

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

**RESOLUTION No. 2021-118**

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

**AUTHORIZING AWARD OF EMERGENCY CONTRACT UNDER NEW  
JERSEY LOCAL PUBLIC CONTRACTS LAW, N.J.S.A. 40A:11-6  
RESULTING FROM THE EFFECTS OF TROPICAL STORM IDA**

**WHEREAS**, an emergency has arisen with respect to severe weather conditions and flooding resulting from Tropical Storm Ida on September 1, 2021; and

**WHEREAS**, Governor Murphy declared a state of emergency pursuant to Executive Order No. 259 on September 1, 2021; and

**WHEREAS**, the Emergency Management Coordinator of the Township of Verona declared a state of emergency in the Township of Verona effective September 1, 2021; and

**WHEREAS**, the Engineering Manager has identified significant road damage caused by Tropical Storm Ida that needs immediate repair based upon the dangerous condition of the roads, specifically Claremont Avenue between Park Avenue and Cumberland Avenue, Afterglow Avenue in the area of Cole Road and Cole Road off Afterglow Avenue; and

**WHEREAS**, the need for the road repair could not have been reasonably foreseen notwithstanding a good faith effort on the part of the Township to plan for the purchase of any goods or services required; and

**WHEREAS**, *N.J.S.A. 40A:11-6* permits a contract to be negotiated or awarded without public advertisement for bids and bidding therefor, notwithstanding the contract price will exceed the bid threshold, when an emergency affecting the public health, safety or welfare requires the immediate delivery of goods or the performance of services; and

**WHEREAS**, pursuant to *N.J.S.A. 19:44A-20.12*, contracts awarded under such circumstances are excepted from Pay-to-Play due to public exigency; and

**WHEREAS**, the Township contacted the authorized vendor for road repaving under the Morris County Cooperative Pricing Council who is not able to mobilize to remediate the damage to the roadways for several weeks; and

**WHEREAS**, the Township contacted John Creo Contracting Corp who has previously completed similar work for the Township after the August 2018 rain storm who is also not available to remediate the damage for the Township at this time; and

**WHEREAS**, Stanziale Construction, 2 Springdale Avenue, East Orange, New Jersey 07017 has confirmed that they have the ability to commence the emergency work required as soon as a contract is executed with the Township in an amount not to exceed \$172,865.00; and

**WHEREAS**, funds are available to award contracts for the services listed shall be charged to the emergency appropriation listed on the availability of funds, a copy of said Certification is annexed to this Resolution as Exhibit A.

**NOW, THEREFORE, BE IT RESOLVED** that the Township Council of the Township of Verona in the County of Essex, State of New Jersey hereby authorizes award of an emergency contract pursuant to *N.J.S.A. 40A-11-6* to Stanziale Construction for emergency repairs to roadways for an amount not to exceed \$172,865.00. Said contract shall be limited to duration as to meet only the immediate needs of this emergency.

**BE IT FURTHER RESOLVED** that this emergency contract shall be charged to the emergency appropriation listed on the availability of funds.

**ROLL CALL:**

**AYES:** Holland, Tamburro, McEvoy, McGrath, Roman

**NAYS:**

**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 SPECIAL MEETING HELD ON SEPTEMBER 9, 2021.**

  
**JENNIFER KIERNAN**  
**MUNICIPAL CLERK**



**EXHIBIT A**

**TO:** Township Council of the Township of Verona  
**FROM:** Matthew M. Laracy, CPA, CMFO, Chief Financial Officer  
**RE:** Certification of Availability of Funds  
**DATE:** September 9, 2021

This is to certify to the Township Council that funds for the above referenced contract will be available upon approval of the emergency appropriation currently pending before the governing body.

**Contractor:** Stanziale Construction  
2 Springdale Avenue  
East Orange, New Jersey 07017

**Contract:** Emergency road repair due to damage caused by Tropical Storm Ida

Amount	Account Description
NTE \$172,865.00	Declared State of Emergency Costs for Tropical Storm Ida (September 2021) Response & Recovery (pending approval of the governing body)

/s/ Matthew Laracy  
MATTHEW M. LARACY, CPA, CMFO  
CHIEF FINANCIAL OFFICER