

Minutes of a Special Meeting of the Verona Township Council on Monday, September 12, 2022, beginning at 7:00 p.m. in the Municipal Building, 600 Bloomfield Avenue, Verona, New Jersey and 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 in-person and via Zoom video conferencing. 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, TAPinto and the Verona/Cedar Grove PATCH, 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.

Roll Call:

Mayor Alex Roman, Deputy Mayor Christine McGrath, Councilman Jack McEvoy, Councilwoman Cynthia Holland and Councilman Chris Tamburro are present. Township Manager Joe D'Arco, Township Attorney Brian Aloia, Municipal Clerk Jennifer Kiernan. Also present are Jamie Placek, Esq., of DeCotiis, Fitzpatrick, Cole & Giblin, LLP, Special Counsel for Land Use and Affordable Housing Issues, Dan Hauben, PP, AICP of DMR Architects, and Colonel Peter Lupo of Hoplite Communications, LLP.

Hearing Adoption or Amendment Ordinances:

ORDINANCE 2022-22
AN ORDINANCE TO PROVIDE FOR THE AMENDMENT OF THE CODE
OF THE TOWNSHIP OF VERONA WITH THE ADDITION OF A NEW
SECTION TITLED CHAPTER 150 ZONING ARTICLE XXIV WIRELESS
TELECOMMUNICATIONS FACILITIES

The Municipal Clerk reads Ordinance No. 2022-22 by title into record.

Motion to move Ordinance No. 2022-22 is moved by Councilman Tamburro; seconded by Councilman McEvoy.

Public Hearing:

None.

Before Council discussion, Township Attorney Brian Aloia states that this ordinance was sent to the Planning Board for review and was determined to be consistent with the Master Plan, but did give comments for the Council to consider. Should the Council decide to incorporate the Planning Board's comments, the ordinance will be significantly changed and would then require to be introduced and adopted again. Mr. Aloia suggests the Council adopt the ordinance in front of them tonight, thereby having a 5G ordinance in effect as soon as possible and then introduce a new ordinance that will amend tonight's ordinance, but include the Planning Board's suggestions. There is Council discussion on the comments presented by the Board.

ROLL CALL:

AYES: Holland, Tamburro, McEvoy, McGrath, Roman

NAYS:

Ordinance No. 2022-22 is adopted 5-0 and will be published according to law.

ORDINANCE No. 2022-27

AMENDING SECTION §150, THE ZONING ORDINANCE OF THE CODE OF
THE TOWNSHIP OF VERONA, BY ESTABLISHING A NEW SECTION §150-

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17.14A, CREATING A TOWN CENTER MIXED USE ZONING DISTRICT PERMITTING RESIDENTIAL USES WITH AN AFFORDABLE HOUSING ELEMENT AND ALSO AMENDING THE ZONING MAP OF THE TOWNSHIP OF VERONA.

The Municipal Clerk reads Ordinance No. 2022-27 by title into record.

Councilman McEvoy states that because he owns property within 200 feet of the location of the area to be zoned in the ordinance, he recuses himself.

Motion to move Ordinance No. 2022-27 is moved by Deputy Mayor McGrath; seconded by Councilman Tamburro

Public Hearing:

Greg Donohue, [REDACTED]
Kevin Ryan, [REDACTED]

Council discussion. Jamie Placek states that given the certain changes the Council would like included in this ordinance, he will reach out to the Special Master, who is satisfied with the progress the Township has made so far, and notify her of the changes. He suggests the Council table this ordinance tonight and reintroduce an ordinance with the changes next week. He is confident the Special Master will work with the Township and he will work with her to jointly notify the court with the same explanation. He reminds the governing body that at future meetings, other parcels of land would need to be identified as a result of the legal negotiations. Mr. Placek states he will have an ordinance ready for introduction at the September 19 regular meeting.

Motion to table Ordinance No. 2022-27 is made by Councilman Tamburro; seconded by Mayor Roman. Vote: 4 ayes; 0 nays, with 1 abstention.

Public Comment on Consent Agenda Items:

None.

RESOLUTION No. 2022-166

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

APPROVING CHANGE ORDER NO. 1 AND CONTRACT CLOSEOUT FOR CONTRACT NO. 2022-09 - DEMOLITION AT 100 PINE STREET (CAMECO)

WHEREAS, IBN Construction and the Township of Verona have heretofore entered into an Agreement, more particularly known as Contract No. 2022-09 - "Demolition at 100 Pine Street (CAMECO)" for the flattening and clearing of the Cameco factory located at 100 Pine Street in the amount of \$280,000.00, in accordance with the requirements of the Local Public Contract Law, *N.J.S.A. 40A:11-1, et seq.*; and

WHEREAS, the Township has prepared Contract Close-Out and Contract Change Order No. 1 for the within contract for the additional amount of concrete that exceeded reasonable expectations of concrete slab thickness for an industrial building resulting in an increased amount of plus \$30,000.00; and

WHEREAS, the Qualified Purchasing Agent recommends that Contract Change Order No. 1 and Contract Close-Out for the within contract be approved and the Contract be closed out; and

WHEREAS, Contract Change Order No. 1 does not expand the scope of the within contract and is in the best interest of the Township; and

WHEREAS, Temporary Chief Financial Officer has certified the availability of funds for this contract, a copy of said Certification is annexed to this Resolution as Exhibit A.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Verona, in the County of Essex, New Jersey that Contract Change Order No. 1 for Contract No.

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2022-09 in the amount of plus \$30,000.00 for a final contract amount of \$310,000.00 be approved and Contract No. 2022-09 be closed out.

BE IT FURTHER RESOLVED that the Township Manager, the Township Clerk and any other officer as may be deemed appropriate are hereby authorized to execute Contract Change Order No. 1 and Contract Closeout for Contract No. 2022-09 on behalf of the Township.

ROLL CALL:

AYES: Holland, Tamburro, McEvoy, McGrath, Roman

NAYS:

RESOLUTION No. 2022-167

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

AUTHORIZING INCREASE TO THE CONTRACT WITH PERMADUR INDUSTRIES, INC d/b/a SISCO MATERIAL HANDLING

WHEREAS, on August 22, 2022 the Township Council adopted Resolution No. 2022-158, authorizing a contact with Permador Industries d/b/a Sisco Material Handling, 186 Route 206 South, Hillsborough, NJ 08844 in an amount not to exceed \$28,000.00; and

WHEREAS, the scope of the work includes removal of the existing jib crane and hoist, demolition of existing concrete leveling base, installation the replacement jib crane and hoist and replacement of leveling grout; and

WHEREAS, the Qualified Purchasing Agent has determined that original pricing listed failed to account for prevailing wages and therefore the value of said services will exceed the maximum contract amount set by Resolution No. 2022-158; and

WHEREAS, this expenditure shall be charged to Account No. 2-05-55-502-187 or any other account that may be deemed appropriate by the Chief Financial Officer or her designee, and the availability of funds which shall be certified by the Chief Financial Officer of the Township upon presentation of a properly executed Purchase Order that will be prepared and funds identified before the work is performed.

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Verona, in the County of Essex, New Jersey that the maximum contract amount awarded to Permador Industries d/b/a Sisco Material Handling, 186 Route 206 South, Hillsborough, NJ 08844 shall be increased to a maximum amount not to exceed \$32,000 for the calendar year without further authorization by the Township Council.

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 Municipal Clerk are hereby authorized to enter into any agreement necessary for the aforementioned services a copy of which shall be available for public inspection in the Office of the Municipal Clerk.

ROLL CALL:

AYES: Holland, Tamburro, McEvoy, McGrath, Roman

NAYS:

RESOLUTION No. 2022-168

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

AUTHORIZING A CONTRACT WITH TSIVICOS ENTERPRISES, INC.

WHEREAS, the Township advertised for bids for the Renovations to the Verona Community Pool (Contract 20-01 and 20-01A) on two separate occasions and no bids were received; and

WHEREAS, the Township Council resolved that the bids for Contract 20-01A were rejected and authorized the Township Manager to negotiate with interested vendors for the Renovations to the Verona Community Pool, in accordance with the provisions of *N.J.S.A. 40A:11-13.2(a)*; and

WHEREAS, the Township Council's authorization is recorded in Resolution No. 2020-193, "Rejecting Bids Received for Contract 20-01A - Renovations to the Verona Community Pool (Rebid) and Authorizing the Township Manager to Negotiate with Interested Vendors" and was unanimously adopted by the Township Council at a regular meeting held on November 23, 2020; and

WHEREAS, the Qualified Purchasing Agent has determined that the value of said services has exceeded \$17,500.00 which is annexed this Resolution as Exhibit A; and

WHEREAS, funds are available to award contracts for the services listed shall be charged to the budget accounts or capital ordinances listed on the availability of funds, a copy of said Certification is annexed to this Resolution as Exhibit B; and

WHEREAS, the award of the contract to Tsivicos Enterprises, Inc. is being made pursuant to *N.J.S.A. 19:44A-20.5* and the Business Entity Disclosure Certification and Political Contribution Disclosure Form completed by Tsivicos Enterprises, Inc. have been filed with the Township and are annexed to this Resolution as Exhibit C.

THEREFORE, BE IT RESOLVED by the Township Council of the Township of Verona, in the County of Essex, New Jersey that Tsivicos Enterprises, Inc., 1420 9th Avenue, Suite 23, Neptune, New Jersey 07753 is hereby awarded a contract for renovations to the Verona Community Pool, specifically the baby pool splash pad and zero entry in an amount not to exceed \$660,000.

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 Municipal Clerk are hereby authorized to enter into any agreement necessary for the aforementioned services a copy of which shall be available for public inspection in the Office of the Municipal Clerk.

ROLL CALL:

AYES: Holland, Tamburro, McEvoy, McGrath, Roman

NAYS:

New Business:

Council discusses the Block Party - Street Closing ordinance and makes suggestions to the Township Attorney to incorporate into the ordinance and forward to the Council to discuss at the October 17th regular meeting.

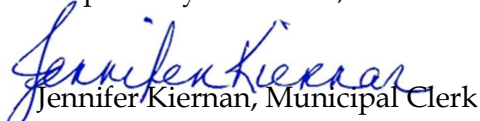
Public Comment:

None.

Adjournment:

A motion to adjourn the meeting is made by Councilman Tamburro; seconded by Councilman McEvoy at 8:29 p.m. The next regular scheduled meeting of the Township Council is September 19, 2022 at 7:00 p.m.

Respectfully submitted,


Jennifer Kiernan, Municipal Clerk


Alex Roman, Mayor

APPROVED: October 17, 2022

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