Monday, November 11 at 11:00 a.m. at the Civic Center. The Fair in the Square will be Saturday, December 7 from 12:00 p.m. to 5:00 p.m. at the Civic Center. The Town Menorah Lighting is scheduled for Sunday, December 22 in the Civic Center.

Councilmember Reports:

Deputy Mayor Roman states that he received and read a lot of the public's comments regarding the billboards. He states that public comment is very important and encourages all to keep participating.

Councilman Ryan reports that the Verona Park Conservancy held its fall clean-up Saturday and was gratified by the turnout. He reports that the high school Environmental Club participated. The Councilman also reports that he was uncomfortable with the way things were handled. He compliments the two women who came out last meeting and reassures the public that the Council will make sure they follow their legal obligations.

Councilman Giblin states he received tons of correspondence regarding the billboards and tree ordinance and tried to respond to them all. He attended the Food Truck Festival at the Community Center, which has a great turnout. He attended the Mt. Pleasant Consignment Shop ribbon cutting ceremony. He congratulates the Junior Woman's Club for the previous year's success with their Food Drive and comments Councilwoman McGrath, the founder of the Verona Fights Hunger Week campaign.

Councilwoman McGrath thanks Councilman Giblin for his kind words. She concurs with Deputy Mayor Roman on valuing feedback from the public. She appreciates diversity of opinion. She will be attending the Recreation Advisory Committee meeting tomorrow at 7:30 in the Community Center, where the committee will review the pool survey results.

ORDINANCE NO. 2019-33

**BOND ORDINANCE PROVIDING FOR POOL IMPROVEMENTS IN AND
BY THE TOWNSHIP OF VERONA, IN THE COUNTY OF ESSEX, NEW
JERSEY, APPROPRIATING \$850,000 THEREFOR AND AUTHORIZING THE
ISSUANCE OF \$750,000 BONDS OR NOTES OF THE TOWNSHIP TO
FINANCE PART OF THE COST THEREOF**

The Municipal Clerk reads Ordinance No. 2019-33 by title into record.

Public Hearing: Tim Camuti, 42 Cumberland Avenue, Verona, New Jersey

Motion to adopt Ordinance No. 2019-33 is moved by Councilwoman McGrath; seconded by Councilman Giblin.

ROLL CALL:

AYES: McGrath, Giblin, Ryan, Roman, McEvoy

NAYS:

Ordinance No. 2019-33 is adopted 5-0 and will be published according to law.

ORDINANCE NO. 2019-34

**AN ORDINANCE REPEALING CHAPTER 136 (TREES), ESTABLISHING A
NEW CHAPTER 136 (TREE PROTECTION, REMOVAL AND
REPLACEMENT) AND AMENDING CHAPTER A175 (SCHEDULE OF FEES)
OF THE CODE OF THE TOWNSHIP OF VERONA WITH RESPECT TO THE
NEW CHAPTER**

The Municipal Clerk reads Ordinance No. 2019-34 by title into record.

Public Hearing: Dave Freschi, 28 Hillside Avenue, Verona, New Jersey
Deborah Michelson, 1 Gordon Place, Verona, New Jersey
Charles Gray, 4 Newman Avenue, Verona, New Jersey
Tim Camuti, 42 Cumberland Avenue, Verona, New Jersey

Sarah O'Farrell, 27 Westview Road, Verona, New Jersey
Walt Steinmann, 138 Hillside Avenue, Verona, New Jersey
Sean DiBartolo, 34 Oakridge Road, Verona, New Jersey
Kerry Baureis, 27 Oak Lane, Verona, New Jersey

Council Discussion.

Motion to adopt Ordinance No. 2019-34 is moved by Mayor McEvoy; seconded by Councilman Ryan.

ROLL CALL:

AYES: Ryan, Roman, McEvoy

NAYS: McGrath, Giblin

Ordinance No. 2019-34 is adopted 3-2 and will be published according to law.

Approval of Minutes:

The minutes from the October 7, 2019 meeting are approved by a motion from Deputy Mayor Roman; seconded by Councilwoman McGrath.

ROLL CALL:

AYES: McGrath, Giblin, Ryan, Roman, McEvoy

NAYS:

RESOLUTION No. 2019-170

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

CANCEL TAXES BLOCK 201 LOT 1 QUALIFIER X

WHEREAS, the Tax Collector was notified from the Tax Assessor's office that Block 201 Lot 1 Qualifier X, property known as 201 Bloomfield Avenue, owned by Chrill Realty Company should be totally exempt, and

WHEREAS, this property was originally billed for 4th quarter 2019 in the amount of \$1,572.81, and

WHEREAS, this property should no longer be billed as of October 11, 2019

NOW, THEREFORE, BE IT RESOLVED, that the Tax Collector be authorized to cancel the 4th quarter billing on Block 201 lot 12 Qualifier X.

ROLL CALL:

AYES: McGrath, Giblin, Ryan, Roman, McEvoy

NAYS:

RESOLUTION No. 2019-171

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

AWARDING CONTRACT No. 19-02A LINN DRIVE RECONSTRUCTION

WHEREAS, the Township of Verona received bids for Reconstruction of Linn Drive – Contract No. 19-02 on May 9, 2019; and

WHEREAS, the base bids proposed substantially exceeds all cost estimates and budgetary appropriations for this project; and

WHEREAS, Resolution 2019-137 passed on July 15, 2019 rejected all bids received for Contract No. 19-02 and authorized a rebid; and

WHEREAS, on October 8, 2019 the Township of Verona received bids for Reconstruction of Linn Drive Rebid – Contract No. 19-02A; and

WHEREAS, seven (7) bids were received for Contract 19-02A; and

WHEREAS, six (6) of the bids received were deemed non-responsive for failure to submit documentation required on the Document Checklist; and

WHEREAS, KM Construction Corp, 14 Cordier Street, Irvington, New Jersey 07111 was the sole responsive and responsible bidder in the Base Bid Amount of \$370,466.09 for Section 1 and the Base Bid Amount of \$199,293.22 for Section 2 for a total of \$569,759.31; and

WHEREAS, the Township Engineer has reviewed and recommends the Contract award be made to KM Construction Corp, as the lowest responsive and responsible bid.

NOW, THEREFORE BE IT RESOLVED by the Township Council of the Township of Verona, in the County of Essex, New Jersey that the contract for Contract No. 19-02A be awarded, pending approve of the County of Essex Community Development Block Grant coordinator, to the lowest responsive and responsible bidder, KM Construction Corp, 14 Cordier Street, Irvington, New Jersey 07111 in the total amount of \$569,759.31.

BE IT FURTHER RESOLVED that this expenditure shall be charged against the 2017 CDBG Grant for the (\$106,563.00), the 2018 CDBG Grant (\$106,563.00) and Capital Account No. C-53-46-032-000 – Bond Ordinance No. 2019-22 (\$356,633.31) or any other account that may be deemed appropriate by the Chief Financial Officer or his designee, and the availability of funds has been certified by the Chief Financial Officer.

ROLL CALL:

AYES: McGrath, Giblin, Ryan, Roman, McEvoy

NAYS:

RESOLUTION No. 2019-172

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

AUTHORIZING A CONTRACT WITH REINER PUMP SYSTEMS, INC. FOR THE PURCHASE OF A PORTABLE 6-INCH CENTRIFUGAL DEWATERING PUMP FOR THE SEWER UTILITY

WHEREAS, the Township Sewer Utility has a need to purchase a portable 6-inch centrifugal dewatering pump; and

WHEREAS, quotations were solicited and three quotations were received from Reiner Pump Systems, Inc. totaling \$39,900, Xylem Americas totaling \$51,921 and Rapid Pump and Meter Service Co., Inc. totaling \$55,780; and

WHEREAS, N.J.S.A. 40A:11-3 and N.J.S.A. 40A:11-6.1 permits a contract award without advertising for public bids if the cost of the contract does not exceed the authorized bid threshold, currently set at \$40,000, as long as at least two competitive quotations were solicited for contracts that exceeding fifteen percent of the authorized bid threshold; and

WHEREAS, the Township Manager/Qualified Purchasing Agent has recommended that the Reiner Pump Systems, Inc., 53 US Highway 206, Stanhope, New Jersey 07874 be awarded a contract to provide the aforementioned goods; and

WHEREAS, the award of the contract to Reiner Pump Systems, Inc. is being made pursuant to N.J.S.A. 19:44A-20.5.

THEREFORE, BE IT RESOLVED by the Township Council of the Township of Verona, in the County of Essex, New Jersey that Reiner Pump Systems, Inc., 53 US Highway 206, Stanhope, New Jersey 07874 is hereby awarded a contract to provide the aforementioned goods in the contract amount of \$39,900.

BE IT FURTHER RESOLVED that this expenditure shall be charged against Capital Account No. C-51-44-986-919 – Water/Sewer Utility Bond Ordinance No. 9-11A or any other account that may be deemed appropriate by the Chief Financial Officer or his designee, and the availability of funds has been certified by the Chief Financial Officer.

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

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

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

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

ROLL CALL:

AYES: McGrath, Giblin, Ryan, Roman, McEvoy

NAYS:

RESOLUTION No. 2019-173

A motion was made by Councilwoman McGrath; seconded by Deputy Mayor 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 specifically Two-Way Radios, (including radio parts, chargers, base stations and walkers).

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: McGrath, Giblin, Ryan, Roman, McEvoy

NAYS:

RESOLUTION No. 2019-174

A motion was made by Councilwoman McGrath; seconded by Deputy Mayor Roman 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. Pending, Ongoing, or Anticipated Litigation pursuant to *N.J.S.A. 10:4-12 (7)*
 - Docket No. ESX-L-781-19 (Jennifer Kiernan vs. Township of Verona)
 - Docket No. ESX-L-2391-19 (Erika Varela vs. Township of Verona, Matthew Cavallo)
 - b. Contract Negotiations pursuant to *N.J.S.A. 10:4-12 (7)*
 - NJ DEP Lab Certification
 - Township Manager Contract
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:

Councilwoman McGrath request the Council explore the current meeting structure to include public comment before resolutions. There is consensus among the governing body to implement that going forward.

Councilman Ryan states that there a consensus from the Council to adopt the Open Space Trust Fund and hopes the public will consider voting “yes” on the referendum.

Public Comment:

Ronnie Denberg, 63 Park Avenue, Verona, NJ
Kathleen Laterza, 810 Bloomfield Avenue, Verona, NJ

Adjournment:

Motion to enter into Executive Session is moved by Councilman Ryan; seconded by Councilman Giblin at 9:34 p.m. Motion to adjourn the meeting at 10:59 pm is motioned by Mayor McEvoy; seconded by Deputy Mayor Roman.

The next regular scheduled meeting is November 18, 2019 at 7:00 p.m.

Respectfully submitted,

Jennifer Kiernan
Jennifer Kiernan, Municipal Clerk

Jack McEvoy
Jack McEvoy, Mayor

APPROVED: November 19, 2019