

TOWNSHIP OF VERONA
COUNTY OF ESSEX, NEW JERSEY



TOWNSHIP COUNCIL AGENDA

REGULAR MEETING

7:00 P.M.

MARCH 11, 2019

Municipal Building, 600 Bloomfield Avenue

A. CALL TO ORDER

1. Open Public Meetings Act Compliance Statement

B. ROLL CALL

C. PLEDGE OF ALLEGIANCE

D. MAYOR'S REPORT

1. Julius N. Coltre, Essex County Liaison
2. Proclamation Recognizing Chief CT Magatti

E. REPORT OF MANAGER

F. COUNCILMEMBERS' REPORTS

G. HEARING ADOPTION OR AMENDMENT OF ORDINANCES

H. PROPOSED ORDINANCES

1. Ordinance No. 2019-____ Pool Utility Capital Ordinance – Splash
Park Engineering and Design (\$60,000)
2. Ordinance No. 2019-____ Authorizing a Non-Binding Referendum
Question – Moving the Municipal
Election to November

CONSENT AGENDA

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I. MINUTES

1. February 11, 2019 – Regular Meeting
2. March 5, 2019 – Special Meeting
3. March 7, 2019 – Special Meeting

TOWNSHIP COUNCIL AGENDA

March 11, 2019

J. PROPOSED RESOLUTIONS

- | | | |
|----|------------------------|--|
| 1. | Resolution No. 2019-__ | Temporary Emergency Appropriation |
| 2. | Resolution No. 2019-__ | Authorizing Ballot Question -
Establishment of Open Space Trust Fund |
| 3. | Resolution No. 2019-__ | Authorizing Change Order No. 25-32 and
Project Closeout for Contract No. 17-03 -
Library Phase II (plus \$14,171.99) |
| 4. | Resolution No. 2019-__ | Authorizing Contract with Benecard
Services LLC - Prescription Drug
Insurance Coverage |
| 5. | Resolution No. 2019-__ | Obsolete Equipment |
| 6. | Resolution No. 2019-__ | Executive Session |

K. LICENSES AND PERMITS

L. ADDENDUM

M. NEW/UNFINISHED BUSINESS

1. Continued 2019 Budget Discussion
2. Cancellation of March 14, 2019 Budget Workshop

N. PUBLIC COMMENT

O. EXECUTIVE SESSION

P. ADJOURNMENT

*** * * AGENDA SUBJECT TO CHANGE * * ***

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

ORDINANCE No. 2019-__

**SWIMMING POOL UTILITY CAPITAL ORDINANCE APPROPRIATING
\$60,000 FROM THE CAPITAL IMPROVEMENT FUND TO FUND THE
PRELIMINARY ENGINEERING AND DESIGN COSTS ASSOCIATED
WITH THE CONSTRUCTION OF A SPLASH PARK AT THE VERONA
COMMUNITY POOL BY THE TOWNSHIP OF VERONA, IN THE COUNTY
OF ESSEX, NEW JERSEY**

BE IT ORDAINED by the Township Council of the Township of Verona, in the County of Essex, New Jersey (by not less than two-thirds of all members thereof affirmatively concurring) as follows:

SECTION 1. The Township of Verona, in the County of Essex, New Jersey (the "Township") hereby appropriates \$60,000, fully funded by the Swimming Pool Utility Capital Improvement Fund, for the preliminary engineering and design costs associated with the construction of a splash park at the Verona Community Pool.

SECTION 2. The Township hereby certifies that it has adopted a capital budget or a temporary capital budget, as applicable. The capital or temporary capital budget of the Township is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith. To the extent that the purposes authorized herein are inconsistent with the adopted capital or temporary capital budget, a revised capital or temporary capital budget has been filed with the Division of Local Government Services.

SECTION 3. 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 VERONA-CEDAR GROVE TIMES, A NEWSPAPER PUBLISHED IN THE COUNTY OF ESSEX AND CIRCULATED IN THE TOWNSHIP OF VERONA, IN THE ISSUE OF MARCH XX, 2019 AND XXX, 2019

JENNIFER KIERNAN
MUNICIPAL CLERK

INTRODUCTION:
PUBLIC HEARING:

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

ORDINANCE No. 2019-__

**AN ORDINANCE AUTHORIZING A NON-BINDING REFERENDUM TO
CONSIDER WHETHER THE TOWNSHIP SHOULD ESTABLISH THE
NOVEMBER GENERAL ELECTION DAY AS THE DATE FOR THE
TOWNSHIP OF VERONA'S NONPARTISAN MUNICIPAL ELECTIONS.**

WHEREAS, the Township is authorized pursuant to N.J.S.A. 19:37-1 to submit a question or policy concerning municipal government to the voters in the municipality at a general election to ascertain the sentiment of the legal voters on the question or policy; and

WHEREAS, nonpartisan municipal elections in the Township of Verona are currently held on the second Tuesday during the month of May; and

WHEREAS, pursuant to N.J.S.A. 40:45-7.1, the New Jersey Legislature has amended the applicable statutes to permit municipalities to hold nonpartisan municipal elections on the same day as the general elections in the month of November; and

WHEREAS, it is the opinion of the Township Council that it will be more efficient, cost-effective, improve voter turnout, and be in the best interests of the Township and its citizens to hold municipal elections in the month of November at the same time and place as the General Election; and

WHEREAS, the Township Council has determined that it would be in the public interest to place a non-binding referendum question on the November 5, 2019 general election ballot for the purpose of determining the sentiment of the majority of legal voters of the Township of Verona concerning the establishment of the November general election day as the date for the Township of Verona's non-partisan municipal election.

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

SECTION 1. The County Clerk of the County of Essex is hereby requested to print upon the official ballots to be used at the November 5, 2019 general election the following proposition:

Should the Township of Verona establish the November general election day as the date for the Township of Verona's nonpartisan municipal election?

SECTION 2. The County Clerk of the County of Essex is hereby requested to print upon the official ballots to be used at the November 5, 2019 general election the following Interpretative Statement:

A "yes" vote for this proposition means that you do want the Township of Verona to take the necessary steps to establish the November general election day as the date for the Township of Verona's nonpartisan municipal election in lieu of the nonpartisan municipal elections in the Township of Verona that are currently held on the second Tuesday during the month of May.

A "no" vote for this proposition means that you do not want the Township of Verona to take the necessary steps to establish the November general election day as the date for the Township of Verona's nonpartisan municipal election in lieu of the nonpartisan municipal elections in the Township of Verona that are currently held on the second Tuesday during the month of May.

SECTION 3. The Township Clerk shall file a copy of this ordinance with the County Clerk of County of Essex.

SECTION 4. Any Ordinances of the Township which conflict with this Ordinance are hereby repealed to the extent of such conflict.

SECTION 5. If any part of this Ordinance shall be deemed invalid, such parts shall be severed and the invalidity thereof shall not affect the remaining parts of this Ordinance.

SECTION 6. The Ordinance shall take effect upon final passage and publication in accordance with the law.

ATTEST:

JENNIFER KIERNAN
MUNICIPAL CLERK

NOTICE

I HEREBY CERTIFY THAT THE AFOREMENTIONED ORDINANCE WAS PUBLISHED IN THE VERONA-CEDAR GROVE TIMES, A NEWSPAPER PUBLISHED IN THE COUNTY OF ESSEX AND CIRCULATED IN THE TOWNSHIP OF VERONA, IN THE ISSUE OF MARCH XX, 2019 AND XXX, 2019

JENNIFER KIERNAN
MUNICIPAL CLERK

INTRODUCTION:
PUBLIC HEARING:

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

RESOLUTION No. 2019-__

TEMPORARY APPROPRIATIONS FOR OPERATING PURPOSES

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

WHEREAS, *N.J.S.A. 40A:4-20* provides that, in addition to temporary appropriations necessary for the period prior to the adoption of the budget and regular appropriations, the governing body may make emergency temporary appropriations for any purposes for which appropriations may lawfully be made for the period between the beginning of the current fiscal year and the date of the adoption of the budget for the current fiscal year and the date of the adoption of the budget for the current fiscal year; and

WHEREAS, the amount of such emergency temporary appropriations shall be included under corresponding headings in the budget as adopted or, if such appropriations are adopted after the introduction and approval of the budget and were not included in the budget as approved such appropriations shall be included by amendment in the budget as adopted without public advertisement or public hearing; and

WHEREAS, the Township has deemed certain emergency temporary appropriations to be necessary and such appropriations are conforming to the provisions of *N.J.S.A. 40A:4-20*;

NOW, THEREFORE, BE IT RESOLVED (not less than two-thirds of all members thereof affirmatively concurring) that pursuant to *N.J.S.A. 40A:4-20* an emergency temporary appropriation be and the same is hereby made for:

Current Fund: \$ 4,272,993

Water and Sewer Utility: \$ 837,549

BE IT FURTHER RESOLVED the said emergency temporary appropriations will be provided for in the 2019 Budget under the title of same.

BE IT FURTHER RESOLVED that the Chief Financial Officer is hereby directed to file a certified copy of the resolution with the Director of the Division of Local Government 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 11, 2019.

**JENNIFER KIERNAN
MUNICIPAL CLERK**

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

RESOLUTION No. 2019-__

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

**AUTHORIZING THE SUBMISSION OF A PROPOSITION TO THE VOTERS
REGARDING THE ESTABLISHMENT OF A MUNICIPAL OPEN SPACE,
RECREATION AND FARMLAND AND HISTORIC PRESERVATION
TRUST FUND PURSUANT TO N.J.S.A. 40:12-15.7, ET. SEQ.**

WHEREAS, N.J.S.A. 40:12-15.7 et seq. permits the governing body of any municipality to submit to the voters of the municipality in a general or special election a proposition authorizing the imposition of an annual tax levy for an amount or at a rate deemed appropriate for the acquisition, development and maintenance of lands for recreation and conservation purposes, historic preservation purposes, or the payment of debt service on indebtedness issued or incurred by the Township for the above purposes; and

WHEREAS, the Township Council of the Township of Verona desires to authorize the submission of such a proposition to the voters as set forth hereinafter.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Verona, County of Essex, State of New Jersey that pursuant to N.J.S.A. 40:12-15.7, et seq., the Township Council hereby requests that the County Clerk of the County of Essex print upon the official ballots to be used at the November 5, 2019 general election the following proposition:

Shall the Township Council of the Township of Verona, County of Essex adopt an Ordinance establishing a "Municipal Open Space, Recreation, and Farmland and Historic Preservation Trust Fund" to be funded through the imposition and collection of a tax not to exceed two (2) cents per ONE HUNDRED DOLLARS (\$100.00) of assessed valuation for the purposes of (a) acquisition of lands for recreation and conservation purposes; (b) development of lands acquired for recreation and conservation purposes; (c) maintenance of lands acquired for recreation and conservation purposes; (d) historic preservation of historic properties, structures, facilities, sites, areas or objects and acquisition of such properties, structures, facilities, sites, areas or objects for historic preservation purposes; and (e) payment of debt service on indebtedness issued or incurred by the Township of Verona for any of these purposes?

BE IT FURTHER RESOLVED that the County Clerk of the County of Essex is hereby requested to print upon the official ballots to be used at the November 5, 2019 general election the following Interpretative Statement:

EXPLANATORY STATEMENT

A "yes" vote for this proposition means that you do want the Township of Verona to take the necessary steps to establish a Municipal Open Space, Recreation and Farmland and Historic Preservation Trust Fund that shall be used to acquire lands for recreation and conservation purposes. The Trust Fund can also be used to develop or maintain lands that are acquired for recreation and conservation purposes or used for the acquisition or historic preservation of historic properties, structures, facilities, sites, areas or objects located within the Township of Verona. The Trust Fund can also be used to make payments on bonds issued to acquire lands for these purposes.

The tax, if authorized at the full two (2) cents per One Hundred Dollars (\$100.00) of assessed valuation will result in the annual increase in the municipal portion of the real property taxes assessed on a home with an assessment of \$429,576.00, the Township average assessment, of \$85.92 and based upon the current assessed valuations of property within the Township, would raise approximately \$418,665.00 annually.

BE IT FURTHER RESOLVED that Township Clerk shall file a copy of this ordinance with the County Clerk of County of Essex.

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 11, 2019.

JENNIFER KIERNAN
MUNICIPAL CLERK

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

RESOLUTION No. 2019-__

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

**APPROVING PROPOSED CHANGE ORDER Nos. 25-32 –
PHAROS ENTERPRISES, LLC, CONTRACT NO. 17-03**

WHEREAS, Pharos Enterprises, LLC and the Township of Verona have heretofore entered into an Agreement, more particularly known as Contract No. 17-03, dated May 15, 2017, for the Verona Public Library Phase II Renovation and ADA Improvements, in accordance with the requirements of the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq. in the contract amount of \$2,526,500.00; and

WHEREAS, the Township Council, previously approved Proposed Contract Change Nos. 1-15, 17-21 and 23-24 from the Project Architect, in an amount of plus \$210,049.65, for a revised contract amount of \$2,736,549.65; and

WHEREAS, the Township Council has received Proposed Contract Change Nos. 25-32 and Project Close Out from the Project Architect, in an amount of (plus) \$14,171.99; and

WHEREAS, Proposed Contract Change Nos. 25-32 and Contract Close Out do not expand the scope of the within contract; and

WHEREAS, the within Proposed Contract Change Nos. 25-32 and Contract Close Out are 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 Proposed Change Order Nos. 25-32 and Project Close out for Contract No. 17-03 in the amount of plus \$14,171.99, for a revised contract amount of \$ 2,750,721.64, is hereby approved and Contract 17-03 is closed out; and

BE IT FURTHER RESOLVED that the Township Manager, Township Engineer and the Municipal Clerk are hereby authorized to execute the within Contract Change Order.

ROLL CALL:

AYES:

NAYS:

ABSENT:

ABSTAIN:

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**JENNIFER KIERNAN
MUNICIPAL CLERK**

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

RESOLUTION No. 2019-__

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

**AUTHORIZING A CONTRACT WITH BENECARD SERVICES, LLC FOR
PRESCRIPTION DRUG INSURANCE COVERAGE**

WHEREAS, there exists a need for the placement of Prescription Coverages for employees for the Township of Verona; and

WHEREAS, the Township of Verona has a need to acquire such services pursuant to *N.J.S.A. 19-44A-20.5*; and

WHEREAS, the Chief Financial Officer has determined that the value of said services will exceed \$17,500.00; and

WHEREAS, the Township Manager has recommended that the Benecard Services, LLC, 1200 Route 46 West, Clifton, New Jersey 07103 be awarded a contract to provide prescription coverage for Township employees.

THEREFORE, BE IT RESOLVED by the Township Council of the Township of Verona, in the County of Essex, New Jersey that Benecard Services, LLC is hereby awarded a contract for providing prescription services not to exceed \$415,000.00 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 THE REGULAR MEETING HELD ON MARCH 11, 2019.

**JENNIFER KIERNAN
MUNICIPAL CLERK**

DETERMINATION OF VALUE

TO: Township Council of the Township of Verona
FROM: Matthew Cavallo, Township Manager
RE: 2019 Prescription Drug Coverage
DATE: March 7, 2019

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: Benecard Services, LLC
1200 Route 46 West
Clifton, New Jersey 07013
Cost: Not to Exceed \$415,000.00
Purpose: 2019 Prescription Drug Coverage

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. 2019-__

DISPOSAL OF OBSOLETE TOWNSHIP EQUIPMENT

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

WHEREAS, the Township Manager has advised the Township Council that there is obsolete equipment that is no longer needed for public use; and

WHEREAS, *N.J.S.A. 40A:11-36(7)* authorizes the disposition of public property not needed for public use as part of a purchase to offset the price of the new purchase; and

WHEREAS, it is in the best interest of the Township to dispose of said equipment by trade-in specifically a **2010 Ford Crown Victoria (Model P7B) VIN No. 2FABP7BVXAX111346**.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Verona, in the County of Essex, New Jersey that the obsolete equipment referenced by the Township Manager which is no longer needed for public use by the Township shall be disposed of according to the manner as prescribed by law.

ROLL CALL:

AYES:

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 11, 2019.

**JENNIFER KIERNAN
MUNICIPAL CLERK**

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

RESOLUTION No. 2019-__

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

PERMITTING ITEMS TO BE DISCUSSED IN EXECUTIVE SESSION

WHEREAS, Section 8 of the Open Public Meetings Act, Chapter 231, P.L. 1975, permits the exclusion of the Public from a meeting in certain circumstances; and

WHEREAS, this public body is of the opinion that such circumstances presently exists.

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

1. The public shall be excluded from discussion of an action upon the hereinafter specified subject matter.
2. The general nature of the subject matter to be discussed is as follows:
 - a. Pending, Ongoing, or Anticipated Litigation pursuant to N.J.S.A. 10:4-12 (7)
 - Docket No. ESX-L-4773-15
 - b. Contract Negotiations pursuant to N.J.S.A. 10:4-12 (7)
 - Redevelopment (Block 2301 - Lots 1-19)
 - c. Purchase, Lease or Acquisition of Real Property pursuant to N.J.S.A. 10:4-12 (5)
 - Cameco Tract (Block 2301 - Lots 11, 12, 14 & 15)
3. It is anticipated at this time that the above stated subject matter will be made public when said subject has been fully discussed by the Council, and the attorney rules this matter may be brought before the public without jeopardizing any pending litigation.
4. This resolution shall take effect immediately.

ROLL CALL:

AYES:

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 11, 2019.

**JENNIFER KIERNAN
MUNICIPAL CLERK**