

Minutes of a Regular Meeting of the Verona Township Council on Monday, September 20, 2021, beginning at 7:00 p.m. in the Municipal Building, 600 Bloomfield Avenue, Verona, New Jersey and via Zoom video conferencing platform.

Call to Order:

Municipal Clerk reads notice of Open Public Meetings law. The notice requirements of the Open Public Meetings Act have been satisfied with respect to this meeting of the Township Council which is being held via Zoom video conferencing and in person due to the COVID-19 pandemic. Specifically, the time and date were included in the public meeting notice. This information, along with the public internet link and telephone call-in information was posted in the Municipal Building, and sent the official newspapers of the Township, the Verona-Cedar Grove Times and the Star Ledger and MyVeronaNJ.com, TAPinto and the Verona/Cedar Grove PATCH, the official online news source(s) of the Township, at least 48 hours preceding the start time of this meeting. The agenda and public handouts for this meeting can be viewed online at www.veronanj.org/councilmeetings. A public comment period will be held in the order it is listed on the meeting agenda and instructions on how to comment will be provided at the appropriate time. This meeting is being recorded, both audibly and visually for retention purposes and for rebroadcast on the Township's YouTube.

Roll Call:

Mayor Alex Roman, Deputy Mayor Christine McGrath, Councilman Jack McEvoy, Councilwoman Cynthia Holland and Councilman Chris Tamburro. Township Manager Matthew Cavallo, Township Attorney Brian Aloia and Municipal Clerk Jennifer Kiernan are also present.

Mayor's Report:

Mayor Roman reports that Tropical Storm Ida effected a number of residents in our community. The Infrastructure Subcommittee met with Township officials to discuss plans of actions going forward and setting goals to fix some acute problems both short term and long term. He also reports the Township CFO Matthew Laracy has announced he is departing Verona. He states that during his time in Verona, Mr. Laracy has transformed the Finance office with system upgrades and training of staff. He thanks Mr. Laracy for his time of service and leaving Verona in an excellent fiscal state. Mayor Roman also commends Township Manager Matthew Cavallo on obtaining his accreditation as a Certified Manager by the City Manager's Association, which is held by only six (6) public Managers/Administrators statewide. Mayor Roman comments he is proud of Mr. Cavallo.

Essex County Liaison Julius Coltre congratulates both gentlemen for their achievements and announces that the Sears in Livingston is open as well as Kmart in West Orange from 9-5 for testing, shots and boosters. He expects more clarity to come from the CDC in the next few days. The Environmental Center will hold their Fall Festival on September 25 from 11am-5pm, Hazard Waste Day is October 2 from 9am - Noon at 99 Bradford Avenue in Cedar Grove and their Computer and Electronics Recycling Day will be held in the same location on October 16 from 9am - Noon.

Manager's Report:

Mr. Cavallo reports COVID is spreading quickly in nearly all of NJ. - Unfortunately, since September 1 August 16, Verona has an additional 35 reported COVID cases. The Township is working with the County and their Transportation Office to make sure our vulnerable populations can get vaccinated as soon as possible. Anyone who needs a ride to a vaccination site, please call the Community Center at (973) 857-4832 or the Manager's Office and we will help you.

NJDEP approved notice was delivered to water users on September 1. Mr. Cavallo clarifies that the water we are currently purchasing from PVWC is safe to drink and not exceeding the MCL for PFOA per the NJDEP guidelines. The Township is currently in the process of soliciting proposals from engineering firms to complete the design and engineering work required. The proposals were due back to the Township on September 24. A request has been granted to the firms who are preparing proposals for an extension until September 30. Once designed and

NJDEP approval is granted, we will immediately go out to bid for the construction of the remediation.

As was already mentioned by our County Liaison, FEMA representatives are available at Kmart in West Orange. Anyone looking to apply for FEMA Disaster Relief, you should visit DisasterAssistance.gov. There is a link on our homepage which provides a list of items you will need and who to expect when you are filing for assistance. We are hoping to have representatives from FEMA in person at the Community Center next week, hopefully on September 27, for those who need assistance filling out the applications. More information to come as soon as the dates and times are finalized.

In regards to the Claremont Avenue and Afterglow Avenue, the Contractor mobilized today and will continue tomorrow. They are expected to begin work Wednesday. There are a few items left on the Lynwood Road project. The Contractor is working with the Engineer to finalize the items outstanding.

The conference rooms at Town Hall, the Community Center and the Library have all been outfitted with AV equipment to have meetings there. It is out intension that if Boards and Committees start meeting again in person, they should offer hybrid meetings for people who cannot make it in person.

The CRC Released Initial/Interim Rules for Cannabis. At upcoming meetings, Mr. Cavallo expects the Council should plan a robust discussion on Cannabis here in Verona.

The Townwide Block Party is this upcoming Saturday, in the Civic Center from 11 am - 4 pm. Come experience various foods, games, will incorporate Chalkfest, and feature live music from the Dad Band. NJ Motor Vehicle Commission Mobile Unit to visit Verona Community Center on September 27. The Town Wide Garage Sale sponsored by the Verona Women's Club is Saturday, October 16.

October is Breast Cancer Awareness Month.

There are a litany of meetings of our various Boards and Committees coming up and Mr. Cavallo urges everyone to check the Township's website calendar for those important dates. He also announces that boards, commission and committees can begin meeting in public in the conference room but must continue hybrid meetings.

Mr. Cavallo states we are in desperate need of Crossing Guards. We are planning to go out to bid for crossing guard services in the next few weeks with the hopes that an outside vendor will have better luck recruiting guards than we do.

As the Council is already aware, Matt Laracy will be leaving us next week as he has accepted appointment as a CFO in another municipality. I want to thank Matt for his many years of dedication to the residents of Verona. During his tenure here, he has touched every Department in the Town and has made a profound impact on their operations. The Finance Department has been completely transformed into what I want to call a well-oiled machine. Without his guidance and devotion to Verona, I doubt we would be in the position we are in today. That being said, I have announced the position and I am currently accepting applications for a new Chief Financial Officer.

Mr. Cavallo states he will be out of Town for the October 4, 2021 meeting.

Deputy Mayor McGrath asks if the West Essex Trail near Cedar Grove is being assessed for damage from Tropical Storm Ida. She states that a resident has asked her why the Township does not just abandon the wells. Mr. Cavallo states that cost to not use the wells is between \$1 million and \$1.5 million/year. She thanks the Township Manager for getting the conference rooms to be set up to allow for hybrid meetings. Deputy Mayor McGrath thanks the residents of Derwent and Linden Avenues for showing her the storm damage to their properties. She emphasizes the importance of upgrades the Township stormwater management system. She reports that the Shade Tree Commission met and discussed way to keep track of trees and synchronize with the Township on tree removal. She thanks the Township for planning the 9/11 Ceremony.

The Deputy Mayor congratulates Blue Hippo Coffee on their anniversary and thanks the

Presbyterian Church for the invite to the picnic. She thanks Recreation for a safe and fun pool season. She urges the Township Manager to move forward on agreed upon recreation projects. She mentions that the Township bonded for the splash pad at the pool in 2019 but has not been addressed in 2020 and 2021. She comments that the Township received a grant of \$150,000 for the playground at the Community Center and would like to see plans for that project as well as the tennis courts at the pool and perhaps look into lighting the courts.

Councilman McEvoy thanks Mayor Roman for his remarks at the 9/11 Ceremony. He reports that both the Planning Board and Historical Preservation Commission meetings have been canceled. The Foundation for Suicide Prevention Walk in the Verona Park on October 10th. Councilman McEvoy thanks Verona UNICO for another great Labor Day Run.

Councilman Tamburro thanks the VPD, Fire Department, Rescue Squad and DPW for their storm response. He has the opportunity to meet with residents and thanks them for their candor. He applauds the Township Administration for their response and commitment to address things as they came up. He also echoes the Council's sentiment of the 9/11 Ceremony. He also reports that the Neighborhood Traffic and Safety Advisory Committee met and had a robust discussion regarding traffic and crossing guards. In closing, he thanks the Township staff for addressing all the calls about the water in town.

Councilwoman Holland acknowledges the number of residents here tonight and on Zoom. She thanks them for their engagement. She continues her report: On the evening of September 1, 2021, the remnants of Ida significantly impacted Verona. Many residents sustained property damage from the overflowing banks of the Peckman, from the inadequacies of our stormwater management system, and from the inundation of our wastewater treatment plant - with the disturbing consequence of raw sewage back-flowing into basements and homes. This is the second 500-year storm to impact Verona in three years; unlike our experience in 2018, so many of our neighboring towns sustained substantial damage that FEMA has now declared a disaster - and additional, needed relief is - this time - available to our residents here in Verona. But beyond disaster recovery, we need to look closely at the utility/infrastructure in this town and make ourselves more climate resilient. This concern motivated me to run for office and I'm driven to serve the residents in this way. These storms will keep getting stronger. All estimates are that New Jersey will keep getting wetter. I believe that now is the time to act here in Verona for our community and our children. Speaking of Children - Walk to School Day is Wed., Oct. 6 (which is supported by the Verona Environmental Commission). This initiative encourages healthier habits for our kids and reduces emissions to combat climate change.

The Environmental Commission met on 9/8 - I attended as Council Liaison. Among other things, the Commission discussed an anti-idling draft resolution, which will be further discussed at their next meeting (this same topic was raised by the BOE recently); they discussed reducing food waste with composting; and discussed damage along the Peckman River by Ida. Verona Park Conservancy has asked any willing citizens to assist them in cleaning up after Ida; no formal clean-up has been scheduled for it. They also hosted a Garden Work Day, where myself and other volunteers participated in planting and weeding the Children's Garden. They will host their next formal clean up on October 16.

I also attended the solemn Remembrance of September 11. This 20th anniversary ceremony was particularly moving; I want to thank the committee of engaged citizens for all their work on this ceremony, the Township employees, the high school choir for their performance, and all the other volunteers (in particular our emergency services) that attended and contributed to the event. I'm sure that there will be opportunities for others to engage in this committee.

Fall recreation programs are underway; the Parks and Recreation Advisory Committee meeting is tomorrow. I understand that residents have raised concerns regarding ratios of instructors to kids; proposed novel winter programming, and sought greater inclusion in these recreational programs.

The DEI Subcommittee working group will be meeting on the 28th to develop a mission statement on inclusivity. We'll discuss more during New Business. As we are in the midst of Hispanic/LatinX Heritage Month (9/15-10/15), I'd like to personally recognize the achievements and contributions of the Hispanic/Latinx community.

Last, but not least, September is also National Preparedness Month, which is intended to raise awareness for the importance of planning and preparing for emergencies that could happen at any time. The 2021 theme is “**Prepare to Protect. Preparing for disasters is protecting everyone you love.**” In light of the recent events, and the tragic loss of life, following Ida. The State has urged residents to prepare themselves for storms - having the necessary supplies on hand, in case of emergency. It has consistently been my opinion that the same holds true for local government. We must plan and prepare for future disasters - for the inevitable consequences of climate change. We owe that to our residents, our families, and friends. Indeed, preparing for disasters is protecting everyone we love.

ORDINANCE No. 2021-25

AMENDING CHAPTER 402 “RENTAL REGULATIONS”, ARTICLE I “RENT CONTROL, SECTION 21 “PERMITTED INCREASES”

The Municipal Clerk reads Ordinance No. 2021-25 by title into record.

Motion to adopt Ordinance No. 2021-25 is moved by Councilman McEvoy; seconded by Deputy Mayor McGrath.

Public Hearing:

None.

ROLL CALL:

AYES: Holland, Tamburro, McEvoy, McGrath, Roman

NAYS:

Ordinance No. 2021-25 is adopted 5-0 and will be published according to law.

ORDINANCE No. 2021-26

BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS IN AND BY THE TOWNSHIP OF VERONA, IN THE COUNTY OF ESSEX, NEW JERSEY, APPROPRIATING \$3,365,000 THEREFOR, INCLUDING \$505,000 EXPECTED TO BE RECEIVED AS A NEW JERSEY DEPARTMENT OF TRANSPORTATION GRANT, AND AUTHORIZING THE ISSUANCE OF \$3,346,500 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF

Motion to introduce Ordinance No. 2021-26 is moved by Councilman Tamburro; seconded by Councilwoman Holland.

ROLL CALL:

AYES: Holland, Tamburro, McEvoy, McGrath, Roman

NAYS:

Township Manager Matthew Cavallo states this ordinance includes road reconstruction with the accompaniment of a grant for Willow, Ann, Steven and Cypress Avenues; reconstruction of Cook Lane in constructing the roadway which is now just a gravel single land pathway, improvements to the recycling center for repaving the concrete surface and fencing by the dumpsters and replacing of the school speed limit traffic signal near F.N. Brown Elementary School.

Ordinance No. 2021-26 is introduced 5-0 and will be published according to law and a public hearing will be held at a Regular Meeting scheduled for October 4, 2021.

ORDINANCE No. 2021-27

BOND ORDINANCE PROVIDING FOR VARIOUS WATER AND SEWER UTILITY IMPROVEMENTS IN AND BY THE TOWNSHIP OF VERONA, IN THE COUNTY OF ESSEX, NEW JERSEY, APPROPRIATING \$1,405,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$1,405,000 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE THE COST THEREOF

Motion to introduce Ordinance No. 2021-27 is moved by Councilwoman Holland; seconded by

Deputy Mayor McGrath.

ROLL CALL:

AYES: Holland, Tamburro, McEvoy, McGrath, Roman

NAYS:

Ordinance No. 2021-27 is introduced 5-0 and will be published according to law and a public hearing will be held at a Regular Meeting scheduled for October 4, 2021.

ORDINANCE No. 2021-28

SWIMMING POOL UTILITY CAPITAL ORDINANCE APPROPRIATING \$65,000 FROM THE CAPITAL IMPROVEMENT FUND FOR WATER SLIDES REFURBISHMENT AND GENERAL POOL IMPROVEMENTS IN AND BY THE TOWNSHIP OF VERONA, IN THE COUNTY OF ESSEX, NEW JERSEY

Motion to introduce Ordinance No. 2021-28 is moved by Deputy Mayor McGrath; seconded by Councilman Tamburro.

Township Manager Matthew Cavallo states this is a fully funded Capital ordinance. The scrivener's error had been corrected to be plural to refurbish both waterslides at the Community Pool which includes making the seams level, seal coat each slide and upgrade the water pressure of each slide.

ROLL CALL:

AYES: Holland, Tamburro, McEvoy, McGrath, Roman

NAYS:

Ordinance No. 2021-28 is introduced 5-0 and will be published according to law and a public hearing will be held at a Regular Meeting scheduled for October 4, 2021.

The meeting minutes from the August 16 Regular Meeting, August 31, 2021 Special Meeting and September 9, 2021 Special Meeting are unanimously approved by a vote of 5-0.

Public Comment on Consent Agenda:

Jamie Patriarca, 76 Derwent Avenue, Verona, New Jersey

RESOLUTION No. 2021-119

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

CERTIFICATION OF 2020 ANNUAL AUDIT

WHEREAS, *N.J.S.A.40A:5-4* requires the governing body of every local unit to have made an annual audit of its books, accounts and financial transactions; and

WHEREAS, the Annual Report of Audit for the year 2020 has been filed by David J. Gannon a Registered Municipal Accountant with PKF O'Connor Davies LLP pursuant to *N.J.S.A. 40A:5-6*, and a copy has been received by each member of the governing body; and

WHEREAS, *R.S. 52:27BB-34* authorized the Local Finance Board of the State of New Jersey to prescribe reports pertaining to the local fiscal affairs; and

WHEREAS, the Local Finance Board has promulgated *N.J.A.C. 5:30-6.5*, a regulation requiring that the governing body of each municipality shall, by resolution, certify to the Local Finance Board of the State of New Jersey that all members of the governing body have reviewed, at a minimum, the sections of the annual audit entitled, "Comments and Recommendations"; and

WHEREAS, such resolution of certification shall be adopted by the governing body no later than forty-five days after the receipt of the annual audit, pursuant to *N.J.A.C. 5:30-6.5*; and

WHEREAS, all members of governing body have received and have familiarized

themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board; and

WHEREAS, failure to comply with the regulations of the Local Finance Board of the State of New Jersey may subject the members of the local governing body to the penalty provisions of *R.S. 52:27BB-52*, to wit:

R.S. 52:27BB-52: A local officer or member of a local governing body who, after a date fixed for compliance, fails or refuses to obey an order of the director (Division of Local Government Services), under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than one thousand dollars (\$1,000) or imprisoned for not more than one year, or both, in addition shall forfeit his office.

NOW, THEREFORE, BE IT RESOLVED that the Township Council of the Township of Verona, in the County of Essex, New Jersey, hereby affirms compliance *N.J.A.C. 5:30-6.5* and does hereby submit a certified copy of this resolution and the required affidavit to the Local Finance Board to show evidence of said compliance.

ROLL CALL:

AYES: Holland, Tamburro, McEvoy, McGrath, Roman

NAYS:

RESOLUTION No. 2021-120

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

**APPROVING CONTRACT CHANGE NO. 1 AND CONTRACT CLOSEOUT
CONTRACT NO. 19-04 - REPLACEMENT OF 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 - "Replacement of Mechanical Bar Screen" for the furnishing of labor, equipment and materials in the amount of \$495,000, in accordance with the requirements of the Local Public Contract Law, *N.J.S.A. 40A:11-1, et seq.*; and

WHEREAS, the original contract included an allowance of \$15,000 for unforeseen conditions discovered during construction; and

WHEREAS, the Township has prepared Contract Change No. 1 and Contract Close-Out for the within contract reconciling as-built quantities in the amount of minus \$7,782.47; and

WHEREAS, the Township Manager/Qualified Purchasing Agent recommends that Contract Change No. 1 for the within contract and that the Contract be closed out; and

WHEREAS, the Contract Change No. 1 and Contract Closeout do not expand the scope of the within contract and are in the best interest of the Township; and

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

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Verona, in the County of Essex, New Jersey that Contract Change No. 1 in the amount of minus \$7,782.47 for a final contract amount of \$487,217.53 be approved and Contract No. 19-04 be closed out; and

BE IT FURTHER RESOLVED that the Township Manager, the Township Clerk and any other officer as may be deemed appropriate are hereby authorized to execute Contract Change No. 1 and Contract Closeout for Contract No. 19-04 on behalf of the Township.

ROLL CALL:

AYES: Holland, Tamburro, McEvoy, McGrath, Roman

NAYS:

RESOLUTION No. 2021-121

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

**AUTHORIZING USE OF COMPETITIVE CONTRACTING FOR THE
PROCUREMENT OF LABORATORY TESTING SERVICES FOR THE
WATER & SEWER UTILITY**

WHEREAS, the Water & Sewer Utility wishes to solicit proposals for laboratory testing services to conduct analyses required by the New Jersey Department of Environmental Protection related to the treatment and distribution of drinking water and the treatment of waste water; and

WHEREAS, *N.J.S.A. 40A:11-4.1(e)* permits competitive contracting to be utilized to procure laboratory testing services that warrant a qualitative evaluation of specialized goods or service providers to determine the provider that is most advantageous, price and other factors considered; and,

WHEREAS, *N.J.S.A. 40A:11-4.3(a)* requires that in order to use competitive contracting for the first time for a specified purpose, the governing body shall pass a resolution authorizing the use of competitive contracting for such purpose; and,

WHEREAS, *N.J.S.A. 40A:11-4.3(b)* requires that the competitive contracting process shall be administered by a designated Authorized Agent who may be a purchasing agent pursuant to *N.J.S.A. 40A:11-9*, or by legal counsel of the contracting unit, or by the chief administrative officer of the contracting unit; and,

WHEREAS, the Township Council has determined that the procurement of laboratory testing of water services said purposes through the use of competitive contracting is in the best interest of the Township.

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Verona, in the County of Essex, State of New Jersey that the Township Manager is authorized to initiate competitive contracting for the solicitation of proposals for laboratory testing services pursuant to *N.J.S.A. 40A:11-4.1 et seq.*

ROLL CALL:

AYES: Holland, Tamburro, McEvoy, McGrath, Roman

NAYS:

RESOLUTION No. 2021-122

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

**AUTHORIZING USE OF COMPETITIVE CONTRACTING FOR THE
PROCUREMENT OF CONSULTING SERVICES - POLICE DEPARTMENT
POLICIES & PROCEDURES DEVELOPMENT**

WHEREAS, the Police Department wishes to solicit proposals from an outside consultant to develop updated policies and procedures for the purposes of compliance with all federal and state laws and applicable regulations with the intention to obtain agency accreditation by the New Jersey State Association of Chiefs of Police; and

WHEREAS, *N.J.S.A. 40A:11-4.1(b)(m)* permits competitive contracting to be utilized to procure consulting services that warrant a qualitative evaluation of specialized goods or service providers to determine the provider that is most advantageous, price and other factors considered; and,

WHEREAS, *N.J.S.A. 40A:11-4.3(a)* requires that in order to use competitive contracting for the first time for a specified purpose, the governing body shall pass a resolution authorizing the use of competitive contracting for such purpose; and,

WHEREAS, *N.J.S.A. 40A:11-4.3(b)* requires that the competitive contracting process shall be administered by a designated Authorized Agent who may be a purchasing agent pursuant to *N.J.S.A. 40A:11-9*, or by legal counsel of the contracting unit, or by the chief administrative officer of the contracting unit; and,

WHEREAS, the Township Council has determined that the procurement of consulting services said purposes through the use of competitive contracting is in the best interest of the Township.

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Verona, in the County of Essex, State of New Jersey that the Township Manager is authorized to initiate competitive contracting for the solicitation of proposals for consulting services to develop updated policies and procedures for the purposes of compliance with all federal and state laws and applicable regulations pursuant to *N.J.S.A. 40A:11-4.1 et seq.*

ROLL CALL:

AYES: Holland, Tamburro, McEvoy, McGrath, Roman

NAYS:

RESOLUTION No. 2021-123

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

**AUTHORIZING A CONTRACT WITH
LYONS ENVIRONMENTAL SERVICES, LLC**

WHEREAS, the Township of Verona does not employ Licensed Sewage Collection, Licensed Water Treatment and Licensed Water Distribution System Operators at the required level and has a need to contract with an outside firm to provide Licensed Sewage Collection, Licensed Water Treatment and Licensed Water Distribution System Operators to meet the requirements of the system permits from the New Jersey Department of Environmental Protection; and

WHEREAS, the Township desires to acquire Licensed Sewage Collection, Licensed Water Treatment and Licensed Water Distribution System Operators as a non-fair and open contract pursuant to the provisions of *N.J.S.A. 19:44A-20.5*; and

WHEREAS, the Township Manager has determined and certified in writing that the value of the acquisition will exceed \$17,500; and,

WHEREAS, the Township has solicited the services of Lyons Environmental Services, LLC, 1105 Green Grove Road, Building #2, Neptune, New Jersey 07753 to provide these services for the Township; and

WHEREAS, Lyons Environmental Services, LLC has submitted a proposal indicating they will provide the services for the Township; and

WHEREAS, the Township Manager recommends that the Council authorize an agreement with Lyons Environmental Services, LLC to provide said services; and

WHEREAS, Lyons Environmental Services, LLC, has completed and submitted a Business Entity Disclosure Certification which certifies that Lyons Environmental Services, LLC has not made any reportable contributions to a political or candidate committee in the in the previous one year, and that the contract will prohibit Lyons Environmental Services, LLC from making any reportable contributions through the term of the contract, and

WHEREAS, funds are available to award contracts for the services listed and shall be charged to the budget accounts or capital ordinances listed on the availability of funds, a copy of

said Certification is annexed to this Resolution as Exhibit B.

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 Lyons Environmental Services, LLC is being made pursuant to *N.J.S.A. 19:44A-20.5* and the Business Entity Disclosure Certification and Political Contribution Disclosure Form completed by Lyons Environmental Services, LLC have been filed with the Township and are annexed to this Resolution as Exhibit C; and

NOW, THEREFORE, BE IT RESOLVED that the Township Council of the Township of Verona, in the County of Essex, New Jersey hereby authorizes contracts with Lyons Environmental Services, LLC, 1105 Green Grove Road, Building #2, Neptune, New Jersey 07753 to provide to provide Licensed Sewage Collection, Licensed Water Treatment and Licensed Water Distribution System Operators not to exceed \$30,000 in the calendar year without further authorization of the Township Council.

BE IT FURTHER RESOLVED, that the Township reserves the right to cancel this contract upon thirty (30) days' notice and Lyons Environmental Services, LLC 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 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 any agreement necessary for the aforementioned services a copy of which shall be available for public inspection in the Office of the Township Clerk.

ROLL CALL:

AYES: Holland, Tamburro, McEvoy, McGrath, Roman

NAYS:

RESOLUTION No. 2021-124

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

**AUTHORIZING A CONTRACT WITH
ANALYTICAL LAB SERVICES, INC. FOR WASTEWATER ANALYSIS**

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 Water & Sewer Utility has a need for laboratory testing services to conduct analyses required by the New Jersey Department of Environmental Protection related to the treatment of wastewater; and

WHEREAS, the Township desires to acquire laboratory testing services as a non-fair and open contract pursuant to the provisions of *N.J.S.A. 19:44A-20.5*; and

WHEREAS, the Township has solicited the services of Analytical Lab Services, Inc., 301 Fulling Mill Road, Suite A, Middletown, Pennsylvania 17057-5966 to provide these services for the Township; and

WHEREAS, Analytical Lab Services, Inc., has submitted a proposal indicating they will provide the services for the Township; and

WHEREAS, Analytical Lab Services, Inc., has completed and submitted a Business Entity Disclosure Certification which certifies that Analytical Lab Services, Inc., has not made any reportable contributions to a political or candidate committee in the previous one year, and that the contract will prohibit Analytical Lab Services, Inc., from making any reportable contributions through the term of the contract, and

WHEREAS, the Township Manager recommends that the Council authorize an agreement with Analytical Lab Services, Inc., to provide said services; and

WHEREAS, the Township Manager hereby certifies that due to additional testing required this year for as part of the Township's evaluation of Nitrate Removal Alternatives to analyze and determine the best approach to reduce nitrate removal from the wastewater effluent, the cost of services with Analytical Lab Services will exceeded \$17,500; and

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

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

NOW, THEREFORE, BE IT RESOLVED that the Township Council of the Township of Verona, in the County of Essex, New Jersey hereby authorizes contracts with Analytical Lab Services, Inc., 301 Fulling Mill Road, Suite A, Middletown, Pennsylvania 17057-5966 to provide laboratory testing services to conduct analyses required by the New Jersey Department of Environmental Protection related to the treatment of waste water not to exceed \$29,000 in the calendar year without further authorization of the Township Council.

BE IT FURTHER RESOLVED, that the Township reserves the right to cancel this contract upon thirty (30) days' notice and Analytical Lab Services, Inc. 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 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 any agreement necessary for the aforementioned services a copy of which shall be available for public inspection in the Office of the Township Clerk.

ROLL CALL:

AYES: Holland, Tamburro, McEvoy, McGrath, Roman

NAYS:

RESOLUTION No. 2021-125

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

**AUTHORIZING A CONTRACT WITH
AQUA PRO-TECH, INC. FOR DRINKING WATER ANALYSIS**

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 Water & Sewer Utility has a need for laboratory testing services to conduct analyses required by the New Jersey Department of Environmental Protection related to the distribution and treatment of drinking water; and

WHEREAS, the Township desires to acquire laboratory testing services as a non-fair and open contract pursuant to the provisions of *N.J.S.A. 19:44A-20.5*; and

WHEREAS, the Township has solicited the services of Aqua Pro-Tech, Inc., 1275 Bloomfield Avenue, Building #6, Suite #37D, Fairfield, New Jersey 07004 to provide these services for the Township; and

WHEREAS, Aqua Pro-Tech, Inc., has submitted a proposal indicating they will provide the services for the Township; and

WHEREAS, Aqua Pro-Tech, Inc., has completed and submitted a Business Entity Disclosure Certification which certifies that Aqua Pro-Tech, Inc., has not made any reportable contributions to a political or candidate committee in the in the previous one year, and that the contract will prohibit Aqua Pro-Tech, Inc., from making any reportable contributions through the term of the contract, and

WHEREAS, the Township Manager has recommended that the Council authorize entering into a contract with Aqua Pro-Tech, Inc. to provide said services; and

WHEREAS, the Township Manager hereby certifies that due to additional testing mandated by the New Jersey Department of Environmental Protection including but not limited to Per- and Polyfluoroalkyl Substances and Secondary Regulations, the cost of services with Aqua Pro-Tech, Inc. has exceeded \$17,500; and

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

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

NOW, THEREFORE, BE IT RESOLVED that the Township Council of the Township of Verona, in the County of Essex, New Jersey hereby authorizes contracts with Aqua Pro-Tech, Inc., 1275 Bloomfield Avenue, Building #6, Suite #37D, Fairfield, New Jersey 07004 to provide laboratory testing services to conduct analyses required by the New Jersey Department of Environmental Protection related to the distribution and treatment of drinking water not to exceed \$25,000 in the calendar year without further authorization of the Township Council.

BE IT FURTHER RESOLVED, that the Township reserves the right to cancel this contract upon thirty (30) days' notice and Aqua Pro-Tech, Inc. 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 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 any agreement necessary for the aforementioned services a copy of which shall be available for public inspection in the Office of the Township Clerk.

ROLL CALL:

AYES: Holland, Tamburro, McEvoy, McGrath, Roman

NAYS:

RESOLUTION No. 2021-126

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

**WAIVING UNIFORM CONSTRUCTION CODE PERMIT FEES FOR WORK
CONSEQUENTIAL TO TROPICAL STORM IDA**

WHEREAS, the Tropical Storm Ida caused flooding on September 1, 2021 where public infrastructure and individual citizens of the Township incurred damages; and

WHEREAS, the Federal Emergency Management Agency (“FEMA”) has received on September 5, 2021 an approved disaster declaration numbered DR-4614 for said flooding event and expanded the declaration to include the County of Essex on September 10, 2021; and

WHEREAS, the Township is desirous of relieving building permit fee burdens for repair work and/or improvements being accomplished solely due to recovery from said flooding event.

NOW, THEREFORE BE IT RESOLVED by the Township Council of the Township of Verona, in the County of Essex, State of New Jersey that Uniform Construction Code permit fees charged pursuant to Township ordinances shall be waived until December 31, 2021 for repair work and/or improvements accomplished solely due to recovery from said flooding event. Repair work and/or improvements, or subcomponents thereof, accomplished which are not due to said flooding event shall not be eligible for this fee waiver. Upon review of building permit application materials, the Construction Official shall have the authority to make determination of ineligible repair work and/or improvements implement the fee waiver up to and until December 31, 2021.

ROLL CALL:

AYES: Holland, Tamburro, McEvoy, McGrath, Roman

NAYS:

RESOLUTION No. 2021-127

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

REFUNDING ESCROW PAYMENT

WHEREAS, escrow fees, for the Board of Adjustment, were received from James Feeney, for property located at 11 Wayland Drive 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:

<u>ESCROW AMOUNT</u>	<u>EXPENSES</u>	<u>AMOUNT TO BE REFUNDED</u>
\$500.00	\$215.60	\$284.40

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, \$284.40 to James Feeney, 11 Wayland Drive, Verona, NJ 07044.

ROLL CALL:

AYES: Holland, Tamburro, McEvoy, McGrath, Roman

NAYS:

RESOLUTION No. 2021-128

A motion was made by Councilman McEvoy; seconded Councilman Tamburro 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.
 - a. Pending, Ongoing, or Anticipated Litigation and Contract Negotiations pursuant to *N.J.S.A. 10:4-12 (7)*
 - Essex Fells Water
 - Potential PFAS Litigation
 - P.P. adv Township of Verona
 - b. Matters of Appointment pursuant to *N.J.S.A. 10:4-12 (8)*
 - i. Review of Candidates to the Planning Board

ROLL CALL:

AYES: Holland, Tamburro, McEvoy, McGrath, Roman

NAYS:

New/Unfinished Business:

Council discusses stormwater management. The Infrastructure Subcommittee informs the public of the issues of manmade inlets, sewers, drains, INI and the water/sewer plant itself, all which are a big concern to this governing body. Due to the large turnout of residents at tonight's meeting, Council unanimously agrees to have Public Comment at this time for this topic only.

Public Comment on Stormwater Management/Tropical Storm Ida: (* via Zoom)

Paul Kast, 1 Wayland Drive, Verona, New Jersey
Hanna Kern, 30 Douglas Place, Verona, New Jersey*
Dex Polizzi, 17 Park Place, Verona, New Jersey*
Dan Pinto, 152 Sunset Avenue, Verona, New Jersey*
Mary Dolahan, 156 Sunset Avenue, Verona, New Jersey*
Laura Takahashi, 28 Douglas Place, Verona, New Jersey*
Liam Holland, 109 South Prospect Avenue, Verona, New Jersey*
Joyce Lavingo, 34 Derwent Avenue, Verona, New Jersey
Kathy Mortara, 28 Derwent Avenue, Verona, New Jersey
Daniel Boone, 197 Linden Avenue, Verona, New Jersey
Patricia Boone, 197 Linden Avenue, Verona, New Jersey
Joe Mortara, 28 Derwent Avenue, Verona, New Jersey
Bob Fochesto, 51 Derwent Avenue, Verona, New Jersey
Jaime Patriarca, 76 Derwent Avenue, Verona, New Jersey
TJ Cecire, 24 Derwent Avenue, Verona, New Jersey
Coleen Cecire, 24 Derwent Avenue, Verona, New Jersey
Jessica Pearson, 20 Montclair Avenue, Verona, New Jersey*
Barbara Lemley, 164 Sunset Avenue, Verona, New Jersey*
Jim Tutalo, 107 South Prospect Avenue, Verona, New Jersey*

Council reviews the PIRHL revised elevation drawings. Council then tables continued discussion on 2021-2023 Goals. Appointments to the Planning Board will be tabled until Council enters into Executive Session to discuss the review of candidates to the Planning Board.

Public Comment:

Kathy Mortara, 28 Derwent Avenue, Verona, New Jersey

Before Council enters into Executive Session, Mayor Roman states that the Council may re-enter Public Session to take official action and appoint Planning Board Members. Council enters into Executive Session at 10:10 p.m.

Council resumes Public Session at 11:09 p.m. and makes the following appointments to the Planning Board:

David Freschi, Class IV Member to fill an unexpired term ending 6/30/2024

Jason Hyndman, Class IV Member to fill an unexpired term ending 6/30/2022

Jesse Lilley, Alternate #1 to fill an unexpired term ending 6/30/2022

Mayor Roman states that Alternate #2 will be filled at the October 4, 2021 Council Meeting.

Adjournment:

Motion to adjourn the meeting at 11:1 p.m. is made by Deputy Mayor McGrath; seconded by Mayor Roman.

The next regular scheduled meeting of the Township Council is on October 4, 2021 at 7:00 p.m.

Respectfully submitted,


Jennifer Kiernan, Municipal Clerk


Alex Roman, Mayor

APPROVED: October 4, 2021