

Minutes of a Regular Meeting of the Verona Township Council on Monday, December 17, 2018 beginning at 7:00 p.m. in the Municipal Building, 600 Bloomfield Avenue, Verona, New Jersey.

Call to Order:

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

Roll Call:

Mayor Kevin Ryan, Deputy Mayor Nochimson, Councilman Alex Roman, Councilman Ted Giblin and Councilman Jack McEvoy are present. Township Attorney Brian Aloia, Township Manager Matthew Cavallo and Municipal Clerk Jennifer Kiernan are also present.

Mayor Ryan leads the Pledge of Allegiance.

Mayor's Report:

Mayor Ryan calls Essex County Liaison Jay Coltre to the lectern. Mr. Coltre announces the 2018 Essex County Holiday Lights Spectacular at the Turtle Back Zoo run through the end of the year. He also states the swearing in of the County Executive will take place at noon on January 2 at the Donald M. Payne Sr. School of Technology in Newark. He wishes everyone a safe, happy and healthy holiday season.

Mayor Ryan attended a meeting hosted by the County Executive for all mayors and township administrators on December 15 along with Township Manager Matthew Cavallo. Assemblyman Stephen Sweeny presented the fiscal condition of the State. The Mayor states a resolution endorsing the findings and recommendations of the State committee will be on the January 7 Township Council Meeting agenda.

Manager's Report:

Matthew Cavallo states that the topic of public participation with respect to Council Meetings will be on the January 7 meeting agenda.

Bids were received for the Fairway Avenue Water Tank Rehabilitation, the DPW Garage Fire Sprinkler System and the Loading, Transportation and Delivery of Liquid Sludge. Bids are still being reviewed and will be awarded in January.

The 2019 Town Calendar is currently being finalized and is expected to be mailed out in early January. The 2018 Calendar included January 2019.

The Leaf Dump is now closed for the season. Yard debris is to be disposed of via curbside collection.

Christmas Tree Collection begins in January. Discarded Christmas trees are to be placed at the curb for removal by the Garbage Hauler and the DPW. Remove all lights and ornaments from the tree. No trees should be placed at the curb in plastic bags. Discarded trees cannot be brought to the Leaf Dump this year; they must be put out at the curb.

There will be no curbside garbage collection on Tuesday, December 25 (Christmas Day) or on Tuesday, January 1 (New Year's Day). There is no scheduled make-up day so the next garbage collection will be Friday, December 28 and Friday, January 4 respectively. The makeup recycling collection day is Wednesday, December 26 (Southside Commingled) and Wednesday, January 2 (Southside Cardboard and Paper). Please see the calendar for more details.

The Township has completed our cleaning of the 20" Sewer Trunk Line that runs from north of

Bloomfield Avenue to the Sewer Plant. The Township is currently working with our Sewer Engineer to develop specifications to conduct a similar cutting and cleaning operation of the other two main trunk lines in Town. Several sections near the plant need to be repaired or replaced and are scheduling this work to be done in-house.

The Memorandum of Agreement between the Township and PBA Local 72 has been ratified by a majority of the PBA Members and is being presented tonight to the Township Council for approval. The Township Manager thanks the members of the PBA and Council in successfully negotiating a contract.

Steven Neale is being reappointed as the Class II Member of the Planning Board for a term beginning on January 1 and ending on December 31, 2019.

Joel Martin is the being appointed as the Coordinator of the Office of Emergency Management for a term beginning on January 1, 2019 and ending on December 31, 2021.

There are several School Crossing Guards positions available. The Township Manager urges the public to apply if they are the time.

Councilmember's Reports:

Deputy Mayor Nochimson reports he has been informed by the Township Manager that open gym will take place on Sundays in the Community Center between January 6 and March 3 from 4:30pm - 6:30pm. From March 10 through March 31, the gym will be open to the public from 2pm - 5pm.

Councilman Roman reports that he reviewed the Planning Board's Environmental Resources Inventory, a comprehensive document of the inventory of the environmental assets of the Township, which he stated, is a well-done document.

Councilman McEvoy reports he attended the grand opening of Olive That and will attend the GuacSpot's grand opening tomorrow. He urges the public to continue to support local restaurants. He requests an update on the revaluation. The Township Manager states the Tax Assessor's office has reported that the first letters will go out the week after Christmas.

Councilman Giblin comments that Congressman Rodney Frelinghuysen's term is ending. He thanks the Congressman for his service and wishes him well in retirement.

**ORDINANCE # 2018-35**

**FIXING THE SALARIES AND COMPENSATION OF THE PAID  
OFFICERS AND EMPLOYEES OF THE TOWNSHIP FOR THE  
2019 CALENDAR YEAR**

The Municipal Clerk reads Ordinance No. 2018-35 by title into record.

Motion for introduction of Ordinance No. 2018-35 is moved by Councilman McEvoy; seconded by Councilman Roman.

**ROLL CALL:**

**AYES: Roman, Giblin, McEvoy, Nochimson, Ryan**

**NAYS:**

Ordinance No. 2018-35 is approved 5-0 and will be published according to law and a public hearing will be held on January 7, 2019.

**RESOLUTION NO. 2018-160**

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

**RESOLUTION OF THE TOWNSHIP OF VERONA, COUNTY OF ESSEX,**

**STATE OF NEW JERSEY, CANCELLING FUNDED APPROPRIATION  
BALANCES UNDER CERTAIN BOND ORDINANCES PREVIOUSLY  
ADOPTED BY THE TOWNSHIP OF VERONA FOR VARIOUS CAPITAL  
IMPROVEMENT PROJECTS IN THE TOTAL AMOUNT OF \$119,071.51  
FROM THE GENERAL CAPITAL FUND AND \$554,290.35 FROM WATER &  
SEWER CAPITAL, AND \$90,861.79 FROM SWIMMING POOL CAPITAL**

WHEREAS, the Township of Verona, Essex County, New Jersey previously adopted Bond Ordinances for the purpose of funding various capital projects and improvements of the Township as more fully specified in the Bond Ordinances and

WHEREAS, as of the date hereof, the projects have been completed and/or funded balances remain open and unexpended; and

WHEREAS, the Township now desires to cancel such appropriations and transfer the funded balances in their respect fund surplus.

ORDINANCE	AMOUNT TO BE CANCELLED
<b>General Capital</b>	
8-07J	710.82
8-07Q	5,385.25
1-08F	2,900.00
6-10A	2,050.00
5-09I	0.68
6-10A	2050
6-10D	0.52
6-10G	10,621.42
6-10L	5,824.98
9-13A	4,791.13
6-15	2,544.93
22-16	7,468.21
17-15B	288.20
17-27B	20,578.00
18-09A	1,747.10
18-09B	3,500.00
18-09D	1,550.13
18-14	22,346.75
18-15	21,551.25
18-26B	505.00
18-26C	<u>2,657.14</u>
	\$119,017.51
<b>Water &amp; Sewer Capital</b>	
8-10B	242,778.31
8-10C	49,525
8-10E	23,758.46
10-07	70,660.00
5-14C	74,509.00
5-14D	13,650.34
5-14E	24,770.00
5-14G	6,187.40
8-11A	145.04
8-11C	2,388.50
8-16	2,212.29
19-05D	<u>45,918.30</u>
	\$554,290.35
<b>Swimming Pool Utility Capital</b>	
9-10B	36,003.11
9-10C	1,833.21
9-10D	13,093.01
10-11B	<u>39,932.46</u>

	\$90,861.79
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**NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE TOWNSHIP OF VERONA, COUNTY OF ESSEX, STATE OF NEW JERSEY, as follows:**

**SECTION 1.** The appropriation amounts associated with the Capital Projects under each of the following Bond Ordinances are funded as of the date hereof and are hereby cancelled as of the date of this Resolution:

**SECTION 2.** All resolutions or proceedings, or parts thereof, in conflict with the provisions of this Resolution are to the extent of such conflict hereby repealed.

**ROLL CALL:**

**AYES: Giblin, McEvoy, Roman, Nochimson, Ryan**

**NAYS:**

**RESOLUTION NO. 2018-161**

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

**CANCELLATION - CURRENT FUND, WATER UTILITY & RECREATION UTILITY OPERATING BALANCES**

**WHEREAS,** it has been determined that proper fiscal budgetary practice requires cancellation of appropriation contained in the 2018 Current Fund, Water & Sewer Utility, & Swimming Pool Utility.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Verona, in the County of Essex, New Jersey that the following appropriation 2018 Current Fund, Water/Sewer Utility & Swimming Pool Utility Budgets be cancelled to Fund Balance and the Chief Financial Officer is directed to make the appropriate Journal Entries:

**CURRENT FUND**

Administration Salary and Wages	10,000
Finance Office/Tax Collector Salary and Wages	25,000
Zoning Board Other Expenses	8,000
Municipal Clerk Other Expenses	10,000
Employee Health Insurance	100,000
Police Salary and Wages	50,000
Dispatchers Salary and Wages	25,000
Recycling	20,000
Bond Interest	1,112.15
Municipal Court Salary and Wages	10,000
<b>Total Current Fund</b>	<b>\$ 259,112.15</b>

**WATER & SEWER UTILITY**

Bond Interest	4,228.02
NJEIT Loan Payable	14,005.77
Salary and Wages	50,000
Social Security	25,000
<b>Total Water and Sewer Utility</b>	<b>\$ 93,233.79</b>

**SWIMMING POOL UTILITY**

Bond Interest	\$ 424.17
Salary and Wage:	<u>45,000</u>

<b>Total Swimming Pool Utility</b>	<b>\$45,424.17</b>
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**ROLL CALL:**

**AYES: Giblin, McEvoy, Roman, Nochimson, Ryan**

**NAYS:**

**RESOLUTION NO. 2018-162**

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

**AUTHORIZING TO SETTLE TAX APPEAL ENTITLED  
J. WEBSTER REALTY LLC v. TOWNSHIP OF VERONA  
BLOCK 1201 LOT 11 (271 GROVE AVENUE)**

**BE IT RESOLVED** by the Township Council of the Township of Verona, in the County of Essex, New Jersey that the settlement of the tax appeal presently pending before the Tax Court of New Jersey entitled J. Webster Realty LLC v. Township of Verona, Block 1201 Lot 11 (271 Grove Avenue) is approved as follows:

		<b>2010</b>	
	<u>Original Assessment</u>	<u>County Board Judgment</u>	<u>Settlement</u>
Total:	\$6,932,900		\$4,750,000
		<b>2011</b>	
	<u>Original Assessment</u>	<u>County Board Judgment</u>	<u>Settlement</u>
Total:	\$6,586,300		\$4,750,000
		<b>2012</b>	
	<u>Original Assessment</u>	<u>County Board Judgment</u>	<u>Settlement</u>
Total:	\$6,586,300		\$4,750,000
		<b>2013</b>	
	<u>Original Assessment</u>	<u>County Board Judgment</u>	<u>Settlement</u>
Total:	\$6,586,300		\$4,750,000
		<b>2014</b>	
	<u>Original Assessment</u>	<u>County Board Judgment</u>	<u>Settlement</u>
Total:	\$5,488,200		\$4,750,000
		<b>2015</b>	
	<u>Original Assessment</u>	<u>County Board Judgment</u>	<u>Settlement</u>
Total:	\$5,488,200		\$4,750,000
		<b>2016</b>	
	<u>Original Assessment</u>	<u>County Board Judgment</u>	<u>Settlement</u>
Total:	\$4,750,000		\$4,750,000
		<b>2017</b>	
	<u>Original Assessment</u>	<u>County Board Judgment</u>	<u>Settlement</u>
Total:	\$4,750,000		\$4,750,000

	2018	
	County Board	
	<u>Judgment</u>	<u>Settlement</u>
Total:	Original Assessment \$4,500,000	\$4,312,000

**BE IT RESOLVED** statutory interest pursuant to *N.J.S.A. 54:3-27.2* is waived by taxpayer so long as any refund, credit or payment is made 60 days after the issuance of judgment.

**BE IT FURTHER RESOLVED** that should any documents be required in connection with this refund, the Township Manager, Township Clerk, Chief Financial Officer, Tax Collector, or any other Township Official, as may be appropriate, are authorized to execute said documents.

**ROLL CALL:**

**AYES: Giblin, McEvoy, Roman, Nochimson, Ryan**

**NAYS:**

**RESOLUTION No. 2018-163**

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

**ACCEPTING THE NJUCF STEWARDSHIP - RESILIENCY PLANNING GRANT  
(GRANT IDENTIFIER FS19-035)**

**WHEREAS**, the Township of Verona has applied for and been offered a grant from the New Jersey Department of Environmental Protection Urban and Community Forestry Program (Grant Identifier FS-19035) in the amount of \$10,000.00; and

**WHEREAS**, it is in the best interest of the Township of Verona to accept the grant, in the for the purpose of compiling a tree inventory; and

**WHEREAS**, the Grant requires a 33.33% match of Township Funds or in-kind services.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Verona, in the County of Essex, New Jersey that the above referenced grant is hereby accepted.

**BE IT FURTHER RESOLVED** that the Township Council hereby agrees to match 33.33% of the Total Project Amount, in compliance with the match requirements of the agreement.

**BE IT FURTHER RESOLVED** that the Township Manager, the Director of Administration and Economic Development, the Township Clerk and any other officer deemed appropriate is authorized and directed to make application for, to execute any amendments thereto which do not increase the Township's obligations for the above referenced grant and to execute any and all grant agreements with the State of New Jersey

**ROLL CALL:**

**AYES: Giblin, McEvoy, Roman, Nochimson, Ryan**

**NAYS:**

**RESOLUTION No. 2018-164**

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

**AWARDING CONTRACT TO JOHN DEERE CONSTRUCTION  
RETAIL SALES FOR THE PURCHASE  
ONE JOHN DEERE 544L FRONT END LOADER**

**WHEREAS**, the Departments of Public Works ("Department") recommends that Verona procure new front end loader for use by the Department; and

**WHEREAS**, the Department has researched vendors that would achieve the

Department's goals and determined that the sought-after equipment may be procured through a nationally-recognized and accepted cooperative purchasing contract between Sourcewell (NJPA) and John Deere Construction Retail Sales – Dealer: Jesco (“John Deer”); and

**WHEREAS**, pursuant to *N.J.S.A. 52:34-6.2b.(3)* (as amended by *P.L. 2011, c.139*) and LFN 2012-10, a New Jersey municipality may purchase goods and services without public bidding under the Local Public Contracts Law through the use of a nationally-recognized and accepted cooperative purchasing contract that has been developed utilizing a competitive bidding or contracting process by another contracting unit within New Jersey or another state; and

**WHEREAS**, Sourcewell is a regional organization of governments operating under the laws of the State of Minnesota and is a political subdivision of the State of Minnesota; and

**WHEREAS**, the subject cooperative purchasing contract was awarded by Sourcewell to John Deere utilizing a competitive contracting process; and

**WHEREAS**, also pursuant to *N.J.S.A. 52:34-6.2b.(3)* (as amended by *P.L. 2011, c.139*) and LFN 2012-10, prior to making purchases under nationally-recognized and accepted cooperative purchasing contracts, the municipality must determine that the use of the cooperative purchasing contract shall result in cost savings after all factors, including charges for service, material, and delivery, have been considered; and

**WHEREAS**, the Department has determined that Verona's use of the Sourcewell cooperative purchasing contract to procure the sought-after front end loader will result in cost savings to Verona; and

**WHEREAS**, consistent with the Sourcewell cooperative purchasing contract and needs of Verona, John Deere has submitted a proposal to provide one John Deere 544L Front End Loader to Verona for the sum of \$155,381.72; and

**WHEREAS**, the Chief Financial Officer has certified that sufficient funds are available for this purchase.

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

1. The foregoing “WHEREAS” clauses are hereby incorporated as if fully restated.
2. A contract for the purchase of John Deere 544L Front End Loader for the sum of \$155,381 is hereby awarded to John Deere Construction Retail Sales – Dealer: Jesco without public bidding as permitted by law.
3. The Township Manager and Township Clerk are hereby authorized and directed to execute an “End User Agreement” with John Deere pursuant to the terms of its nationally-recognized and accepted cooperative purchasing agreement with the Sourcewell.
4. The form and terms of the End User Agreement shall be consistent with this resolution is subject to the approval of the Township Attorney.

**ROLL CALL:**

**AYES: Giblin, McEvoy, Roman, Nochimson, Ryan**

**NAYS:**

**RESOLUTION No. 2018-165**

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

**AUTHORIZING A CONTRACT WITH R&R PUMP and CONTROL SERVICES, INC.**

**WHEREAS**, the Township's Water and Sewer Treatment Plant had had the need for water

and sewer pump and drive repairs; and

**WHEREAS**, the Township solicited quotations for the work to be completed and R&R Pump and Control Services, LLC., located at 1145 Westbrook Road, West Milford, New Jersey 07480 submitted a proposal to provide the aforementioned services which was below the pay-to-play threshold; and

**WHEREAS**, after beginning work to repair said pump, additional work was required increasing the proposal above the pay-to-play threshold to \$18,181; and

**WHEREAS**, R&R Pump and Control Services, LLC has extensive experience as a representative and service facility for the world's leading manufacturers of equipment used in the treatment and transfer of water, wastewater and other fluids, serving municipal, industrial, construction, commercial and utility markets throughout the State of New Jersey and has previously provided these services to the Township; and

**WHEREAS**, the Township Manager, concurring with the Supervising Sewer Plant Operator, has recommended that R&R Pump and Control Services, LLC be awarded a contract to provide the aforementioned services; and

**WHEREAS**, the award of the contract to R&R Pump and Control Services, LLC is being made pursuant to *N.J.S.A. 19:44A-20.5*; and

**WHEREAS**, the cost for said professional services shall exceed \$17,500.00 as outlined in the proposal without further authorization by the Township Council; and

**THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Verona, in the County of Essex, New Jersey that R&R Pump and Control Services, LLC is hereby awarded a contract for repairs to water and sewer pumps and drives in the amount of \$18,181.

**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: Giblin, McEvoy, Roman, Nochimson, Ryan**

**NAYS:**

**RESOLUTION No. 2018-166**

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

**RATIFYING THE COLLECTIVE BARGAINING AGREEMENT WITH  
POLICEMEN'S BENEVOLENT ASSOCIATION LOCAL #72**

**WHEREAS**, the Administration has been successful in reaching a settlement in contract negotiations with Policemen's Benevolent Association (PBA), Local #72; and

**WHEREAS**, the parties have reduced the terms of the settlement to a Memorandum of Agreement, a copy of which is attached hereto and incorporated herein by reference; and

**WHEREAS**, this Memorandum of Agreement has been ratified by the rank and file of PBA Local #72 and sets forth the terms and conditions of employment as well as all privileges,



benefits and salaries to be embodied in a collective bargaining agreement for the period commencing January 1, 2017 through December 31, 2021;

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Verona, in the County of Essex, New Jersey that it hereby ratifies the attached Memorandum of Agreement and authorizes the Township Manager and Township Clerk to execute a collective bargaining agreement with PBA Local #72 for the period January 1, 2017 through December 31, 2021 that embodies the terms and conditions of employment as well as all privileges, benefits and salaries as set forth in the attached Memorandum of Agreement.

**ROLL CALL:**

**AYES: Giblin, McEvoy, Roman, Nochimson, Ryan**

**NAYS:**

New/Unfinished Business:

The following appointments were made by a motion made by Mayor Ryan; seconded by Councilman Giblin. Vote: 5-0.

1. Municipal Judge Appointment  
Hon. John M. Paparazzo, JMC 3 year term ending 12/31/2021
2. Municipal Prosecutor Appointment  
Brian W. Mason, Esquire 1 year term ending 12/31/2019
3. Municipal Public Defender Appointment  
William R. Fried, Jr., Esquire 1 year term ending 12/31/2019
4. Committee Appointments
  - a. Municipal Alliance Committee  
Stacy Williamson Regular Member Unexpired term ending 6/30/2020
  - b. Library Board of Trustees  
Diane Lundy Regular Member Term Expiring 12/31/2023

Public Participation:

Santi Condorelli, 59 Brookside Road, Verona, NJ

Adjournment:

Motion to adjourn the public meeting at 7:43 p.m. is moved by Councilman McEvoy; seconded by Councilman Roman. Vote: 5 ayes.

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

Respectfully submitted,

*Jennifer Kiernan*  
Jennifer Kiernan, Municipal Clerk

*Kevin Ryan*  
Kevin Ryan, Mayor

APPROVED: