

TOWNSHIP OF VERONA
COUNTY OF ESSEX, NEW JERSEY



TOWNSHIP COUNCIL AGENDA

REGULAR MEETING

7:00 P.M.

MARCH 9, 2020

Municipal Building, 600 Bloomfield Avenue

A. CALL TO ORDER

1. Open Public Meetings Act Compliance Statement

B. ROLL CALL

C. PLEDGE OF ALLEGIANCE

D. REPORT OF THE MAYOR

1. Julius N. Coltre, Essex County Liaison

E. REPORT OF THE TOWNSHIP MANAGER

F. COUNCILMEMBERS' REPORTS

G. HEARING ADOPTION OR AMENDMENT OF ORDINANCES

1. Ordinance No. 2020-06 Repealing Chapter 77 (Flood Control) in its entirety and Establishing a new Chapter 77 (Flood Control and Damage Prevention)
2. Ordinance No. 2020-07 Amend Chapter A175 (Plenary Retail Consumption and Plenary Retail Distribution License Fees)
3. Ordinance No. 2020-08 Repealing Chapter 111 (Recycling, Source Separation of Leaves and Garbage Collection) and Establishing a New Chapter 111 (Recycling, Source Separation of Leaves and Garbage Collection)

H. PROPOSED ORDINANCES

1. Ordinance No. 2020-___ Salary Ordinance – Rent Board Secretary

I. PUBLIC COMMENT ON CONSENT AGENDA ITEMS

CONSENT AGENDA

J. MINUTES

1. February 24, 2020 – Regular Meeting
2. March 2, 2020 – Special Meeting
3. March 3, 2020 – Special Meeting

K. PROPOSED RESOLUTIONS

1. Resolution No. 2020-___ Change Order - 19-04 Mechanical Bar Screen
2. Resolution No. 2020-___ Authorizing Contract with FSD Enterprises, LLC
3. Resolution No. 2020-___ Authorizing Contract with Hendricks Appraisal Company, LLC
4. Resolution No. 2020-___ Authorizing Agreement with Rent Board Attorney
5. Resolution No. 2020-___ Reject Bids for Contract #20-01
6. Resolution No. 2020-___ Shared Services Agreement – Roseland – Street Sweeping
7. Resolution No. 2020-___ Accepting 2020 US Census Grant from the County of Essex (\$3,000)

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8. Resolution No. 2020-____ Refund Escrow - 248 Linden Avenue

- ### L. LICENSES AND PERMITS
- M. ADDENDUM
- N. NEW/UNFINISHED BUSINESS
- O. PUBLIC COMMENT
- P. EXECUTIVE SESSION
- Q. ADJOURNMENT

UPCOMING MEETINGS OF THE TOWNSHIP COUNCIL

**Wednesday, March 11, 2020 at 7:00 p.m. - Special Meeting
(PIRHL Development Presentation)**

Monday, March 23, 2020 at 7:00 p.m. - Regular Meeting

~~Monday, April 6, 2020 at 7:00 p.m. - Regular Meeting~~

Monday, April 13, 2020 at 7:00 p.m. - Regular Meeting

~~Monday, April 20, 2020 at 7:00 p.m. - Regular Meeting~~

Monday, April 27, 2020 at 7:00 p.m. - Regular Meeting

*** AGENDA SUBJECT TO CHANGE ***

**TOWNSHIP OF VERONA
COUNTY OF ESSEX, STATE OF NEW JERSEY**

ORDINANCE NO. 2020-06

**REPEALING CHAPTER 77 (FLOOD CONTROL) IN ITS ENTIRETY AND
ESTABLISHING A NEW CHAPTER 77 (FLOOD CONTROL AND DAMAGE
PREVENTION) OF THE CODE OF THE TOWNSHIP OF VERONA**

BE IT ORDAINED by the Township Council of the Township of Verona, in the County of Essex and New Jersey, as follows:

SECTION 1. Chapter 77 (Flood Control) of the Code of the Township of Verona is hereby repealed in its entirety.

SECTION 2. There is hereby established a new Chapter 77 (Flood Control and Damage Prevention) of the Code of the Township of Verona to read as follows:

ARTICLE I STATUTORY AUTHORIZATION, FINDINGS OF FACT, PURPOSE AND OBJECTIVES

§77-1 STATUTORY AUTHORIZATION

The Legislature of the State of New Jersey has in *N.J.S.A. 40:48-1, et seq.*, delegated the responsibility to local governmental units to adopt regulations designed to promote public health, safety, and general welfare of its citizenry.

§77-2 FINDINGS OF FACT

- A. The flood hazard areas of the Township of Verona are subject to periodic inundation which results in loss of life and property, health and safety hazards, disruption of commerce and governmental services, extraordinary public expenditures for flood protection and relief, and impairment of the tax base, all of which adversely affect the public health, safety, and general welfare.
- B. These flood losses are caused by the cumulative effect of obstructions in areas of special flood hazard which increase flood heights and velocities, and when inadequately anchored, causes damage in other areas. Uses that are inadequately floodproofed, elevated or otherwise protected from flood damage also contribute to the flood loss.

§77-3 STATEMENT OF PURPOSE

- A. It is the purpose of this ordinance to promote the public health, safety, and general welfare, and to minimize public and private losses due to flood conditions in specific areas by provisions designed to:
 - (1) Protect human life and health;
 - (2) Minimize expenditure of public money for costly flood control projects;
 - (3) Minimize the need for rescue and relief efforts associated with flooding and generally undertaken at the expense of the general public;
 - (4) Minimize prolonged business interruptions;
 - (5) Minimize damage to public facilities and utilities such as water and gas mains, electric, telephone and sewer lines, streets, bridges located in areas of special flood hazard;
 - (6) Help maintain a stable tax base by providing for the sound use and development of areas of special flood hazard so as to minimize future flood blight areas;
 - (7) Ensure that potential buyers are notified that the property is in an area of special flood hazard; and
 - (8) Ensure that those who occupy the areas of special flood hazard assume responsibility for their actions.

§77-4 METHODS OF REDUCING FLOOD LOSSES

- A. In order to accomplish its purposes, this ordinance includes methods and provisions for:

- (1) Restricting or prohibiting uses which are dangerous to health, safety, and property due to water or erosion hazards, or which result in damaging increases in erosion or in flood heights or velocities;
- (2) Requiring that uses vulnerable to floods including facilities which serve such uses, be protected against flood damage at the time of initial construction;
- (3) Controlling the alteration of natural floodplains, stream channels, and natural protective barriers, which help accommodate or channel flood waters;
- (4) Controlling filling, grading, dredging, and other development which may increase flood damage; and,
- (5) Preventing or regulating the construction of flood barriers which will unnaturally divert flood waters or which may increase flood hazards in other areas.

§77-5 DEFINITIONS

Unless specifically defined below, words or phrases used in this ordinance shall be interpreted so as to give them the meaning they have in common usage and to give this ordinance its most reasonable application.

AH Zone	Areas subject to inundation by 1-percent-annual-chance shallow flooding (usually areas of ponding) where average depths are between one and three feet. Base Flood Elevations (BFEs) derived from detailed hydraulic analyses are shown in this zone
AO Zone	Areas subject to inundation by 1-percent-annual-chance shallow flooding (usually sheet flow on sloping terrain) where average depths are between one and three feet.
Appeal	A request for a review of the Floodplain Manager's interpretation of any provision of this ordinance or a request for a variance.
Area of Shallow Flooding	A designated AO or AH zone on a community's Flood Insurance Rate Map (FIRM) with a one percent (1%) annual or greater chance of flooding to an average depth of one (1) to three (3) feet where a clearly defined channel does not exist, where the path of flooding is unpredictable and where velocity flow may be evident. Such flooding is characterized by ponding or sheet flow.
Area of Special Flood Hazard	Land in the floodplain within a community subject to a one percent (1%) or greater chance of flooding in any given year. It is shown on the FIRM as Zone V, VE, V1-30, A, AO, A1-A30, AE, A99, or AH.
Base Flood	A flood having a one percent chance of being equaled or exceeded in any given year.
Base Flood Elevation (BFE)	The flood elevation shown on a published Flood Insurance Study (FIS) including the Flood Insurance Rate Map (FIRM). For zones AE, AH, AO, and A1-30 the elevation represents the water surface elevation resulting from a flood that has a 1-percent or greater chance of being equaled or exceeded in any given year.
Basement	Any area of the building having its floor subgrade (below ground level) on all sides.

Best Available Flood Hazard Data

The most recent available preliminary flood risk guidance FEMA has provided. The Best Available Flood Hazard Data may be depicted on but not limited to Advisory Flood Hazard Area Maps, Work Maps or Preliminary FIS and FIRM.

Best Available Flood Hazard Data Elevation

The most recent available preliminary flood elevation guidance FEMA has provided. The Best Available Flood Hazard Data Elevation may be depicted on an Advisory Flood Hazard Area Map, Work Map or Preliminary FIS and FIRM.

Breakaway Wall

A wall that is not part of the structural support of the building and is intended through its design and construction to collapse under specific lateral loading forces without causing damage to the elevated portion of the building or supporting foundation system.

Cumulative Substantial Improvement

Any reconstruction, rehabilitation, addition, or other improvement of a structure that equals or exceeds 50 percent [lower threshold – e.g.: replace 50 percent with 40 percent] of the market value of the structure at the time of the improvement or repair when counted cumulatively for 10 years.

Development

Any man made change to improved or unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations, or storage of equipment or materials located within the area of special flood hazard.

Elevated Building

A non-basement building (i) built, in the case of a building in an Area of Special Flood Hazard, to have the top of the elevated floor, elevated above the base flood elevation plus freeboard by means of piling, columns (posts and piers), or shear walls parallel to the flow of the water, and (ii) adequately anchored so as not to impair the structural integrity of the building during a flood up to the magnitude of the base flood. In an Area of Special Flood Hazard "elevated building" also includes a building elevated by means of fill or solid foundation perimeter walls with openings sufficient to facilitate the unimpeded movement of flood waters.

Elevation Certificate

An administrative tool of the National Flood Insurance Program (NFIP) that can be used to provide elevation information, to determine the proper insurance premium rate, and to support a required for Letter of Map Amendment (LOMA) or Letter of Map Revision based on fill (LOMR-F).

Erosion

The process of gradual wearing away of land masses.

Existing Manufactured Home Park or Subdivision

A manufactured home park or subdivision for which the construction of facilities for servicing the

lots on which the manufactured homes are to be affixed (including, at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed before the effective date of the floodplain management regulations adopted by a community.

FEMA Publication

Any publication authored or referenced by FEMA related to building science, building safety or floodplain management related to the National Flood Insurance Program. Publications shall include but are not limited to technical bulletins, desk references, and American Society of Civil Engineers Standards documents.

Flood Design Class

An American Society of Civil Engineers (ASCE) classification of buildings and other structures for determination of flood loads and conditions and determination of minimum elevation requirements on the basis of risk associated with unacceptable performance.

Flood or Flooding

A general and temporary condition of partial or complete inundation of normally dry land areas from:

- a) The overflow of inland or tidal waters and/or
- b) The unusual and rapid accumulation or runoff of surface waters from any source.

Flood Insurance Rate Map (FIRM)

The official map on which the Federal Insurance Administration has delineated both the areas of special flood hazards and the risk premium zones applicable to the community.

Flood Insurance Study (FIS)

The official report in which the Federal Insurance Administration has provided flood profiles, as well as the Flood Insurance Rate Map(s) and the water surface elevation of the base flood.

Floodplain Management Regulations

Zoning ordinances, subdivision regulations, building codes, health regulations, special purpose ordinances (such as a floodplain ordinance, grading ordinance and erosion control ordinance) and other applications of police power. The term describes such State or local regulations, in any combination thereof, which provide standards for the purpose of flood damage prevention and reduction.

Floodproofing

Any combination of structural and nonstructural additions, changes, or adjustments to structures which reduce or eliminate flood damage to real estate or improved real property, water and sanitary facilities, structures and their contents.

Floodproofing Certificate

Certification by an engineer or architect to certify a floodproofing design for a non-residential building.

Floodway

The channel of a river or other watercourse and the adjacent land areas that must be reserved in order to

discharge the base flood without cumulatively increasing the water surface elevation more than 0.2 foot.

Freeboard

A factor of safety usually expressed in feet above a flood level for purposes of flood plain management. "Freeboard" tends to compensate for the many unknown factors that could contribute to flood heights greater than the height calculated for a selected size flood and floodway conditions, such as wave action, bridge openings, and the hydrological effect of urbanization of the watershed.

Highest Adjacent Grade

The highest natural elevation of the ground surface prior to construction next to the proposed or existing walls of a structure.

Historic Structure

Any structure that is:

- a) Listed individually in the National Register of Historic Places (a listing maintained by the Department of Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;
- b) Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district;
- c) Individually listed on a State inventory of historic places in States with historic preservation programs which have been approved by the Secretary of the Interior; or
- d) Individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified either:
 - (1) By an approved State program as determined by the Secretary of the Interior; or
 - (2) Directly by the Secretary of the Interior in States without approved programs.

Lowest Floor

The lowest floor of the lowest enclosed area (including basement). An unfinished or flood resistant enclosure, usable solely for the parking of vehicles, building access or storage in an area other than a basement is not considered a building's lowest floor provided that such enclosure is not built so to render the structure in violation of other applicable non-elevation design requirements of 44 CFR Section 60.3.

Manufactured Home

A structure, transportable in one or more sections, which is built on a permanent chassis and is designed for use with or without a permanent foundation when attached to the required utilities. The term "manufactured home" does not include a "recreational vehicle".

Manufactured Home Park or Manufactured Home Subdivision

A parcel (or contiguous parcels) of land divided into two (2) or more manufactured home lots for rent or sale.

New Construction

Structures for which the start of construction commenced on or after the effective date of a floodplain regulation adopted by a community and includes any subsequent improvements to such structures.

New Manufactured Home Park or Subdivision

A manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed on or after the effective date of the floodplain management regulations adopted by the municipality.

Preliminary Flood Insurance Rate Map

The draft version of the FIRM released for public comment before finalization and adoption.

Recreational Vehicle

A vehicle which is [i] built on a single chassis; [ii] 400 square feet or less when measured at the longest horizontal projections; [iii] designed to be self-propelled or permanently towable by a light duty truck; and [iv] designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.

Start of Construction

(For other than new construction or substantial improvements under the Coastal Barrier Resources Act (P.L. No. 97-348)) includes substantial improvements and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, rehabilitation, addition, placement, or other improvement was within 180 days of the permit date. The actual start means either the first placement of permanent construction of a structure on a site such as the pouring of a slab or footings, the installation of pilings, the construction of columns, or any work beyond the stage of excavation, or the placement of a manufactured home on a foundation.

Permanent construction does not include land preparation, such as clearing, grading and filling nor does it include the installation of streets and/or walkways, nor does it include excavation for a basement, footings or piers, or foundations or the erection of temporary forms, nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. For a substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of a building,

	whether or not that alteration affects the external dimensions of the building.
Structure	A walled and roofed building, a manufactured home, or a gas or liquid storage tank that is principally above ground.
Substantial Damage	Damage of any origin sustained by a structure whereby the cost of restoring the structure to it's before damaged condition would equal or exceed fifty (50) percent of the market value of the structure before the damage occurred. Substantial Damage also means flood-related damages sustained by a structure on two or more separate occasions during a 10-year period for which the cost of repairs at the time of each such flood event, on the average, equals or exceeds 25 percent of the market value of the structure before the damages occurred.
Substantial Improvement	Any reconstruction, rehabilitation, addition, or other improvement of a structure during a 10-year period the cost of which equals or exceeds fifty (50) percent of the market value of the structure before the "start of construction" of the improvement. Substantial improvement also means "cumulative substantial improvement." This term includes structures which have incurred "substantial damage", regardless of the actual repair work performed or "repetitive loss". The term does not, however, include either: <ul style="list-style-type: none"> a) Any project for improvement of a structure to correct existing violations of State or local health, sanitary or safety code specifications which have been identified by the local code enforcement officer and which are the minimum necessary to assure safe living conditions; or b) Any alteration of a "historic structure", provided that the alteration will not preclude the structure's continued designation as a "historic structure".
Variance	A grant of relief from the requirements of this ordinance that permits construction in a manner that would otherwise be prohibited by this ordinance.
Violation	The failure of a structure or other development to be fully compliant with this ordinance. A new or substantially improved structure or other development without the elevation certificate, other certifications, or other evidence of compliance required in 44 CFR §60.3(b)(5), (c)(4), (c)(10), (e)(2), (e)(4), or (e)(5) is presumed to be in violation until such time as that documentation is provided.
Water Surface Elevation	The height, in relation to the North American Vertical Datum (NAVD) of 1988, (or other datum, where specified) of floods of various magnitudes and frequencies in the flood plains of coastal or riverine areas.

ARTICLE II GENERAL PROVISIONS

§77-11 LANDS TO WHICH THIS ORDINANCE APPLIES

This ordinance shall apply to all areas of special flood hazards within the jurisdiction of the Township of Verona, in the County of Essex, New Jersey.

§77-12 BASIS FOR ESTABLISHING THE AREAS OF SPECIAL FLOOD HAZARD

The areas of special flood hazard for the Township of Verona, Community No. 340195, are identified and defined on the following documents prepared by the Federal Emergency Management Agency:

- (1) A scientific and engineering report "Flood Insurance Study, Essex County, New Jersey (All Jurisdictions)" dated April 3, 2020.
- (2) "Flood Insurance Rate Map for Essex County, New Jersey (All Jurisdictions)" as shown on Index and panels 34013C0082G, 34013C0084F, 34013C0101F and 34013C0103F, whose effective date is April 3, 2020.
- (3) Best Available Flood Hazard Data. These documents shall take precedence over effective panels and FIS in construction and development regulations only. Where the effective mapping or Base Flood Elevation conflict or overlap with the Best Available Flood Hazard Data, whichever imposes the more stringent requirement shall prevail.

The above documents are hereby adopted and declared to be a part of this ordinance. The Flood Insurance Study, maps and advisory documents are on file at the Office of the Township Clerk located at 600 Bloomfield Avenue, Verona, New Jersey and the Office of the Township Engineer located at 10 Commerce Court, Verona, New Jersey.

§77-13 PENALTIES FOR NONCOMPLIANCE

No structure or land shall hereafter be constructed, re-located to, extended, converted, or altered without full compliance with the terms of this ordinance and other applicable regulations. Violation of the provisions of this ordinance by failure to comply with any of its requirements (including violations of conditions and safeguards established in connection with conditions) shall constitute a misdemeanor. Any person who violates this ordinance or fails to comply with any of its requirements shall upon conviction thereof be fined not more than \$2,000 or imprisoned for not more than 90 days, or both, for each violation, and in addition shall pay all costs and expenses involved in the case. Nothing herein contained shall prevent the Township of Verona, from taking such other lawful action as is necessary to prevent or remedy any violation.

§77-14 ABROGATION AND GREATER RESTRICTIONS

This ordinance is not intended to repeal, abrogate, or impair any existing easements, covenants, or deed restrictions. However, where this ordinance and other ordinance, easement, covenant, or deed restriction conflict or overlap, whichever imposes the more stringent restrictions shall prevail.

§77-15 INTERPRETATION

In the interpretation and application of this ordinance, all provisions shall be:

- (1) Considered as minimum requirements;
- (2) Liberally construed in favor of the governing body; and,
- (3) Deemed neither to limit nor repeal any other powers granted under State statutes.

§77-16 WARNING AND DISCLAIMER OF LIABILITY

The degree of flood protection required by this ordinance is considered reasonable for regulatory purposes and is based on scientific and engineering considerations. Larger floods can and will occur on rare occasions. Flood heights may be increased by man-made or natural causes. This ordinance does not imply that land outside the area of special flood hazards or uses permitted within such areas will be free from flooding or flood damages.

This ordinance shall not create liability on the part of the Township of Verona, any officer or employee thereof or the Federal Insurance Administration, for any flood damages that result from reliance on this ordinance or any administrative decision lawfully made thereunder.

ARTICLE III ADMINISTRATION

§77-21 ESTABLISHMENT OF DEVELOPMENT PERMIT

The Township of Verona shall establish and maintain a local development permitting system to determine whether such proposed construction or other development is reasonably safe from flooding. A local Development Permit shall be obtained before construction or development begins, including placement of manufactured homes, within any area of special flood hazard established in §77-12. Application for a Development Permit shall be made on forms furnished by the Floodplain Manager and may include, but not be limited to; plans in duplicate drawn to scale showing the nature, location, dimensions, and elevations of the area in question; existing or proposed structures, fill, storage of materials, drainage facilities; a description of the flood design class, and the location of the foregoing. Specifically, the following information is required:

- (1) Elevation in relation to 0 foot elevation NAVD 88 datum, of the lowest floor (including basement) of all structures;
- (2) Elevation in relation to 0 foot elevation NAVD 88 datum to which any structure has been floodproofed.
- (3) Certification by a registered professional engineer or architect that the floodproofing methods for any nonresidential structure meet the floodproofing criteria in §77-49; and,
- (4) Description of the extent to which any watercourse will be altered or relocated as a result of proposed development.
- (5) Any forms, plans, or information required pursuant to any applicable FEMA publication.

§77-22 DESIGNATION OF THE LOCAL ADMINISTRATOR

The Floodplain Manager is hereby appointed to administer and implement this ordinance by granting or denying development permit applications in accordance with its provisions.

§77-23 DUTIES AND RESPONSIBILITIES OF THE ADMINISTRATOR

Duties of the Floodplain Manager shall include, but not be limited to:

§77-24 PERMIT REVIEW

- A. Review all development permits to determine that the permit requirements of this ordinance have been satisfied.
- B. Review all development permits to determine that all necessary permits have been obtained from those Federal, State or local governmental agencies from which prior approval is required.
- C. Review all development permits to determine if the proposed development is located in the floodway. If located in the floodway, assure that the encroachment provisions of §77-51(a) are met.
- D. Review all permit applications to determine whether proposed building sites are reasonably safe from flooding;
- E. Review all permit applications to determine whether development complies with all applicable FEMA Publications;
- F. Review all permit applications to determine whether development complies with all applicable New Jersey Land Use requirements;

§77-25 USE OF OTHER BASE FLOOD AND FLOODWAY DATA

When base flood elevation and floodway data has not been provided in accordance with §77-12, BASIS FOR ESTABLISHING THE AREAS OF SPECIAL FLOOD HAZARD, the Floodplain Manager shall obtain, review, and reasonably utilize any base flood elevation and floodway data available from a Federal, State or other source, in order to administer sections §77-48, SPECIFIC STANDARDS, RESIDENTIAL CONSTRUCTION, and §77-49, SPECIFIC STANDARDS, NONRESIDENTIAL CONSTRUCTION.

§77-26 INFORMATION TO BE OBTAINED AND MAINTAINED

- A. Obtain and record on a current Elevation Certificate the actual elevation (in relation to 0 foot elevation NAVD 88 datum) of the lowest floor (including

basement) of all new or substantially improved structures, and whether or not the structure contains a basement.

- B. For all new or substantially improved floodproofed structures:
 - (1) verify and record on a Floodproofing Certificate the actual elevation (in relation to 0 foot elevation NAVD 88 datum);
 - (2) maintain the floodproofing certifications required in §77-21(3).
- C. Record the study date of the Best Available Flood Hazard Data (and other documents) used to determine the actual elevation of the lowest floor (including basement) of all new or substantially improved structures; and
- D. Maintain for public inspection all records pertaining to the provisions of this ordinance.

§77-27 ALTERATION OF WATERCOURSES

- A. Notify adjacent communities and the New Jersey Department of Environmental Protection, Bureau of Flood Engineering and the Land Use Regulation Program prior to any alteration or relocation of a watercourse, and submit evidence of such notification to the Federal Insurance Administration.
- B. Require that maintenance is provided within the altered or relocated portion of said watercourse so the flood carrying capacity is not diminished.

§77-28 SUBSTANTIAL DAMAGE REVIEW

- A. After an event resulting in building damages, assess the damage to structures due to flood and non-flood causes.
- B. Record and maintain the flood and non-flood damage of substantial damage structures and provide a letter of Substantial Damage Determination to the owner and the New Jersey Department of Environmental Protection, Bureau of Flood Engineering.
- C. Ensure substantial improvements meet the requirements of sections §77-48, SPECIFIC STANDARDS, RESIDENTIAL CONSTRUCTION, §77-49, NONRESIDENTIAL CONSTRUCTION and §77-50, MANUFACTURED HOMES.

§77-29 INTERPRETATION OF FIRM BOUNDARIES

Make interpretations where needed, as to the exact location of the boundaries of the areas of special flood hazards (for example, where there appears to be a conflict between a mapped boundary and actual field conditions). The person contesting the location of the boundary shall be given a reasonable opportunity to appeal the interpretation as provided in §77-31.

§77-30 REPORT CHANGES IN FLOODING CONDITIONS

Obtain and record changes in flooding conditions and report the technical or scientific data to the Federal Insurance Administrator on a six (6) month basis or sooner in accordance with Volume 44 Code of Federal Regulations Section 65.3.

ARTICLE IV VARIANCE PROCEDURE

§77-31 APPEAL BOARD

- A. The Board of Adjustment shall hear and decide appeals and requests for variances from the requirements of this ordinance.
- B. The Board of Adjustment shall hear and decide appeals when it is alleged there is an error in any requirement, decision, or determination made by the Floodplain Manager in the enforcement or administration of this ordinance.
- C. Those aggrieved by the decision of the Board of Adjustment, or any taxpayer, may appeal such decision to the Superior Court of New Jersey, as provided in New Jersey Statute).
- D. In passing upon such applications, the Board of Adjustment shall consider all technical evaluations, all relevant factors, standards specified in other sections of this ordinance, and:
 - (3) the danger that materials may be swept onto other lands to the injury of others;
 - (4) the danger to life and property due to flooding or erosion damage;
 - (5) the susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owner;
 - (6) the importance of the services provided by the proposed facility to the community;

- (7) the necessity to the facility of a waterfront location, where applicable;
 - (8) the availability of alternative locations for the proposed use which are not subject to flooding or erosion damage;
 - (9) the compatibility of the proposed use with existing and anticipated development;
 - (10) the relationship of the proposed use to the comprehensive plan and floodplain management program of that area;
 - (11) the safety of access to the property in times of flood for ordinary and emergency vehicles;
 - (12) the expected heights, velocity, duration, rate of rise, and sediment transport of the flood waters and the effects of wave action, if applicable, expected at the site; and,
 - (13) the costs of providing governmental services during and after flood conditions, including maintenance and repair of public utilities and facilities such as sewer, gas, electrical, and water systems, and streets and bridges.
- E. Upon consideration of the factors of §77-31(D) and the purposes of this ordinance, the Board of Adjustment may attach such conditions to the granting of variances as it deems necessary to further the purposes of this ordinance.
 - F. The Floodplain Manager shall maintain the records of all appeal actions, including technical information, the justification for their issuance, and report any variances to the Federal Insurance Administration upon request.

§77-32 CONDITIONS FOR VARIANCES

- A. Generally, variances may be issued for new construction and substantial improvements to be erected on a lot of one-half acre or less in size contiguous to and surrounded by lots with existing structures constructed below the base flood level, providing items 1-11 in §77-31(D) have been fully considered. As the lot size increases beyond the one-half acre, the technical justification required for issuing the variance increases.
- B. Variances may be issued for the repair or rehabilitation of historic structures upon a determination that the proposed repair or rehabilitation will not preclude the structure's continued designation as a historic structure and the variance is the minimum necessary to preserve the historic character and design of the structure.
- C. Variances shall not be issued within any designated floodway if any increase in flood levels during the base flood discharge would result.
- D. Variances shall only be issued upon a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief.
- E. Variances shall only be issued upon:
 - (1) A showing of good and sufficient cause;
 - (2) A determination that failure to grant the variance would result in exceptional hardship to the applicant; and,
 - (3) A determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, create nuisances, cause fraud on or victimization of the public as identified in §77-31(D), or conflict with existing local laws or ordinances.
- F. Any applicant to whom a variance is granted shall be given written notice that the structure will be permitted to be built with a lowest floor elevation below the base flood elevation and that the cost of flood insurance will be commensurate with the increased risk resulting from the reduced lowest floor elevation.

ARTICLE V PROVISIONS FOR FLOOD HAZARD REDUCTION

§77-41 GENERAL STANDARDS

In all areas of special flood hazards, compliance with the applicable requirements of the Uniform Construction Code (*N.J.A.C. 5:23*) and the following standards, whichever is more restrictive, is required:

§77-42 ANCHORING

- A. All new construction and substantial improvements shall be anchored to prevent flotation, collapse, or lateral movement of the structure.

- B. All manufactured homes to be placed or substantially improved shall be anchored to resist flotation, collapse or lateral movement. Methods of anchoring may include, but are not to be limited to, use of over-the-top or frame ties to ground anchors. This requirement is in addition to applicable state and local anchoring requirements for resisting wind forces.

§77-43 CONSTRUCTION MATERIALS AND METHODS

- A. All new construction and substantial improvements shall be constructed with materials and utility equipment resistant to flood damage.
- B. All new construction and substantial improvements shall be constructed using methods and practices that minimize flood damage.

§77-44 UTILITIES

- A. All new and replacement water supply systems shall be designed to minimize or eliminate infiltration of flood waters into the system;
- B. New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of flood waters into the systems and discharge from the systems into flood waters;
- C. On-site waste disposal systems shall be located to avoid impairment to them or contamination from them during flooding; and
- D. For all new construction and substantial improvements the electrical, heating, ventilation, plumbing and air-conditioning equipment and other service facilities shall be designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding.

§77-45 SUBDIVISION PROPOSALS

- A. All subdivision proposals and other proposed new development shall be consistent with the need to minimize flood damage;
- B. All subdivision proposals and other proposed new development shall have public utilities and facilities such as sewer, gas, electrical, and water systems located and constructed to minimize flood damage;
- C. All subdivision proposals and other proposed new development shall have adequate drainage provided to reduce exposure to flood damage; and,
- D. Base flood elevation data shall be provided for subdivision proposals and other proposed new development which contain at least fifty (50) lots or five (5) acres (whichever is less).

§77-46 ENCLOSURE OPENINGS

All new construction and substantial improvements having fully enclosed areas below the lowest floor that are usable solely for parking of vehicles, building access or storage in an area other than a basement and which are subject to flooding shall be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwaters. Designs for meeting this requirement must either be certified by a registered professional engineer or architect or must meet or exceed the following minimum criteria: A minimum of two (2) openings in at least two (2) exterior walls of each enclosed area, having a total net area of not less than one (1) square inch for every square foot of enclosed area subject to flooding shall be provided. The bottom of all openings shall be no higher than one (1) foot above grade. Openings may be equipped with screens, louvers, or other covering or devices provided that they permit the automatic entry and exit of floodwaters.

§77-47 SPECIFIC STANDARDS

In all areas of special flood hazards where base flood elevation data have been provided as set forth in §77-12, BASIS FOR ESTABLISHING THE AREAS OF SPECIAL FLOOD HAZARD or in §77-25, USE OF OTHER BASE FLOOD DATA, the following standards are required:

§77-48 RESIDENTIAL CONSTRUCTION

New construction and substantial improvement of any residential structure located in an A, AE, AO or AH zone shall have the lowest floor, including basement together with the attendant utilities (including all electrical, heating,

ventilating, air- conditioning and other service equipment) and sanitary facilities, elevated at or above the more restrictive of the following:

- A. For A or AE zones:
 - (1) base flood elevation (published FIS/FIRM) plus one (1) foot,
 - (2) the best available flood hazard data elevation plus one (1) foot,
 - (3) as required by ASCE/SEI 24-14, Table 2-1, or
 - (4) as required by *N.J.A.C. 7:13-3*.
- B. For AO or AH zones on the municipality's FIRM to elevate above the depth number specified in feet plus one (1) foot, above the highest adjacent grade (at least three (3) feet if no depth number is specified). And, require adequate drainage paths around structures on slopes to guide floodwaters around and away from proposed structures.
- C. Record the method and elevation used above and, the Best Available Flood Hazard Design Data elevation, date, and revision in the Local Development Permit.

§77-49 NONRESIDENTIAL CONSTRUCTION

In an Area of Special Flood Hazard, all new construction and substantial improvement of any commercial, industrial or other nonresidential structure located in an A, AE, AO or AH zone shall have the lowest floor, including basement together with the attendant utilities and sanitary facilities as well as all electrical, heating, ventilating, air-conditioning and other service equipment shall either:

Be elevated at or above the more restrictive of the following:

- A. For A or AE zones:
 - (1) base flood elevation (published FIS/FIRM) plus one (1) foot
 - (2) the best available flood hazard data elevation plus one (1) foot
 - (3) as required by ASCE/SEI 24-14, Table 2-1, or
 - (4) as required by *N.J.A.C 7:13-3*.
- B. For AO or AH zones on the municipality's FIRM to elevate above the depth number specified in feet plus one (1) foot, above the highest adjacent grade (at least three (3) feet if no depth number is specified). And, require adequate drainage paths around structures on slopes to guide floodwaters around and away from proposed structures;
- C. Record the method and elevation used above and, the Best Available Flood Hazard Design Data elevation, date and revision in the local Development Permit.

Or, be floodproofed so that below the more restrictive of the following:

- A. For A or AE zones:
 - (1) base flood elevation (published FIS/FIRM) plus one (1) foot;
 - (2) the best available flood hazard data elevation plus one (1) foot;
 - (3) as required by ASCE/SEI 24-14, Table 6-1; or
 - (4) as required by *N.J.A.C 7:13-3*;
 - (5) AO or AH zone elevation based upon the highest adjacent grade, plus the depth number specified in feet, plus one (1) foot, (at least three (3) feet if no depth number is specified). And, require adequate drainage paths around structures on slopes to guide floodwaters around and away from proposed structures.
- B. The structure is watertight with walls substantially impermeable to the passage of water;
- C. Have structural components capable of resisting hydrostatic and hydrodynamic loads and effects of buoyancy; and,
- D. Be certified by a registered professional engineer or architect that the design and methods of construction are in accordance with accepted standards of practice for meeting the applicable provisions of this subsection. Such certification shall be provided to the official as set forth in §77-26(B)(2).
- E. Record the method and elevation used above and, the Best Available Flood Hazard Design Data elevation, date and revision in the local Development Permit.

§77-50 MANUFACTURED HOMES

- A. Manufactured homes shall be anchored in accordance with §77-42(B).
- B. All manufactured homes to be placed or substantially improved within an area of special flood hazard shall:
 - (1) Be consistent with the need to minimize flood damage,
 - (2) Be constructed to minimize flood damage,
 - (3) Have adequate drainage provided to reduce exposure to flood damage,
 - (4) Be elevated on a permanent foundation such that the top of the lowest floor is at or above the more restrictive of the following:
 - i. base flood elevation (published FIS/FIRM) plus one (1) foot;
 - ii. the best available flood hazard data elevation plus one (1) foot;
 - Or
 - iii. as required by ASCE/SEI 24-14, Table 2-1;
 - iv. as required by *N.J.A.C 7:13-3*;
 - v. AO or AH zone elevation based upon the highest adjacent grade, plus the depth number specified in feet, plus one (1) foot (at least three (3) feet if no depth number is specified). And, require adequate drainage paths around structures on slopes to guide floodwaters around and away from proposed structures,
 - (5) Record the method and elevation used above and, the Best Available Flood Hazard Design Data elevation, date and revision in the local Development Permit.
- C. All recreational vehicles located within an area of special flood hazard shall either:
 - (1) Be on site for fewer than 180 consecutive days,
 - (2) Be fully licensed and ready for highway use, or
 - (3) Meet the requirements of §77-21 and §77-50(A) and (B) above.

§77-51 FLOODWAYS

Located within areas of special flood hazard established in §77-12 are areas designated as floodways. Since the floodway is an extremely hazardous area due to the velocity of flood waters which carry debris, potential projectiles, and erosion potential, the following provisions apply:

- A. Prohibit encroachments, including fill, new construction, substantial improvements, and other development unless a technical evaluation demonstrates that encroachment shall not result in any increase in flood levels during the occurrence of the base flood discharge.
- B. If §77-51(a) is satisfied, all new construction and substantial improvements must comply with Article V of this Chapter.
- C. In all areas of special flood hazard in which base flood elevation data has been provided and no floodway has been designated, no new construction, substantial improvements, fill, or other development shall be permitted, unless it is demonstrated that the accumulative effect of any proposed development, when combined with all other existing and anticipated development, shall not increase the water surface elevation of the base flood more than two-tenths (0.2) of a foot at any point.

SECTION 3. If any section, sub-section, paragraph, sentence or any other part of this ordinance is adjudged unconstitutional or invalid, such judgment shall not affect, impair or invalidate the remainder of this ordinance.

SECTION 4. All ordinances or parts of ordinances which are inconsistent with the provisions of this ordinance are hereby repealed to the extent of such inconsistency.

SECTION 5. This ordinance shall take effect after final adoption and publication and otherwise as provided by law.

NOTICE

I HEREBY CERTIFY THAT THE AFOREMENTIONED ORDINANCE WAS PUBLISHED IN THE STAR LEDGER, A NEWSPAPER PUBLISHED IN THE COUNTY OF ESSEX AND CIRCULATED IN THE TOWNSHIP OF VERONA, IN THE FEBRUARY 28, 2020 ISSUE AND XXX.

**JENNIFER KIERNAN
MUNICIPAL CLERK**

INTRODUCTION: February 20, 2020

PUBLIC HEARING: March 9, 2020

EFFECTIVE DATE:

TOWNSHIP OF VERONA
COUNTY OF ESSEX, STATE OF NEW JERSEY

ORDINANCE No. 2020-07

ORDINANCE TO AMEND CHAPTER A175, FEES, OF THE CODE OF THE
TOWNSHIP OF VERONA BY AMENDING CERTAIN SECTIONS

BE IT ORDAINED by the Township Council of the Township of Verona, County of Essex, New Jersey as follows:

SECTION 1. The language currently contained in Chapter A175-1 (Schedule of Fees) of the Code of the Township of Verona is hereby amended in part to read as follows:

§A175-1. Schedule of Fees

Ch. 54, Alcoholic Beverages

Plenary retail consumption license	\$2,016 \$2,419
Plenary retail distribution license	\$1,296 \$1,555

SECTION 2. If any section, sub-section, paragraph, sentence or any other part of this ordinance is adjudged unconstitutional or invalid, such judgment shall not affect, impair or invalidate the remainder of this ordinance.

SECTION 3. All ordinances or parts of ordinances which are inconsistent with the provisions of this ordinance are hereby repealed to the extent of such inconsistency.

SECTION 4. This ordinance shall take effect 20 days after final passage and publication as prescribed by law.

ATTEST:

JENNIFER KIERNAN
MUNICIPAL CLERK

NOTICE

I HEREBY CERTIFY THAT THE AFOREMENTIONED ORDINANCE WAS PUBLISHED IN THE STAR LEDGER, A NEWSPAPER PUBLISHED IN THE COUNTY OF ESSEX AND CIRCULATED IN THE TOWNSHIP OF VERONA, IN THE ISSUE OF FEBRUARY 28, 2020 AND XXX.

JENNIFER KIERNAN
MUNICIPAL CLERK

INTRODUCTION: February 24, 2020
PUBLIC HEARING: March 9, 2020
EFFECTIVE DATE:

**TOWNSHIP OF VERONA
COUNTY OF ESSEX, STATE OF NEW JERSEY**

ORDINANCE # 2020-08

REPEALING CHAPTER 111 (RECYCLING, SOURCE SEPARATION OF LEAVES AND GARBAGE COLLECTION), ESTABLISHING A NEW CHAPTER 111 (RECYCLING, SOURCE SEPARATION OF LEAVES AND GARBAGE COLLECTION) OF CODE OF THE TOWNSHIP OF VERONA

BE IT ORDAINED by the Township Council of the Township of Verona, in the County of Essex, New Jersey, as follows:

SECTION 1. The language currently contained in Chapter 111 (Recycling, Source Separation of Leaves and Garbage Collection) of the Code of the Township of Verona, is hereby deleted in its entirety.

SECTION 2. There is hereby established a new Chapter 111 (Recycling, Source Separation of Leaves and Garbage Collection) of the Code of the Township of Verona to read as follows:

ARTICLE I. RECYCLING.

§ 111-1. DEFINITIONS.

As used in this Article, the following terms shall have the meanings indicated:

ALUMINUM BEVERAGE CONTAINERS

Includes all containers normally used in the consumption of beverages both in the home and in retail establishments dispensing the same for on premise or off-premises consumption, the same being made entirely of aluminum.

BIMETAL (TIN/STEEL) CONTAINERS

Aluminum and tin or tin-plated steel food and beverage containers, including those for fruits, vegetables, juices and pet food.

COMMERCIAL SOURCE

Buildings used in part or in whole for wholesale, retail, service or manufacturing establishments, including but not limited to restaurants, markets, offices, retail and wholesale outlets, industrial establishments and theaters. Each building with one or more commercial uses shall be considered as one "Commercial Source" notwithstanding that there are multiple businesses and/or residential apartments contained therein.

CORRUGATED CONTAINERS

All corrugated cardboard of the type commonly used for boxes, shipping containers and packing material having exterior cardboard plies separated by air spaces created by one or more fabricated cardboard plies.

DESIGNATED RECYCLABLE MATERIALS

Those materials, including but not limited to metal, glass, paper or plastic containers, which are designated pursuant to regulations promulgated hereunder to be source separated for recycling.

ELECTRONIC WASTE

A computer central processing unit and associated hardware including keyboards, modems, printers scanners and fax machines; a cathode ray tube, a cathode ray tube device, a flat panel display or similar video display device with a screen that is greater than four inches measured diagonally and that contains one or more circuit boards, including a television and cell phones.

FERROUS SCRAP METAL

Scrap metal that is magnetic and rusts such as structural steel or cast iron components.

GLASS FOOD AND BEVERAGE CONTAINERS

All containers and objects commonly used in residential and nonresidential premises, such as bottles, jars, glasses, jugs and all other vessels made entirely of glass.

INSTITUTIONAL SOURCES

Churches, synagogues, mosques and other houses-of-worship, colleges, schools, municipal or municipally supported bodies, not-for-profit organizations and the like.

LEAD ACID BATTERIES (VEHICLE BATTERIES)

Types that contain lead and lead oxide with the sulfuric acid electrolyte produces a voltage.

LEAVES

Foliage material naturally formed from trees and bushes that are suitable for composting and mulching.

MIXED OFFICE PAPER

A combination of paper products found in an office environment, typically, it means high-grade papers such as copier paper, computer printout, stationery and chipboard. It also includes magazines, catalogs, brochures, white envelopes, advertising flyers and most mail.

MULTIFAMILY DWELLING

Any building or structure, or complex of buildings in which three (3) or more dwelling units are owner-occupied or rented or leased, or offered for rental or lease, for residential purposes (see N.J.S.A. 13:1E-99.13a) and shall include hotels, motels, or other guest houses serving transient or seasonal guests, as those terms are defined under subsection (j) of section 3 of the "Hotel and Multiple Dwelling Law," P.L.1967, c, 76 (C.55:13A-1 et seq.).

MUNICIPAL SOLID WASTE (MSW) STREAM

All solid waste generated at residential, commercial, and institutional establishments within the boundaries of the Township of Verona.

NEWSPAPER

Paper of the type commonly referred to as "newsprint" and distributed at stated intervals, usually daily or weekly, having printed thereon news and opinions and containing advertisements and other matter of public interest.

PLASTIC CONTAINERS

Only those containers, such as beverage containers and laundry product container, such types that may from time to time be approved by the Recycling Committee.

RECYCLING

Any process by which materials which would otherwise become solid waste are collected, separated or processed and returned to the economic mainstream in the form of raw materials or products.

RECYCLING CENTER

Such location as may be designated by the Township of Verona to store, separate, receive and transfer source separated non-putrescible recyclable materials as designated in the regulations promulgated.

RECYCLABLE ELECTRONICS

Computer CPUs, laptops, mainframes, computer peripherals such as USBs and other cables, monitors and flat screens, scanners, telephones, cell phones and telephone systems, fax machines and central office equipment, printers and copies,

televisions, electronic circuit boards and components, stereo equipment, electronic games, rechargeable batteries, portable electronic music devices and PDAs.

RECYCLABLE MATERIALS

Materials which would otherwise become solid waste, and which may be collected, separated, or processed and returned to the economic mainstream in the form of raw materials or products.

RESIDENTIAL SOURCE

Homes, condominiums, townhouses and other dwelling units not defined as multi-family, commercial or institutional sources in this Chapter.

SOURCE SEPARATION OF DESIGNATED RECYCLABLE MATERIALS

The separation and separate bundling of designated recyclable materials to be kept apart from residential, commercial and institutional solid waste by the generator thereof for the purposes of collection, disposition and recycling.

USED MOTOR OIL

Any waste crank case oil from periodic maintenance of internal combustion engines.

WHITE GOODS

Appliances such as refrigerators, air conditioners, stoves, washers, dryers, steel or cast-iron plumbing fixtures, dishwashers and water heaters.

YARD WASTE

Includes grass, leaves, branches, hedge and bush clippings, weeds and other vegetative materials.

§ 111-2. RECYCLING COORDINATOR.

There is hereby established in the Township of Verona the office of Recycling Coordinator whose responsibilities shall include but not be limited to membership in the Recycling Committee for the purpose of developing and implementing regulations hereunder. The Recycling Coordinator shall be appointed pursuant to the provisions of N.J.S.A. 40:69A-95 and shall serve for a one-year term.

§ 111-3. RECYCLING COMMITTEE.

There is hereby established a Recycling Committee in the Township of Verona. Membership on the Committee shall consist of the Township Manager, the Township Engineer, the Superintendent of Public Works and the Recycling Coordinator. The Recycling Committee is hereby authorized, empowered and directed to establish and promulgate reasonable regulations as to the selection and designation of recyclable materials to be source-separated in accordance with this Chapter; to establish the manner, methods and programs for the collection and disposition, including sale, of designated recyclable materials in accordance with the provisions hereof; and to establish and regulate the operation of the Township Recycling Center.

§ 111-4. SOURCE SEPARATION; EXEMPTION FROM SOURCE SEPARATION REQUIREMENTS.

- A. Mandatory source separation; It shall be mandatory for all persons who are owners, tenants, or occupants of residential and nonresidential premises, which shall include, but not limited to, retail and other commercial locations, as well as government, schools and other institutional locations within the Township, to separate designated recyclable materials from all solid waste. Designated recyclable materials shall be deposited separate and apart from other solid waste generated by the owners, tenants, or occupants of such premises and shall be placed separately at the curb in a manner and on such days and times as may be hereinafter established by regulations promulgated by the township. Mandatory recyclables follow:

RESIDENTIAL: All homes, condominiums, townhouses, apartments, trailer parks, etc., including certain housing types considered institutional (i.e., senior citizen homes) are to recycle the following materials. There are no de minimis standards based upon amount or weight:

- Newspaper
- Mixed office paper
- Corrugated Containers
- Glass Food and Beverage Containers
- Aluminum Beverage Containers
- Plastic containers
- Bimetal Containers
- Yard Waste
- Used Motor Oil
- White Goods (i.e. refrigerators, washer/dryer appliances)
- Ferrous Scrap Metal
- Recyclable Electronic Waste

COMMERCIAL: All places of business (wholesale, retail, food, transportation, etc.) are included in this sector:

- Newspaper
- Mixed office paper
- Corrugated Containers
- Glass Food and Beverage Containers
- Aluminum Beverage Containers
- Plastic containers
- Bimetal Containers
- Yard Waste
- Used Motor Oil
- White Goods (i.e. refrigerators, washer/dryer appliances)
- Ferrous Scrap Metal
- Recyclable Electronic Waste

INSTITUTIONAL: All government buildings, schools, colleges, hospitals, clinics, etc., are included in this sector:

- Newspaper
- Mixed office paper
- Corrugated Containers
- Glass Food and Beverage Containers
- Aluminum Beverage Containers
- Plastic containers
- Bimetal Containers
- Yard Waste
- Used Motor Oil
- White Goods (i.e. refrigerators, washer/dryer appliances)
- Ferrous Scrap Metal
- Recyclable Electronic Waste

B. Exemptions:

1. Pursuant to N.J.S.A. 13:1E-99.16(d), the Council may exempt persons occupying commercial or institutional premises within its municipal boundaries from the source separation requirements of the ordinance which requires persons generating municipal solid waste within its municipal boundaries to source separate from the municipal solid waste stream, the specified recyclable materials if those persons have otherwise provided for the recycling of all designated recyclable materials. To be eligible for an exemption pursuant to this Chapter, a commercial or institutional generator of solid waste shall file an application for exemption with the Recycling Coordinator on forms to be provided for this purpose. The form shall include, at a minimum, the following information: the name of the commercial or institutional entity;

the street address location and lot and block designation; the name, official title and phone number of the person making application on behalf of the commercial or institutional entity; the name address, official contact person and telephone number of the facility which provides the service of recycling those designated recyclable materials, and a certification that the designated recyclable materials will be recycled, and that, at least on an annual basis, said recycling service provider or commercial/institutional generator shall provide written documentation to the Recycling Coordinator of the total number of tons collected and recycled for each designated material.

2. Persons who are physically disabled and who have notified the Recycling Committee, in writing, of such disability.

§ 111-5. COLLECTION OF RECYCLABLE MATERIALS.

The collection of recyclable material shall be in the manner prescribed as follows:

- A. All containers and brown paper bags containing recyclable materials shall be placed, prior to collection, between the curb and the sidewalk, or in the absence of a curb and sidewalk, as near to the street as not to constitute a danger, where such receptacles shall be readily accessible to the collector without providing obstruction to pedestrians. The owner or occupant of the premises shall keep all receptacles clean and in safe handling condition. Receptacles or other items to be disposed of shall be placed as noted above anytime after 5:00 p.m. of the day immediately preceding the day of collection, but no later than 6:00 a.m. of the day of collection. After collection, any containers shall be removed from the curbside by no later than 7:00 p.m. of the day of collection.
- B. All receptacles or dumpsters shall be maintained in accordance with the health code of the Township.

§ 111-6. AUTHORIZATION TO COLLECT.

All contractors that provide collection services within the Township are required to register with Public Works and identify the entity to which they provide services.

§ 111-7. RESIDENTIAL DWELLING COMPLIANCE REQUIREMENTS.

The owner of any and all residential dwelling shall be responsible for compliance with this Chapter. For multifamily dwellings, the management or owner is responsible for setting up and maintaining the recycling system, including collection of recyclable materials, in accordance with guidelines or regulations established by the appropriate municipal office. Violations and penalty notices will be directed to the owner or management, in those instances where the violator is not easily identifiable. The management shall issue notification and collection rules to new tenants when they arrive and every six months during their occupancy.

§ 111-8. NONRESIDENTIAL ESTABLISHMENT COMPLIANCE REQUIREMENTS.

- A. All commercial and institutional generators of solid waste shall be required to comply with the provisions of this Chapter.
- B. The arrangement for collection of designated recyclables hereunder shall be the responsibility of the commercial, institutional or industrial property owner or their designee, unless the municipality provides for the collection of designated recyclable materials. All commercial, institutional or industrial properties which provide outdoor litter receptacles and disposal service for their contents shall also provide receptacles for designated recyclable materials, for those materials commonly deposited, in the location of the litter receptacle, and shall provide for separate recycling service for their content.

- C. Every business, institution, or industrial facility shall report on an annual basis to the Recycling Coordinator, on such forms as may be prescribed, on recycling activities at their premises, including the amount of recycled material, by material type, collected and recycled and the vendor or vendors providing recycling service.
- D. All food establishments, as defined in the health code, shall, in addition to compliance with all other recycling requirements, be required to recycle grease and/or cooking oil created in the processing of food or food products, and maintain such records as maybe prescribed, for inspection by any code enforcement officer.

§ 111-9. NEW DEVELOPMENTS OF MULTIFAMILY RESIDENTIAL UNITS OR COMMERCIAL, INSTITUTIONAL, OR INDUSTRIAL PROPERTIES. (Pursuant to N.J.S.A. 13:1E-99.13a and 99.16c.)

- A. Any application to the Planning Board or Board of Adjustment of the Township of Verona, for subdivision or site plan approval for the construction of multi-family dwellings of three or more units, single-family developments of fifty or more units or any commercial, institutional, or industrial development for the utilization of one thousand square feet or more of land, must include a recycling plan. This plan must contain, at the minimum, the following:
 1. A detailed analysis of the expected composition and amounts of solid waste and recyclables generated at the proposed development; and
 2. Locations documented on the application's site plan that provide for convenient recycling opportunities for all owners, tenants, and occupants. The recycling area shall be of sufficient size, convenient location and contain other attributes (signage, lighting, fencing, etc.) as may be determined by the Recycling Coordinator.
- B. Prior to the issuance of a Certificate of Occupancy by the Township, the owner or any new multi-family housing or commercial, institutional, or industrial development must supply a copy of a duly executed contract with a hauling company for the purposes of collection and recycling of source-separated recyclable materials, in those instances where the municipality does not otherwise provide this service.
- C. Provision shall be made for the indoor, or enclosed outdoor, storage and pickup of solid waste.

§ 111-10. PROHIBITION OF THE COLLECTION OF SOLID WASTE MIXED WITH RECYCLABLES.

- A. It shall be unlawful for solid waste collectors to collect solid waste that is mixed with, or contains visible signs of, designated recyclable materials. It is also unlawful for solid waste collectors to remove for disposal those bags or containers of solid waste which visibly display a warning notice sticker or some other device indicating that the load of solid waste contains designated recyclable materials.
- B. It shall be the responsibility of the resident or occupant to the property to properly segregate the uncollected solid waste for proper disposal or recycling. Allowing such unseparated solid waste and recyclables to accumulate will be considered a violation of this Article and the local sanitary code.
- C. Once placed in the location identified in this Chapter, or any rules or regulations promulgated pursuant to this Chapter, no person, other than those authorized by the municipality, shall tamper with, collect, remove, or otherwise handle designated recyclable materials.

§ 111-11. TOWNSHIP RECYCLING CENTER.

- A. The Township Recycling Center shall be used or made available only for persons residing within the limits of the Township of Verona and commercial or institutional entities located within the limits of the Township of Verona. All recyclable material deposited at the Recycling Center must be generated within the limits of the Township of Verona. The Township may require appropriate identification of all persons using the Recycling Center.
- B. No contractor or person operating any business or commercial operation shall be permitted to use the Recycling Center except for the disposal of material generated from a property within the limits of the Township of Verona. The contractor must provide paperwork, indicating the Verona property that the material was generated from before depositing the material at the Recycling Center.
- C. It shall be a violation of this Chapter for any person or solid waste hauler to deposit recyclable materials generated outside the boundaries of the Township of Verona at the Recycling Center.
- D. It shall be a violation of this Chapter for any person or solid waste collector to deposit recyclable materials outside of the designated containers or areas at the Recycling Center or to otherwise fail to follow the signs and directions posted at the Recycling Center.
- E. It shall be a violation of this Chapter for any person or solid waste collector to deposit any material at the Township Recycling Center which is not a designated material accepted at the Recycling Center.

§ 111-12. ENFORCEMENT.

The Code Enforcement Official, the Township Engineer, the Superintendent of Public Works, the Police Department, the Health Officer or his/her designee, the Recycling Coordinator, the Essex County Department of Health and the Essex County Utilities Authority are hereby individually and severally empowered to enforce the provisions of this Chapter. An inspection may consist of sorting through containers and opening of solid waste bags to detect, by sound or sight, the presence of any recyclable material.

§ 111-13. RECYCLING TONNAGES TO BE REPORTED.

Prior to March 1 of each year, occupants of all commercial and institutional establishments and multi-family housing owners or their agents shall report, on forms provided by the municipality, to the Recycling Coordinator, the tonnage of recyclables collected and removed from the municipality during the previous year.

§ 111.14. VIOLATIONS AND PENALTIES.

Any person, corporation, occupant, or entity that violates or fails to comply with any provision of this Chapter or any rules and regulations promulgated hereunder shall upon conviction thereof, be punishable by a fine not less than two hundred fifty dollars (\$250), nor more than one thousand dollars (\$1,000). Each day for which violation of this Chapter occurs shall be considered a separate offence.

Fines levied and collected pursuant to the provisions of this Chapter shall be immediately deposited into the municipal recycling trust fund (or equivalent). Monies in the municipal recycling trust fund shall be used for the expenses of the municipal recycling program.

In addition to the foregoing penalties, where a container includes designated recycling material mixed with solid waste, the container will not be collected.

ARTICLE II. SOURCE SEPARATION OF YARD WASTE

§ 111-21. GENERAL.

It shall be unlawful for any person to place yard waste for collection or disposal as solid waste. All persons occupying residential, commercial or institutional premises within the Township shall separate yard waste from recyclables and solid waste generated at such premises and unless the leaves are stored or recycled for composting or mulching by the generator, place the yard waste for collection in the manner provided in this Article.

§ 111-22. MANNER OF COLLECTION.

- A. Yard waste when packed in biodegradable bags or tied in bundles weighing less than fifty pounds shall be picked up curbside by the Township.
- B. Brush tied in bundles not more than four feet in length and no greater than six inches in diameter shall be picked up curbside by the Township.
- C. In addition to the above, yard waste may be deposited at a disposal area that may from time to time be designated by the Township for this purpose.
- D. It is prohibited to rake leaves into the street at any time within the Township.

§ 111-23. DISPOSAL AREA DESIGNATED.

There is hereby designated by the Township an area to be known as a "disposal area."

§ 111-24. TYPES OF REFUSE ALLOWED.

The disposal area, as designated by the Township, may be used for the disposal of the following yard waste materials only: leaves, grass clippings, hedge trimmings, tree branches, bushes and shrubs and general garden refuse. No concrete, cinder block, boulders, fencing, tree trunks, stumps, garbage or other materials not provided for shall be dumped at this area.

§ 111-25. HOURS, DAYS AND SEASON OF USE.

The days of use shall be determined by the Township Manager and may be changed from time to time.

§ 111-26. REGULATIONS FOR USE.

- A. Residents shall be required to unload and leave areas promptly and place all waste materials in the designated location indicated by sign or as directed.
- B. No waste material shall be removed from areas other than by persons authorized by the Township Recycling Coordinator or Superintendent of Public Works.
- C. The Township Recycling Coordinator or Superintendent of Public Works or their authorized representative shall be authorized herein to reject any waste material which in his opinion may create a hazardous condition effecting the health, safety and welfare of the residents using areas and the general public.
- D. The Township Recycling Coordinator or Superintendent of Public Works shall be authorized to post at the area notices implementing the rules and regulations as set forth herein.

§ 111-27. PERSONS PERMITTED TO USE FACILITIES.

- A. The disposal area shall be used or made available only for persons residing within the limits of the Township. The Township Recycling Coordinator or Superintendent of Public Works or their authorized representative may require appropriate identification of all persons using the area.

- B. No contractor or person operating any business or commercial operation shall be permitted to use the disposal area unless the contractor or person operating any business or commercial operation obtains a permit from the Township Department of Public Works to use the disposal area. A separate permit is required for each load deposited at the disposal area. All waste deposited by a contractor or person operating any business or commercial operation shall have been generated from a property within the limits of the Township. The Township Recycling Coordinator or Superintendent of Public Works or their authorized representative may require proof of origin of the load.

ARTICLE III. GARBAGE COLLECTION

§ 111-31. DEFINITIONS

As used in this Article, the following terms shall have the meanings indicated:

GARBAGE

Putrescible animal and vegetable waste resulting from the handling, preparing, cooking and consumption of food.

PREMISES

Any residence or place of business or commerce where garbage, refuse, rubbish or recyclables are accumulated.

RECYCLABLES

Any designated recyclables as provided for in Article I of Chapter 111 of the Verona Code/or by resolution, rule or regulation promulgated thereunder.

REFUSE

All putrescible and non-putrescible solid wastes, except body wastes, including but not limited to garbage, rubbish, ashes, street cleanings, dead animals, metal or wooden scraps, and solid market and industrial wastes.

RUBBISH

Non-putrescible solid wastes consisting of both combustible and noncombustible wastes, such as paper, wrappings, cigarettes, tin cans, yard clippings, leaves, wood, glass, bedding, crockery and similar materials.

TOWNSHIP COLLECTION SYSTEM

Such system as may be employed by the Township, either through the use of Township personnel and equipment, or through such person, firm or entity as may be contracted by the Township to provide for collection and disposition of garbage, refuse rubbish and recyclables.

§ 111.32. APPLICATION.

This section shall apply to all garbage, refuse, and rubbish to be picked up by the Township Collection System.

- A. No garbage, refuse or rubbish shall be collected by the Township Collection System except as may be from time to time provided by ordinance or resolution of the Council. A true copy of any ordinance providing for the manner, terms and schedule of days for the collection of garbage, refuse or rubbish shall be maintained on file in the Office of the Township Clerk for inspection by the public during normal business hours.
- B. No person shall place any garbage, refuse or rubbish for pickup at the curbside of the street in front of any premises except in the manner and on the scheduled days as may be provided by this section.
- C. Residential sources shall be allowed to place solid waste at the curb for collection by the Township Collection System, provided that all garbage and refuse is contained in suitable receptacles. Recyclable material shall be

separated from other solid waste and yard waste and recycled in a manner promulgated by the Township.

- D. Commercial and institutional sources. All commercial and institutional sources shall be allowed to place solid waste at the curb for collection by the Township Collection System, provided that all garbage and refuse shall be contained in suitable receptacles and recyclable material and yard waste are separated from the other solid waste. Exceptions: plastic bags may not be used as the external receptacles for food waste. Bulky waste, dirt, earth, stones, broken concrete, other construction material resulting from new construction or remodeling by a contractor; leaves brush and grass produced by a private contractor; and major automobile parts or items of an unreasonable nature will not be collected by the Township Collection System. The foregoing excluded items and hazardous or contaminated refuse as defined in this Article shall not be placed for collection but shall be disposed of at the expense of the owner or possessor thereof, in accordance with laws and regulations of the State of New Jersey.

§ 111-33. HOURS OF PLACEMENT FOR COLLECTION.

No person shall place or cause to be placed any garbage, refuse or rubbish at curbside for pick up any sooner than 5:00 p.m. on the day immediately preceding the date scheduled for the collection of garbage, refuse, rubbish or recyclables, but no later than 6:00 a.m. on the day of collection. All garbage cans or containers placed at curbside for collection shall be removed from curbside not later than 7:00 p.m. on the date on which collection is made.

§ 111-34. MAINTENANCE OF GARBAGE CANS OR CONTAINERS.

- A. All garbage cans or containers used in connection with the placement of garbage, refuse, rubbish or recyclables at curbside shall be kept in a clean and sanitary condition, made of metal or plastic, with a capacity of no more than 35 gallons, with handles, solidly constructed, so as to prevent spillage or leakage of contents, and weighing not more than 50 pounds when filled and placed for collection; plastic bags, paper bags and cardboard boxes are not suitable receptacles.
- B. Garbage cans or containers used in connection with the placement of garbage, refuse or rubbish shall not be stored in the Front Yard or stored on a public sidewalk or on any other public property if owned by private person or entity.
- C. Any property owner who is unable to store garbage cans or containers used in connection with garbage, refuse or rubbish in an area permitted by this Chapter shall submit to the Zoning Officer, a request for a waiver for the placement of cans and containers. Such request shall include the preferred locations documented on the application's site plan or property survey that provide for convenient disposal opportunities for all owners, tenants, and occupants. The recycling area shall be of sufficient size, convenient location and contain other attributes (signage, lighting, fencing, etc.) as may be determined by the Zoning Officer. Upon recommendation of approval by the Zoning Officer, the approval shall be ratified by resolution of the Township Council.

§ 111-35. TAMPERING.

No person shall tamper with any garbage can or other container used in connection with the placement of garbage, refuse or rubbish at curbside so as to damage the same or to cause any garbage, refuse or rubbish to be removed from such garbage cans or containers.

§ 111-36. RESPONSIBILITIES OF PROPERTY OWNERS, BUSINESS OPERATORS, LANDLORDS AND TENANTS.

- A. Property owners, business operators, landlords and tenants of a property shall each have all the duties and responsibilities prescribed in this Article; and no

property owner, business operator, landlord or tenant shall be relieved from such duties or responsibilities by reason of the fact that the other of them or the occupant is also responsible therefor and in violation thereof.

- B. Contract not to alter responsibilities. The respective duties and responsibilities imposed hereunder on the property owner, business operator, landlord or tenant shall not be altered or affected by any agreement or contract to which one or more of them is or are a party or parties.

§ 111-37. VIOLATIONS AND PENALTIES.

- A. For violation of any provision of this Chapter, the maximum penalty upon conviction of the violation shall be by one or more of the following: imprisonment in the County Jail or in any place provided by the Township for the detention of prisoners for any term not exceeding 90 days; or by a fine not exceeding \$2,000; or by a period of community service not exceeding 90 days.
- B. Unlawful Solid Waste Disposal. In accordance with N.J.S.A. 40:49-5, for the violation of an ordinance or Code provision pertaining to unlawful solid waste disposal, the maximum penalty by a fine shall not exceed \$10,000.
- C. The violation of any provision of the Chapter, the minimum penalty shall be imposed which shall consist of a fine which may be fixed at an amount not exceeding \$100.
- D. Unlawful Solid Waste Disposal, in accordance with N.J.S.A. 40:49-5, for the violation of an ordinance or Code provision pertaining to unlawful solid waste disposal, the minimum penalty upon conviction of the violation shall be a fine of \$2,500. (N.J.S.A. 40:49-5)

§ 111.38. SEVERABILITY.

If any section, sentence or any other part of this Chapter is adjudged unconstitutional or invalid by any court, such judgment shall not affect, impair or invalidate the remaining provisions of this Chapter, and such judgment shall be confined in its effect to the section, sentence or other part of this Chapter directly involved in the controversy in which such judgment shall have been rendered.

SECTION 3. If any section, sub-section, paragraph, sentence or any other part of this ordinance is adjudged unconstitutional or invalid, such judgment shall not affect, impair or invalidate the remainder of this ordinance.

SECTION 4. All ordinances or parts of ordinances which are inconsistent with the provisions of this ordinance are hereby repealed to the extent of such inconsistency.

SECTION 5. This ordinance shall take effect after final adoption and publication and otherwise as provided by law.

ATTEST:

JENNIFER KIERNAN
MUNICIPAL CLERK

NOTICE

I HEREBY CERTIFY THAT THE AFOREMENTIONED ORDINANCE WAS PUBLISHED IN THE STAR LEDGER, A NEWSPAPER PUBLISHED IN THE COUNTY OF ESSEX AND CIRCULATED IN THE TOWNSHIP OF VERONA, IN THE ISSUE OF FEBRUARY 28, 2020 AND XX, 2020.

JENNIFER KIERNAN
MUNICIPAL CLERK

INTRODUCTION: February 24, 2020
PUBLIC HEARING: March 9, 2020
EFFECTIVE DATE:

**TOWNSHIP OF VERONA
COUNTY OF ESSEX, STATE OF NEW JERSEY**

ORDINANCE NO. 2020-___

**FIXING THE SALARIES AND COMPENSATION OF THE PAID
OFFICERS AND EMPLOYEES OF THE TOWNSHIP FOR THE
2020 CALENDAR YEAR**

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

SECTION 1: That for the calendar year 2020, the salaries and compensations of the various paid officers and employees of the Township of Verona shall be at the following rates:

<u>Department/Position</u>	<u>Salary (\$)</u>
Rent Control Board Secretary	\$2,000.00

SECTION 2: Salaries recorded above are stipend salaries.

SECTION 3: The salaries herein fixed shall be paid as follows: All full time employees' semi-monthly, part time employees monthly or semi-monthly unless the method of payment is changed by resolution of the Township Council.

SECTION 4: Such salaries respectively shall be in lieu of any and all fees to which the respective incumbents of said officers might be otherwise entitled to by statute of ordinance which fee immediately upon collection thereof shall be paid over to the Township Treasurer for the use of the Township.

SECTION 5: The salaries and compensation shall be effective as of January 1, 2020, unless specified.

SECTION 6: This ordinance shall take effect after final adoption and publication and otherwise as provided by law.

ATTEST:

JENNIFER KIERNAN
MUNICIPAL CLERK

NOTICE

I HEREBY CERTIFY THAT THE AFOREMENTIONED ORDINANCE WAS PUBLISHED IN THE XXXX, A NEWSPAPER PUBLISHED IN THE COUNTY OF ESSEX AND CIRCULATED IN THE TOWNSHIP OF VERONA, IN THE ISSUE OF XXXX AND XXXX.

JENNIFER KIERNAN
MUNICIPAL CLERK

**INTRODUCTION:
PUBLIC HEARING:
EFFECTIVE DATE:**

TOWNSHIP OF VERONA
COUNTY OF ESSEX, STATE OF NEW JERSEY

RESOLUTION No. 2020-___

A motion was made by _____ ; seconded by _____ that the following resolution be adopted:

**APPROVING CONTRACT CHANGE NO. 1 -
CONTRACT NO. 19-04 - MECHANICAL BAR SCREEN**

WHEREAS, Fred Devens Construction and the Township of Verona have heretofore entered into an Agreement, more particularly known as Contract No. 19-04 - "Mechanical Bar Screen" for the furnishing of labor, equipment and materials in the amount of \$495,000.00, in accordance with the requirements of the Local Public Contract Law, *N.J.S.A. 40A:11-1, et seq.*; and

WHEREAS, during mobilization for this project, it was discovered that the installation of a dresser coupling on the existing influent chamber by-pass pipe is required in the amount of plus \$3,140.51; and

WHEREAS, the Council has received Contract Change No. 1 for the within contract from the Consulting Engineer, dated August 13, 2019 in an amount of plus \$3,140.51, for a revised contract amount of \$498,140.51; and

WHEREAS, the within Contract Change No. 1 is in the best interests of the Township.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Verona, in the County of Essex, New Jersey that Contract Change No. 1, in the amount of (plus) \$3,140.51, for a revised contract amount of \$498,140.51 be approved.

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

ROLL CALL:

AYES:

NAYS:

ABSENT:

ABSTAIN:

THIS IS TO CERTIFY THAT THE FOREGOING IS A TRUE AND EXACT COPY OF A RESOLUTION ADOPTED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF VERONA AT A REGULAR MEETING HELD ON MARCH 9, 2020.

**JENNIFER KIERNAN
MUNICIPAL CLERK**

**TOWNSHIP OF VERONA
COUNTY OF ESSEX, STATE OF NEW JERSEY**

RESOLUTION No. 2020-___

A motion was made by _____ ; seconded by _____ that the following resolution be adopted:

**AUTHORIZING A CONTRACT WITH
FSD ENTERPRISES LLP**

WHEREAS, Township of Verona desires to engage the services of FSD Enterprises, LLC as the Township's Wireless Telecommunications Consultant for the preparation and negotiation of new and extended leases of spaces on the Township-owned cell tower; and

WHEREAS, the Township Manager has determined that the value of said services will exceed \$17,500.00; 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 Township Manager has recommended that FSD Enterprises LLC, 65 Mechanic Street, Suite 201, Red Bank, New Jersey 07701 be awarded a contract to provide said services for the Township, in an amount not to exceed \$21,000.00.

THEREFORE, BE IT RESOLVED by the Township Council of the Township of Verona, in the County of Essex, New Jersey that FSD Enterprises LLC is hereby awarded a contract the Township's Wireless Telecommunications Consultant not to exceed \$21,000.00 without further authorization of the Governing Body.

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:

NAYS:

ABSENT:

ABSTAIN:

\ THIS IS TO CERTIFY THAT THE FOREGOING IS A TRUE AND EXACT COPY OF A RESOLUTION ADOPTED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF VERONA AT A REGULAR MEETING HELD ON MARCH 9, 2020.

**JENNIFER KIERNAN
MUNICIPAL CLERK**

DETERMINATION OF VALUE

TO: Township Council of the Township of Verona
FROM: Matthew Cavallo, Township Manager
RE: Wireless Communications Consultant
DATE: March 6, 2020

This memorandum is being written to request your approval of a resolution authorizing the award of a contract pursuant to *N.J.S.A. 19:44A-20.5*, for professional services.

Contractor: FSD Enterprises LLC
65 Mechanic Street, Suite 201
Red Bank, NJ 07701

Cost: Not to Exceed \$21,000.00

Purpose: Wireless Communications Consultant

I certify that the value of the contract exceeds \$17,500.00 and is to be awarded as a Non-Fair and Open Contract, pursuant to *N.J.S.A. 19:44A-20.5*.



MATTHEW CAVALLO,
Township Manager

**TOWNSHIP OF VERONA, NEW JERSEY
BUSINESS ENTITY DISCLOSURE CERTIFICATION
FOR NON-FAIR AND OPEN CONTRACTS
N.J.S.A. 19:44A-20.8**

Part I - Vendor Affirmation

The undersigned, being authorized and knowledgeable of the circumstances, does hereby certify that the **FSD Enterprises, LLC** has not made and will not make any reportable contributions pursuant to N.J.S.A. 19:44A-1 et seq. that, pursuant to P.L. 2004, c. 19 would bar the award of this contract in the one year period preceding **February 24, 2020** to any of the following named candidate committee, joint candidates committee; or political party committee representing the elected officials of the Township of Verona or the respective Essex County political parties listed below pursuant to N.J.S.A. 19:44A-3(p), (q) and (r).

<i>Mayor Jack McEvoy</i>	<i>Deputy Mayor Alex Roman</i>
<i>Councilman Kevin J. Ryan</i>	<i>Councilman Ted Giblin</i>
<i>Councilwoman Christine McGrath</i>	
<i>Essex County Republican Organization</i>	<i>Essex County Democratic Committee</i>

Part 3 - Signature and Attestation:

The undersigned is fully aware that if I have misrepresented in whole or part this affirmation and certification, I and/or the business entity, will be liable for any penalty permitted under law.

Name of Business Entity: FSD Enterprises LLC

Signature of Affiant: *Deen O'R* Title: CEO

Printed Name of Affiant: Deenan O'Scanlon Date: 2/24/2020

<i>(Notary Stamp/Seal)</i>
Subscribed and sworn before me this <u>24</u> day of <u>February</u> , 2020.
<u><i>Kathleen A. Young</i></u>
Notary Public KATHLEEN A. YOUNG
Commission Expires: <u>My Commission Expires 4/12/2021</u>

TOWNSHIP OF VERONA, NEW JERSEY
C. 271 POLITICAL CONTRIBUTION DISCLOSURE FORM
 FOR NON-FAIR AND OPEN CONTRACTS
 N.J.S.A. 19:44A-20.26

This form or its permitted facsimile must be submitted to the local unit No later than 10 days prior to the award of the contract.

Part I - Vendor Information

Vendor Name:	FSD Enterprises LLC		
Address:	65 Mechanic St Suite 201		
City:	Red Bank	State:	NJ Zip: 07701

The undersigned being authorized to certify, hereby certifies that the submission provided herein represents compliance with the provisions of N.J.S.A. 19:44A-20.26 and as represented by the Instructions accompanying this form.

	Declan O'Seunton	CEO
Signature	Printed Name	Title

Part II - Contribution Disclosure

Disclosure requirement: Pursuant to <u>N.J.S.A.</u> 19:44A-20.26 this disclosure must include all reportable political contributions (more than \$300 per election cycle) over the 12 months prior to submission to the committees of the government entities listed on the form provided by the local unit.
--

Check here if disclosure is provided in electronic form.

Contributor Name	Recipient Name	Date	Dollar Amount
			\$
			\$
			\$
			\$
			\$
			\$
			\$
			\$
			\$
			\$
			\$
			\$
			\$
			\$

Check here if the information is continued on subsequent page(s)

**TOWNSHIP OF VERONA
COUNTY OF ESSEX, STATE OF NEW JERSEY**

RESOLUTION No. 2020-___

A motion was made by _____; seconded by _____ that the following resolution be adopted:

**AUTHORIZING A CONTRACT WITH
HENDRICKS APPRAISAL COMPANY, LLC**

WHEREAS, the Township has a need for professional tax appeal appraisal and added assessment services; and

WHEREAS, the Township Manager has determined that the value of said services will exceed \$17,500.00; 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, Hendricks Appraisal Company, LLC, previously conducted tax appeal appraisal and added assessment services for the Township; and

WHEREAS, the Township Manager has recommended that Hendricks Appraisal Company, LLC, 7 Hutton Avenue, West Orange, New Jersey 07052 be awarded a contract to provide said services for the Township, when necessary not to exceed \$45,000.00.

THEREFORE, BE IT RESOLVED by the Township Council of the Township of Verona, in the County of Essex, New Jersey that Hendricks Appraisal Company, LLC is hereby awarded a contract for real estate appraisals when necessary, not to exceed \$45,000.00 without further authorization of the Governing Body.

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:

NAYS:

ABSENT:

ABSTAIN:

\THIS IS TO CERTIFY THAT THE FOREGOING IS A TRUE AND EXACT COPY OF A RESOLUTION ADOPTED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF VERONA AT A REGULAR MEETING HELD ON MARCH 9, 2020.

**JENNIFER KIERNAN
MUNICIPAL CLERK**

DETERMINATION OF VALUE

TO: Township Council of the Township of Verona
FROM: Matthew Cavallo, Township Manager
RE: Professional Tax Appeal Appraisal and Added Assessment Services
DATE: March 6, 2020

This memorandum is being written to request your approval of a resolution authorizing the award of a contract pursuant to *N.J.S.A. 19:44A-20.5*, for professional services.

Contractor: Hendricks Appraisal Company, LLC
7 Hutton Avenue
West Orange, NJ 07052

Cost: Not to Exceed \$45,000.00

Purpose: Real Estate Appraisals

I certify that the value of the contract exceeds \$17,500.00 and is to be awarded as a Non-Fair and Open Contract, pursuant to *N.J.S.A. 19:44A-20.5*.



MATTHEW CAVALLO,
Township Manager

TOWNSHIP OF VERONA, NEW JERSEY
BUSINESS ENTITY DISCLOSURE CERTIFICATION
 FOR NON-FAIR AND OPEN CONTRACTS
N.J.S.A. 19:44A-20.8

Part I - Vendor Affirmation

The undersigned, being authorized and knowledgeable of the circumstances, does hereby certify that Hendricks Appraisal Company, LLC has not made and will not make any reportable contributions pursuant to *N.J.S.A. 19:44A-1 et seq.* that, pursuant to P.L. 2004, c. 19 would bar the award of this contract in the one year period preceding January 2, 2020 to any of the following named candidate committee, joint candidates committee; or political party committee representing the elected officials of the Township of Verona or the respective Essex County political parties listed below pursuant to *N.J.S.A. 19:44A-3(p), (q) and (r)*.

<i>Mayor Jack McEvoy</i>	<i>Deputy Mayor Alex Roman</i>
<i>Councilman Kevin J. Ryan</i>	<i>Councilman Ted Giblin</i>
<i>Councilwoman Christine McGrath</i>	
<i>Essex County Republican Organization</i>	<i>Essex County Democratic Committee</i>


Part 3 - Signature and Attestation:

The undersigned is fully aware that if I have misrepresented in whole or part this affirmation and certification, I and/or the business entity, will be liable for any penalty permitted under law.

Name of Business Entity: Hendricks Appraisal Company, LLC

Signature of Affiant:  Title: Principal + CEO

Printed Name of Affiant: Mark Hendricks Date: 2-27-2020

<i>(Notary Stamp/Seal)</i>
Subscribed and sworn before me this <u>27</u> day of <u>NOV</u> , 2020.
<u></u>
Notary Public <u>Mary Ann Marks</u> Notary Public of the State of NJ Commission Expires <u>3/4/23</u>

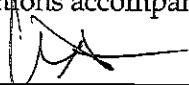
TOWNSHIP OF VERONA, NEW JERSEY
C. 271 POLITICAL CONTRIBUTION DISCLOSURE FORM
 FOR NON-FAIR AND OPEN CONTRACTS
 N.J.S.A. 19:44A-20.26

*This form or its permitted facsimile must be submitted to the local unit
 No later than 10 days prior to the award of the contract.*

Part I - Vendor Information

Vendor Name:	Hendricks Appraisal Company, LLC		
Address:	7 Huron Avenue		
City:	West Orange	State:	N.J. Zip: 07052

The undersigned being authorized to certify, hereby certifies that the submission provided herein represents compliance with the provisions of N.J.S.A. 19:44A-20.26 and as represented by the Instructions accompanying this form.

	Mark Hendricks	Principal + CEO
Signature	Printed Name	Title

Part II - Contribution Disclosure

Disclosure requirement: Pursuant to N.J.S.A. 19:44A-20.26 this disclosure must include all reportable political contributions (more than \$300 per election cycle) over the 12 months prior to submission to the committees of the government entities listed on the form provided by the local unit.

Check here if disclosure is provided in electronic form.

Contributor Name	Recipient Name	Date	Dollar Amount
NONE	N/A	N/A	\$ N/A
			\$
			\$
			\$
			\$
			\$
			\$
			\$
			\$
			\$
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			\$
			\$
			\$
			\$
			\$

Check here if the information is continued on subsequent page(s)

**TOWNSHIP OF VERONA
COUNTY OF ESSEX, STATE OF NEW JERSEY**

RESOLUTION No. 2020-___

A motion was made by _____ ; seconded by _____ that the following resolution be adopted:

**AUTHORIZING A CONTRACT WITH ALEX J. GRAZIANO, ESQ. FOR
SERVICES AS RENT CONTROL BOARD ATTORNEY**

WHEREAS, the § 4-63 of the Code of the Township of Verona calls for the appointment of Counsel to the Rent Control Board; and

WHEREAS, on July 15, 2019 the Township Council appointed Alex J. Graziano, Esq., 155 Pompton Avenue, Verona, New Jersey 07044 to serve as Counsel to the Rent Control Board upon recommendation of the Township Attorney; 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 Alex J. Graziano, Esq. 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 retainer of \$6,000 for the calendar year to include general services and a fixed hourly rate of \$125.00 per hour not to exceed \$15,000 for outside services without further authorization by the Township Council; and

WHEREAS, this expenditure shall be charged to Budget Account No. 01-20-222-045, 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 2020 Municipal Budget.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Verona, in the County of Essex, New Jersey that Alex J. Graziano, Esq., 155 Pompton Avenue, Verona, New Jersey 07044 is hereby appointed as Rent Control Board Attorney and shall be paid a retainer of \$6,000 for the calendar year to include general services and a fixed hourly rate of \$125.00 per hour not to exceed \$15,000 for outside services without further authorization by the Township Council.

BE IT FURTHER RESOLVED, that the Township reserves the right to cancel this contract upon thirty (30) days' notice and Alex J. Graziano, Esq., 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. 01-20-222-045, 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 2020 Municipal 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:
NAYS:
ABSENT:
ABSTAIN:

THIS IS TO CERTIFY THAT THE FOREGOING IS A TRUE AND EXACT COPY OF A RESOLUTION ADOPTED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF VERONA AT THE REGULAR MEETING HELD ON MARCH 9, 2020.

JENNIFER KIERNAN
MUNICIPAL CLERK

DETERMINATION OF VALUE

TO: Township Council of the Township of Verona
FROM: Matthew Cavallo, Township Manager
RE: Professional Services - Legal Services (Counsel to the Rent Control Board)
DATE: March 6, 2020

This memorandum is being written to request your approval of a resolution authorizing the award of a contract pursuant to *N.J.S.A. 19:44A-20.5*, for professional services.

Contractor: Alex J. Graziano, Esq.
155 Pompton Avenue
Verona, New Jersey 07044

Cost: A retainer of \$6,000 for the calendar year to include general services and a fixed hourly rate of \$125.00 per hour not to exceed \$15,000 for outside services without further authorization by the Township Council.

Purpose: Counsel to the Rent Control Board

I certify that the value of the contract exceeds \$17,500.00 and is to be awarded as a Non-Fair and Open Contract, pursuant to *N.J.S.A. 19:44A-20.5*.



MATTHEW CAVALLO,
Township Manager

**TOWNSHIP OF VERONA
COUNTY OF ESSEX, STATE OF NEW JERSEY**

RESOLUTION No. 2020-___

A motion was made by _____ ; seconded by _____ that the following resolution be adopted:

**REJECTING BID 20-01 FOR RENOVATIONS TO VERONA COMMUNITY
POOL**

WHEREAS, the Township of Verona public a notice to bidders for Renovations to Verona Community Pool on Friday, February 14, 2020; and

WHEREAS, two sealed bids were received by the Municipal Clerk and opened in a Public Meeting held on Tuesday, March 3, 2020 at 11:00 a.m. in the Municipal Building located at 600 Bloomfield Avenue; and

WHEREAS, a bid was received by Stoneridge, Inc., 73 Steam Whistle Drive, Ivyland, PA 18974 in the total amount of \$1,223,556.00 and a bid was received from All State Technology, Inc., 10 Lark Lane, Oak Ridge, NJ 07438 in the total amount of \$1,763,449.18; and

WHEREAS, the amount of the bids exceed the available funding.

NOW, THEREFORE, BE IT RESOLVED that the Township Council of the Township of Verona, County of Essex, State of New Jersey hereby rejects both bids pursuant to *N.J.S.A. 40A:11-13.2(b)* as the lowest bid substantially exceeds the contracting unit's appropriation for the goods or services.

ROLL CALL:

AYES:

NAYS:

ABSENT:

ABSTAIN:

THIS IS TO CERTIFY THAT THE FOREGOING IS A TRUE AND EXACT COPY OF A RESOLUTION ADOPTED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF VERONA AT THE REGULAR MEETING HELD ON MARCH 9, 2020.

**JENNIFER KIERNAN
MUNICIPAL CLERK**

**TOWNSHIP OF VERONA
COUNTY OF ESSEX, STATE OF NEW JERSEY**

RESOLUTION No. 2020-___

A motion was made by _____ ; seconded by _____ that the following resolution be adopted:

**AUTHORIZING AN INTERLOCAL SERVICES AGREEMENT WITH
THE BOROUGH OF ROSELAND TO PROVIDE STREET SWEEPING
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 and the Borough of Roseland are desirous to enter an Interlocal Services agreement to provide Street Sweeping Services; 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 enter into this Interlocal Services Agreement for the period beginning January 1, 2020 and terminating December 31, 2020.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Verona, in the County of Essex, New Jersey that Township Manager and Township Clerk are hereby authorized to execute an Interlocal Services Agreement with the Borough of Roseland to provide Street Sweeping 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:

NAYS:

ABSENT:

ABSTAIN:

THIS IS TO CERTIFY THAT THE FOREGOING IS A TRUE AND EXACT COPY OF A RESOLUTION ADOPTED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF VERONA AT THE REGULAR MEETING HELD ON MARCH 9, 2020.

**JENNIFER KIERNAN
MUNICIPAL CLERK**

**TOWNSHIP OF VERONA
COUNTY OF ESSEX, STATE OF NEW JERSEY**

RESOLUTION No. 2020-___

A motion was made by _____ ; seconded by _____ that the following resolution be adopted:

**ACCEPTING THE AWARD OF THE 2020 U.S. CENSUS GRANT FROM THE
COUNTY OF ESSEX, STATE OF NEW JERSEY**

WHEREAS, the Township of Verona has been awarded a grant in the sum of \$3,000 from the County of Essex, State of New Jersey for the 2020 U.S. Census; and

WHEREAS, this funds will assist Verona with initiatives to heighten awareness about the Census and inform the public that completing the forms are quick, easy and safe and;

WHEREAS, the Township’s contribution toward the grant will be the zero dollars.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Verona, in the County of Essex, New Jersey that the Township of Verona is hereby authorized to accept for this grant in the amount of \$3,000.

BE IT FURTHER RESOLVED that the Township Manager, Municipal Clerk and any other officer deemed appropriate are hereby authorized to execute any and all documents necessary to accept this grant.

ROLL CALL:

AYES:

NAYS:

ABSENT:

ABSTAIN:

THIS IS TO CERTIFY THAT THE FOREGOING IS A TRUE AND EXACT COPY OF A RESOLUTION ADOPTED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF VERONA AT A REGULAR MEETING HELD ON MARCH 9, 2020.

**JENNIFER KIERNAN
MUNICIPAL CLERK**

TOWNSHIP OF VERONA
COUNTY OF ESSEX, STATE OF NEW JERSEY

RESOLUTION No. 2020-___

A motion was made by _____ ; seconded by _____ that the following resolution be adopted:

REFUNDING ESCROW PAYMENT

WHEREAS, Escrow fees, for the Board of Adjustment, were received Pedro Ortiz, for property located at 248 Linden Avenue and the fees have been held in Trust; and

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

ESCROW AMOUNT	EXPENSES	AMOUNT TO BE REFUNDED
\$500.00	\$104.00	\$396.00

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Verona, in the County of Essex New Jersey that the Chief Financial Officer and Tax Collector be authorized to refund, from the Trust Account, \$396.00 to Pedro Ortiz, 82 Lincoln Avenue, Hawthorne, NJ 07506

ROLL CALL:

AYES:

NAYS:

ABSENT:

ABSTAIN:

THIS IS TO CERTIFY THAT THE FOREGOING IS A TRUE AND EXACT COPY OF A RESOLUTION ADOPTED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF VERONA AT THE REGULAR MEETING HELD ON MARCH 9, 2020.

**JENNIFER KIERNAN
MUNICIPAL CLERK**