

Minutes of a Regular Meeting of the Verona Township Council on Monday, May 15, 2023, 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:

Kris Gould, RMC is present in the absence of the Municipal Clerk's and reads notice of Open Public Meetings Act.

Roll Call:

Mayor Alex Roman, Deputy Mayor Christine McGrath, Councilwoman Cynthia Holland, Councilman Jack McEvoy and Councilman Christopher Tamburro, Township Attorney Brian Aloia and Steven Neale, Director of Administration and Economic Development, Acting Township Manger are also present. Township Manager Joseph D'Arco is not present. Kristine Gould, RMC is present as Acting Municipal Clerk in the absence of Municipal Clerk Jennifer Kiernan.

RESOLUTION No. 2023-097

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

**AUTHORIZING THE APPOINTMENT OF A CLERK PRO TEMPORE FOR
THE MAY 15, 2023 COUNCIL MEETING**

WHEREAS, a Council meeting has been scheduled for May 15, 2023, and the Township Municipal Clerk is unable to be present for tonight's; and

WHEREAS, Kristine Gould, Confidential Secretary to the Township Manager has obtained a Registered Municipal Clerk certification (C-2117) from the State of New Jersey and is therefore able to serve as Clerk Pro Tempore for this regular meeting of the Township Council.

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Verona, that the Kristine Gould is appointed as Clerk Pro Tempore on this, the 15th day of May, 2023.

ROLL CALL:

AYES: Holland, Tamburro, McEvoy, McGrath, Roman

NAYS:

Mayor's Report:

Mayor Roman congratulates the Deputy Mayor on a good campaign and expresses his contentment to continue with this Council. He is impressed with the training and program of the student election poll workers and thanks OLL for his invitation to their Festival. He also congratulates Minette's Angels on their 20 year Acts of Kindness Event.

Manager's Report:

Director of Administration and Economic Development Steven Neale invites Peter Ten Kate of Boswell Engineering to the lectern to review the Township's updated project list. This is followed by a status update from Jacobs Engineering on the project to remediate the Fairview and Linn Drive wells. Chief Christopher Kiernan then presents the Police Department's Annual Report.

Councilmember's Reports:

Deputy Mayor McGrath expresses her appreciation for the voters of Verona for her reelection, and congratulates Mayor Roman on his 3rd term. She was happy to see the students who worked the polls and addressed that women voters assisted with a majority of her campaign. She states that it was a difficult and negative campaign for Verona. She is looking forward to getting back to presenting Verona in a positive light.

Councilman Jack McEvoy congratulates the Mayor and Deputy Mayor on their opportunities to serve Verona again. He also congratulates Jimmy Hill and Jack O'Neil from Eight Hills Caterers in Verona for their recognition in Minette's Angel's 20 Year Event. He also is thankful for the teachers and nurses in Verona, and for all the condolences he received for his loss.

Councilman Tamburro is thankful to Ms. Gould for attending the meeting on such short notice and recognizes her wonderful job. He also congratulates Mayor Roman and Deputy Mayor McGrath on their reelection, and echoes Councilman McEvoy in recognition of Minette's Angel's Event. He recognizes Mrs. Kiernan and teacher Rich Wertz for coordinating the student poll workers and wishes everyone a safe Memorial Day weekend.

Councilwoman Holland recognizes Verona staff and points out that last week was Public Service Recognition Week. She acknowledges the Environmental Commissions' comments on the invasive species Ordinance as a liaison. She encourages anyone interested to attend the Verona Environmental Commission's meetings. She congratulates the Department of Recreation for an increase in Pool Memberships this year due to the splash pad anticipation.

Public Comment:

Ryan Bomba, Verona, New Jersey
Kate Kelly, Verona, New Jersey
Alice, Verona, New Jersey
Heather Asip, Verona, New Jersey
Yvonne Nolan, Verona, New Jersey
Jenny Carroll, Verona, New Jersey
Dan Asip, Verona, New Jersey

**brief recess at 9:18pm. Council reconvenes at 9:24pm.

ORDINANCE NO. 2023-15

AMENDING CHAPTER 150, ART XXII, SECTION 13 OF THE CODE TO DESIGNATE 11 COLE ROAD AS A LANDMARK

Clerk Pro Tempore Kris Gould reads Ordinance No. 2023-15 by title into record.

Motion to move Ordinance No. 2023-15 is moved by Councilman McEvoy; seconded by Councilman Tamburro.

Public Hearing:

None.

ROLL CALL:

AYES: Holland, Tamburro, McEvoy, McGrath, Roman

NAYS:

Ordinance No. 2023-15 is adopted 5-0 and will be published according to law.

ORDINANCE No. 2023-17

**BOND ORDINANCE PROVIDING FOR THE ACQUISITION OF PROPERTY
IN AND BY THE TOWNSHIP OF VERONA, IN THE COUNTY OF ESSEX,
NEW JERSEY, APPROPRIATING \$1,750,000 THEREFOR AND
AUTHORIZING THE ISSUANCE OF \$1,666,500 BONDS OR NOTES OF THE
TOWNSHIP TO FINANCE PART OF THE COST THEREOF**

Mayor Roman recuses himself as he resides within 200 feet of the property. Deputy Mayor McGrath presides over the public hearing and adoption of Ordinance No. 2023-17.

Clerk Pro Tempore Kris Gould reads Ordinance No. 2023-17 by title into record.

Motion to move Ordinance No. 2023-15 is moved by Councilman Tamburro; seconded by Councilwoman Holland.

Public Hearing:

None.

ROLL CALL:

AYES: Holland, Tamburro, McEvoy, McGrath

NAYS:

ABSENT (recusal): Roman

Ordinance No. 2023-17 is adopted 4-0 and will be published according to law.

ORDINANCE No. 2023-19

CAPITAL ORDINANCE BY APPROPRIATING \$75,000 FROM THE WATER/SEWER CAPITAL IMPROVEMENT FUND FOR THE HYDRAULIC STUDY, PRELIMINARY DESIGN AND NJIB APPLICATIONS FOR CLARIDGE DRIVE PUMPING STATION IN THE TOWNSHIP OF VERONA, IN THE COUNTY OF ESSEX, NEW JERSEY

Clerk Pro Tempore Kris Gould reads Ordinance No. 2023-19 by title into record.

Motion to move Ordinance No. 2023-19 is moved by Deputy Mayor McGrath; seconded by Councilwoman Holland.

Public Hearing:

None.

ROLL CALL:

AYES: Holland, Tamburro, McEvoy, McGrath, Roman

NAYS:

Ordinance No. 2023-19 is adopted 5-0 and will be published according to law.

ORDINANCE No. 2023-20

CAPITAL ORDINANCE BY APPROPRIATING \$15,000 FROM THE POOL CAPITAL IMPROVEMENT FUND FOR THE SPLASH PAD PROJECT AT THE COMMUNITY POOL

Clerk Pro Tempore Kris Gould reads Ordinance No. 2023-20 by title into record.

Motion to move Ordinance No. 2023-20 is moved by Councilman Tamburro; seconded by Councilwoman Holland.

Public Hearing:

None.

ROLL CALL:

AYES: Holland, Tamburro, McEvoy, McGrath, Roman

NAYS:

Ordinance No. 2023-20 is adopted 5-0 and will be published according to law.

ORDINANCE No. 2023-21

ESTABLISHING THE MULTICULTURAL INCLUSION AND ACCESSIBILITY ADVISORY COMMITTEE BY THE CREATION OF CHAPTER 18, ARTICLE VII, ENTITLED "MULTICULTURAL INCLUSION AND ACCESSIBILITY ADVISORY COMMITTEE"

Clerk Pro Tempore Kris Gould reads Ordinance No. 2023-21 by title into record.

Motion to move Ordinance No. 2023-21 is moved by Deputy Mayor McGrath; seconded by Councilwoman Holland.

Public Hearing:

None.

ROLL CALL:

AYES: Holland, Tamburro, McEvoy, McGrath, Roman

NAYS:

Ordinance No. 2023-21 is adopted 5-0 and will be published according to law.

ORDINANCE No. 2023-22

BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS IN AND BY THE TOWNSHIP OF VERONA, IN THE COUNTY OF ESSEX, NEW JERSEY, APPROPRIATING \$600,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$570,500 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF

Clerk Pro Tempore Kris Gould reads Ordinance No. 2023-22 by title into record.

Motion to move Ordinance No. 2023-22 is moved by Councilman McEvoy; seconded by Deputy Mayor McGrath.

ROLL CALL:

AYES: Holland, McEvoy, McGrath, Roman

NAYS:

ABSENT (recusal): Tamburro

Ordinance No. 2023-22 is adopted 4-0. It will be published according to law and a public hearing will be held on June 12, 2023.

Council takes a brief recess at 9:18 pm and returns to continue the public meeting at 9:24 pm.

ITEM H-2

(Identified as Ordinance 2023-23 on the filed Supplemental Debt Statement)

BOND ORDINANCE PROVIDING FOR PRELIMINARY PLANNING EXPENSES FOR NEW PICKLEBALL/TENNIS COURTS IN AND BY THE TOWNSHIP OF VERONA, IN THE COUNTY OF ESSEX, NEW JERSEY, APPROPRIATING \$70,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$66,500 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF

Clerk Pro Tempore Kris Gould reads Ordinance No. 2023-23 by title into record.

Motion to move Ordinance No. 2023-22 is moved by Councilman Tamburro; seconded by Councilwoman Holland.

After council discussion, because this ordinance was not discussed under New Business prior to tonight's meeting, it was not successfully introduced. It may appear on a future agenda after more information is provided by the Administration.

ORDINANCE No. 2023-24

CREATING OF CHAPTER 307 ENTITLED "INVASIVE PLANT SPECIES AND TREES"

Clerk Pro Tempore Kris Gould reads Ordinance No. 2023-24 by title into record.

Motion to move Ordinance No. 2023-24 is moved by Councilwoman Holland; seconded by Councilman McEvoy.

ROLL CALL:

AYES: Holland, Tamburro, McEvoy, McGrath, Roman

NAYS:

Ordinance No. 2023-24 is adopted 5-0. It will be published according to law and a public hearing will be held on June 12, 2023.

ORDINANCE No. 2023-25

AMENDING CHAPTER A565-1, SCHEDULE OF FEES, § 140-20.3C,
CHARGING STATION FEES, OF THE CODE OF THE TOWNSHIP

Clerk Pro Tempore Kris Gould reads Ordinance No. 2023-25 by title into record.

Motion to move Ordinance No. 2023-25 is moved by Councilwoman Holland; seconded by Councilman Tamburro.

ROLL CALL:

AYES: Holland, Tamburro, McEvoy, McGrath, Roman

NAYS:

Ordinance No. 2023-25 is adopted 5-0. It will be published according to law and a public hearing will be held on June 12, 2023.

Meeting minutes from the April 25, 2023 special meeting are approved.

Public Comment on Consent Agenda Items:

Ryan Bomba, Verona, New Jersey
Kate Kelly, Verona, New Jersey
Alice (*inaudible*)
Jenny Carol, Verona, New Jersey
Daniel Asip, Verona, New Jersey

RESOLUTION No. 2023-098

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

**CONSENTING TO THE TRANSFER OF INTERESTS IN VERONA LIHTC
URBAN RENEWAL LLC FROM PIRHL VERONA MM LLC TO CONIFER
VERONA GP, LLC FOR THE DEVELOPMENT OF AFFORDABLE HOUSING
ON BLOCK 2301, LOT 14.01**

WHEREAS, PIRHL Developers, LLC (“**PIRHL**”) and the Township of Verona (the “**Township**”) entered into a Contract for Sale of Real Estate dated June 9, 2020 (the “**Original PSA**”) pursuant to which the Township agreed to convey to PIRHL property designated as Block 2301, Lots 11, 12, 14-17, 19, and a portion of Lot 18, to be consolidated and designated as new Block 2301, Lot 14.01 on the official tax map of the Township of Verona (the “**Property**”) for the development of an expanded affordable housing project consisting of 95 units (the “**Project**”); and

WHEREAS, the Original PSA was amended and assigned from PIRHL to Verona LIHTC Urban Renewal LLC (“**Verona LIHTC**”), a special purpose entity formed by PIRHL for the development of the Project (the “**Redeveloper**”), via the execution of a First Amendment with respect thereto dated February 7, 2022, and thereafter said agreement was further amended pursuant to a Second Amendment dated August 26, 2022 (the Original PSA, together with all subsequent amendments, the “**PSA**”); and

WHEREAS, PIRHL and the Township entered into a Redeveloper Agreement dated January 9, 2020, setting forth the terms and conditions for the Project (the “**Original Redeveloper Agreement**”); and

WHEREAS, the Original Redeveloper Agreement was amended pursuant to that certain First Amendment to the Redeveloper Agreement dated September 3, 2020, as further amended and assigned pursuant to that certain Second Amendment to and Assignment of Redeveloper Agreement dated February 7, 2022, pursuant to which the Original Redeveloper Agreement, as amended, was assigned by PIRHL to the Redeveloper, and as further amended by that certain Third Amendment to the Redeveloper Agreement dated August 26, 2022 (the Original Redeveloper Agreement, together all subsequent amendments, the “**Redeveloper Agreement**”);

and

WHEREAS, PIRHL and the Township entered into an Agreement for Payments in Lieu of Taxes dated January 9, 2020 providing a tax exemption for the Property and payment in lieu of taxes pursuant to the New Jersey Housing and Mortgage Finance Agency Law of 1983, N.J.S.A. 55:14K-1 et seq. (the “**Original PILOT Agreement**”); and

WHEREAS, the Original PILOT Agreement was amended by a First Amendment to the Original PILOT Agreement dated September 3, 2020, and as further amended and assigned by a Second Amendment to and Assignment of Agreement for Payments in Lieu of Taxes dated February 7, 2022, assigning the Original PILOT Agreement, as amended, to the Redeveloper (the Original PILOT Agreement, together with all subsequent amendments, the “**PILOT Agreement**”)(the PSA, Redeveloper Agreement, and PILOT Agreement collectively referred to herein as the “**Agreements**”); and

WHEREAS, Redeveloper is presently owned by (i) PIRHL Verona MM LLC (“**Assignor**”), a subsidiary of PIRHL, with respect to a 0.01% managing member interest, and (ii) PIRHL with respect to a 99.99% member interest;

WHEREAS, (i) PIRHL and Assignor are seeking to transfer to Conifer Realty, LLC, its affiliate Conifer Verona GP, LLC, or a project-specific, wholly-owned subsidiary thereof (as applicable, “**Assignee**”) its interests in the Redeveloper and all rights to develop the Project pursuant to the Agreements and (ii) in connection with the initial low-income housing tax credit closing on the Project, an investor member and special member will be admitted to the ownership of Redeveloper, which investor member is currently anticipated to be Riverside Housing Partnership II 2019 LLC, with respect to a 99.989% member interest, and which special member is anticipated to be Riverside Manager LLC, with respect to a 0.001% special member interest (collectively, and as applicable, the “**Transfer**”), which Transfer is anticipated to occur in three stages:

- (1) Stage 1: following consent to the Transfer from the New Jersey Housing Mortgage and Financing Agency and prior to the low-income housing tax credit closing on the Project,
 - a. PIRHL will transfer fifty-one percent (51%) interest in Redeveloper to Assignee;
 - b. Assignor will transfer its managing member interest in Redeveloper to Assignee;
 - c. PIRHL will transfer its 48.99% interest in Redeveloper to Assignor such that Assignor will hold a forty-nine percent (49%) membership interest in Redeveloper; and
 - d. PIRHL will withdraw as a member of Redeveloper (the “**Initial Transfer**”);
- (2) Stage 2: immediately prior to the low-income housing tax credit closing on the Project, all remaining ownership, membership and other interests of Assignor in and to Redeveloper will be transferred by Assignor to Assignee and thereafter, neither Assignor, nor PIRHL will retain any ownership interest in Redeveloper or the Project (the “**Second Transfer**”); and
- (3) Stage 3: upon the consummation of the low-income housing tax credit closing on the Project, an investor member and special member will be admitted to the ownership of Redeveloper, which investor member is currently anticipated to be Riverside Housing Partnership II 2019 LLC, with respect to a 99.989% member interest, and which special member is anticipated to be Riverside Manager LLC, with respect to a 0.001% special member interest, and Assignee will retain a 0.01% managing member interest in Redeveloper (the “**Final Transfer**”).

WHEREAS, after giving effect to the Final Transfer and the low-income housing tax credit closing for the Project, it is anticipated that Assignee will own, a direct or indirect, approximate 0.01% managing member interest in Redeveloper;

WHEREAS, in contemplation of the Transfer and to the extent not yet previously transferred or assigned to Redeveloper, PIRHL, Assignor and the Township desire to assign all right, title, interest and obligations in, to and under the Agreements related to the development of the Project to Redeveloper; and

WHEREAS, PIRHL and Assignor desire to assign their respective, and applicable percentage of, right, title and interest in the Redeveloper to Assignee as of the date of each applicable Transfer, and Assignee desires to accept such assignment as of the date of each such Transfer, and otherwise cause Redeveloper to continue to comply with all obligations, binding on the Redeveloper under the Agreements upon the terms and conditions set forth in the Agreements after the transfer of ownership interests described herein; and

WHEREAS, because the Transfer at issue herein relates to direct or indirect ownership interests in Redeveloper, an assignment and assumption agreement with respect to the Agreements is not necessary because the Redeveloper will remain liable for continued performance of its obligations thereunder following the Transfer; and

WHEREAS, Redeveloper has, and shall continue to have following the Transfer, sufficient experience and net worth to operate the Project in a manner satisfactory to the Township; and

WHEREAS, Assignor acknowledges and agrees that Redeveloper remains subject to all conditions and covenants of the Agreements.

NOW, THEREFORE, BE IT RESOLVED by the governing body of the Township of Verona in the County of Essex, State of New Jersey that:

1. The Township hereby acknowledges and consents to the proposed Transfer, including, without limitation, the Initial Transfer, the Second Transfer and the Final Transfer, by and between Assignor and PIRHL to Assignee and to the tax credit investor and special member, as applicable. Notwithstanding the foregoing, this Resolution does not obligate PIRHL, Assignor, Assignee or any other party to execute the Transfer.
2. Until the effective date of each applicable Transfer, the current ownership of Redeveloper remains approved by the Township and following the effective date of each Transfer the new ownership of Redeveloper is approved by the Township.
3. All conditions, covenants and terms of the Agreements, remain in full force and effect, and should any applicable Transfer occur, such conditions, covenants, and terms shall remain in full force and effect.
4. This Resolution shall become effective immediately pursuant to law.

ROLL CALL:

AYES: Holland, Tamburro, McEvoy, McGrath, Roman

NAYS:

RESOLUTION No. 2023-099

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

REQUESTING APPROVAL OF THE DIRECTOR OF THE DIVISION OF LOCAL GOVERNMENT SERVICES TO ESTABLISH A DEDICATED TRUST BY RIDER FOR THE ACCEPTANCE OF BEQUESTS, LEGACIES, AND GIFTS TO BENEFIT THE CHILDREN'S FUND OF VERONA

WHEREAS, permission is required of the Director of the Division of Local Government Services for approval as a dedication by rider of revenues received by a county or municipality when the revenue is not subject to reasonably accurate estimates in advance; and

WHEREAS, *N.J.S.A. 40A:5-29* authorizes and empowers municipalities to accept bequests, legacies and gifts made to it and empowers municipalities to utilize such bequests, legacies and gifts in the manner set forth in the conditions of the bequest, legacy or gift; and

WHEREAS, the Children's Fund of Verona provides minor financial relief and support to Township Residents in need of assistance; an

WHEREAS, *N.J.S.A. 40A:4-39* provides the dedication of funds collected as Donations to the Children's Fund are hereby anticipated as revenue and are hereby appropriated for the purpose to which said revenue is dedicated by statute or other legal requirement.

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

1. The Township Council does hereby request permission of the Director or the Division of Local Government Services to include as a Dedication by Rider in the 2023 and subsequent budgets, bequests, legacies, and gifts to benefit the Children’s Fund of Verona.
2. The Municipal Clerk is hereby directed to forward two certified copies of this Resolution to the Director of the Division of Local Government Services.

ROLL CALL:

AYES: Holland, Tamburro, McEvoy, McGrath, Roman

NAYS:

RESOLUTION No. 2023-100

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

REQUESTING APPROVAL OF THE DIRECTOR OF THE DIVISION OF LOCAL GOVERNMENT SERVICES TO ESTABLISH A DEDICATED TRUST BY RIDER FOR A RECREATION TRUST FUND

WHEREAS, permission is required of the Director of the Division of Local Government Services for approval as a dedication by rider of revenues received by a county or municipality when the revenue is not subject to reasonably accurate estimates in advance; and

WHEREAS, PL 1999, Chapter 292 and *N.J.S.A. 40:48-2.56* provides for receipt for recreation program fees and donations to provide for operating costs to administer this act; and

WHEREAS, *N.J.S.A. 40A:4-39* provides the dedication of funds collected as Recreation Trust are hereby anticipated as revenue and are hereby appropriated for the purpose to which said revenue is dedicated by statute or other legal requirement.

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

1. The Council does hereby request permission of the Director or the Division of Local Government Services to include as a Dedication by Rider in the 2023 and subsequent budgets, the Recreation Trust.
2. The Municipal Clerk is hereby directed to forward two certified copies of this Resolution to the Director of the Division of Local Government Services.

ROLL CALL:

AYES: Holland, Tamburro, McEvoy, McGrath, Roman

NAYS:

RESOLUTION No. 2023-101

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

APPROVING CONTRACT CHANGE NO. 1 AND CONTRACT CLOSE-OUT CONTRACT #2022-10 - “PROPOSED ADA IMPROVEMENTS AT THE MUNICIPAL BUILDING”

WHEREAS, Grove Contracting, Inc. and the Township of Verona have heretofore entered into an Agreement, more particularly known as Contract #2022-10 - “Proposed ADA Improvements at the Municipal Building” for the construction of an ADA compliant ramp for the Municipal Building in the amount of \$192,157.02, in accordance with the requirements of the Local Public Contract Law, *N.J.S.A. 40A:11-1, et seq.*

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Verona, in the County of Essex, New Jersey that Contract #2022-10 be closed out with a final cost of \$271,200.00.

BE IT FURTHER RESOLVED that the Township Manager and the Township Clerk and any other officer as may be deemed appropriate are hereby authorized to execute a Contract Close-Out for Contract #2022-10 on behalf of the Township.

ROLL CALL:

AYES: Holland, Tamburro, McEvoy, McGrath, Roman

NAYS:

RESOLUTION No. 2023-102

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

**APPROVING CONTRACT CHANGE NO. 1 AND CONTRACT CLOSE-OUT
CONTRACT NO. 2022-12 - "RECONSTRUCTION OF ANN STREET,
CYPRESS AVENUE, STEVEN AVENUE AND WILLOW TERRACE"**

WHEREAS, John Garcia Construction, Inc. and the Township of Verona have heretofore entered into an Agreement, more particularly known as Contract No. 2022-12 - "Reconstruction of Ann Street, Cypress Avenue, Steven Avenue and Willow Terrace - Water & Sewer" for the sanitary sewer and water distribution construction and rehabilitation including furnishing of labor, equipment and materials in the amount of \$703,780.88, in accordance with the requirements of the Local Public Contract Law, *N.J.S.A. 40A:11-1, et seq.*

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Verona, in the County of Essex, New Jersey that Contract No. 2022-12 be closed out as a final cost of \$554,125.84.

BE IT FURTHER RESOLVED that the Township Manager and the Township Clerk and any other officer as may be deemed appropriate are hereby authorized to execute a Contract Close-Out for Contract No. 2022-12 on behalf of the Township.

ROLL CALL:

AYES: Holland, Tamburro, McEvoy, McGrath, Roman

NAYS:

RESOLUTION No. 2023-103

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

AUTHORIZING A CONTRACT WITH LARACY ASSOCIATES, LLC

WHEREAS, the Township of Verona has a need for payroll services during part of the 2023 year; and

WHEREAS, Laracy Associates, LLC, 50 Morse Street, Cranford, New Jersey 07016 has provides said services; and

WHEREAS, the Qualified Purchasing Agent has determined and certified in writing that the value of the service will exceed the pay to play threshold of \$17,500, but not to exceed \$30,000; and,

WHEREAS, this expenditure shall be charged to Budget Account No. 3-01-20-145-122, or any other account that may be deemed appropriate by the Chief Financial Officer or his/her designee, and the availability of funds have been contingently certified by the Chief Financial Officer of the Township; and

WHEREAS, Laracy Associates, LLC has completed and submitted a Business Entity Disclosure Certification which certifies that Laracy Associates, LLC has not made any reportable contributions to a political or candidate committee in the Township of Verona in the previous one

year, and that the contract will prohibit Laracy Associates, LLC from making any reportable contributions through the term of the contract.

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Verona that a contract is awarded to Laracy Associates, LLC to provide payroll services to the Township of Verona:

1. The Council hereby authorizes the Township Manager, or his designee, to execute any and all documents and take any and all actions necessary to complete and realize the intent and purpose of this resolution.
2. The Township is in receipt of the Stockholder Disclosure form, Contribution Disclosure form, Certificate of Employee Information Report, Business Registration Certificate, and Certificate of Insurance.
3. The services requested shall not exceed \$44,000 and no services or materials shall be requested without a certification of funds.

ROLL CALL:

AYES: Holland, Tamburro, McEvoy, McGrath, Roman

NAYS:

RESOLUTION No. 2023-104

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

AUTHORIZING A CONTRACT WITH MONTANA CONSTRUCTION CORPORATION

WHEREAS, the Township of Verona has a need for TV camera inspection of water lines within the Township including sanitary sewer trunk lines and manholes throughout the 2023 year; and

WHEREAS, Montana Construction Corp, Inc., 80 Contant Avenue, Lodi, New Jersey 07644 has provides said services; and

WHEREAS, the Qualified Purchasing Agent has determined and certified in writing that the value of the service will exceed the pay to play threshold of \$17,500 but will remain under the bid threshold of \$44,000; and,

WHEREAS, this expenditure shall be charged to Budget Account No. 3-05-55-502-334, or any other account that may be deemed appropriate by the Chief Financial Officer or his/her designee, and the availability of funds have been contingently certified by the Chief Financial Officer of the Township of Verona; and

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

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Verona that a contract is awarded to Montana Construction Corp, Inc. to provide camera inspections of the water and sewer lines throughout the Township of Verona:

4. The Council hereby authorizes the Township Manager, or his designee, to execute any and all documents and take any and all actions necessary to complete and realize the intent and purpose of this resolution.
5. The Township is in receipt of the Stockholder Disclosure form, Contribution Disclosure form, Certificate of Employee Information Report, Business Registration Certificate, and Certificate of Insurance.
6. The services requested shall not exceed \$44,000 and no services or materials shall be requested without a certification of funds.

ROLL CALL:

AYES: Holland, Tamburro, McEvoy, McGrath, Roman

NAYS:

RESOLUTION No. 2023-105

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

**AUTHORIZING A CONTRACT WITH NORTH JERSEY
PUMP & CONTROLS, LLC**

WHEREAS, the Township of Verona has a need to service, repair and maintain pumps at the Waste Water Treatment Plant throughout the 2023 year; and

WHEREAS, North Jersey Pump & Controls, LLC, 77 Yawpo Avenue, Oakland, New Jersey, 07436, has provided and continues to provide service, repair and maintain pumps at the Waste Water Treatment Plant; and

WHEREAS, the Qualified Purchasing Agent has determined and certified in writing that the value of the service will exceed the pay to play threshold of \$17,500 but will remain under the bid threshold of \$44,000; and,

WHEREAS, this expenditure shall be charged to Budget Account No. 3-05-55-502-335 – Water-Sewer Pumps and Parts, or any other account that may be deemed appropriate by the Chief Financial Officer or his/her designee, and the availability of funds have been contingently certified by the Chief Financial Officer of the Township; and

WHEREAS, North Jersey Pump & Controls, LLC has completed and submitted a Business Entity Disclosure Certification which certifies that North Jersey Pump & Controls, LLC has not made any reportable contributions to a political or candidate committee in the Township of Verona in the previous one year, and that the contract will prohibit North Jersey Pump & Controls, LLC from making any reportable contributions through the term of the contract.

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Verona that a contract is awarded to North Jersey Pump & Controls, LLC to provide service, repair and maintain of the pumps at the Waste Water Treatment Plant:

7. The Council hereby authorizes the Township Manager, or his designee, to execute any and all documents and take any and all actions necessary to complete and realize the intent and purpose of this resolution.
8. The Township is in receipt of the Stockholder Disclosure form, Contribution Disclosure form, Certificate of Employee Information Report, Business Registration Certificate, and Certificate of Insurance.
9. The services requested shall not exceed \$44,000 and no services or materials shall be requested without a certification of funds.

ROLL CALL:

AYES: Holland, Tamburro, McEvoy, McGrath, Roman

NAYS:

RESOLUTION No. 2023-106

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

AUTHORIZING A CONTRACT WITH SMS SECURITY SYSTEMS, LLC

WHEREAS, there exists a need for maintenance of security systems and alarms within the municipal buildings in 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 Qualified Purchasing Agent has determined that the value of said

services will exceed \$17,500.00; and

WHEREAS, this expenditure shall be charged to Budget Account No. 3-01-26-310-160 or any other account that may be deemed appropriate by the Chief Financial Officer or his/her designee, and the availability of funds have been contingently certified by the Chief Financial Officer of the Township.

WHEREAS, the Township Manager has recommended that SMS Security Systems, LLC, 1129 Bloomfield Avenue, West Caldwell, New Jersey 07006 be awarded a contract to provide maintenance of security systems and alarms within the municipal buildings in Township of Verona.

THEREFORE, BE IT RESOLVED by the Township Council of the Township of Verona, in the County of Essex, New Jersey that SMS Security Systems, LLC is hereby awarded a contract for providing sewer services not to exceed \$27,000.00 without further authorization of the Governing Body.

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 the Township Manager and the Municipal 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 Municipal Clerk.

ROLL CALL:

AYES: Holland, Tamburro, McEvoy, McGrath, Roman

NAYS:

RESOLUTION No. 2023-107

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

AUTHORIZING A CONTRACT WITH SUBURBAN SPORTS GROUP, LLC

WHEREAS, the Township of Verona has a need to award a contract for the Recreation Department's athletic programs requiring gaming officials as a non-fair and open contract pursuant to the provisions of *N.J.S.A. 19:44A-20.5*; and,

WHEREAS, the Qualified Purchasing Agent has determined and certified in writing that the value of the service will exceed \$17,500; and,

WHEREAS, this expenditure shall be charged to Budget Account No. 3-01-26-306-212, or any other account that may be deemed appropriate by the Chief Financial Officer or his/her designee, and the availability of funds have been contingently certified by the Chief Financial Officer of the Township.

NOW THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Verona that the Township Manager and Municipal Clerk are authorized to enter into a contract with Suburban Sports Group, LLC, 7 Vreeland Lane, Cedar Grove, New Jersey.

BE IT FURTHER RESOLVED by the Township Council of the Township of Verona, in the County of Essex, New Jersey that Suburban Sports Group, LLC is hereby awarded a contract for providing gaming officials in an amount not to exceed \$25,000.00 without further authorization of the Governing Body.

ROLL CALL:

AYES: Holland, Tamburro, McEvoy, McGrath, Roman

NAYS:

RESOLUTION No. 2023-108

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

**DISPOSAL OF OBSOLETE TOWNSHIP EQUIPMENT
2000 FORD VAN (AMBULANCE)**

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 personal 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 2000 Ford Van VIN: 1FDXE45F4YHA62384.

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: Holland, Tamburro, McEvoy, McGrath, Roman

NAYS:

RESOLUTION No. 2023-109

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

**DISPOSAL OF OBSOLETE TOWNSHIP EQUIPMENT
MISCELLANEOUS POLICE EQUIPMENT**

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 personal 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: (#1) Storage Box for SUV, (#2) Storage Box plastic cage; (#3) Mounts for Police Computers; (#4) Speed Signs; (#5) Miscellaneous Equipment (flashlights, interior car handles and radio brackets); (#6) Miscellaneous Battery Chargers.

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: Holland, Tamburro, McEvoy, McGrath, Roman

NAYS:

RESOLUTION No. 2023-110

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

REFUNDING ESCROW PAYMENT

WHEREAS, Escrow fees, for the Board of Adjustment, were received from Alexander Judka, for property [REDACTED] and the fees have been held in Trust; and

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

ESCROW	EXPENSES	AMOUNT TO
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AMOUNT	BE REFUNDED	
\$500.00	\$164.45	\$335.55

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, \$335.55 to Alexander Judka, [REDACTED], Verona, NJ 07044.

ROLL CALL:

AYES: Holland, Tamburro, McEvoy, McGrath, Roman

NAYS:

RESOLUTION No. 2023-111

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

DECLARING THE FIRST FRIDAY IN JUNE TO BE NATIONAL GUN VIOLENCE AWARENESS DAY

WHEREAS, every day, more than 120 Americans are killed by gun violence and more than 200 are shot and wounded, with an average of more than 17,000 gun homicides every year; and

WHEREAS, Americans are 26 times more likely to die by gun homicide than people in other high-income countries; and

WHEREAS, New Jersey has the 32nd highest rate of gun violation in the nation, with 439 gun deaths every year, with a rate of 3.0 deaths per 100,000 people, a crisis that costs the State \$5.3 billion each year, of which \$168.9 billion is paid by taxpayers; and

WHEREAS, on June 2, 2023, to recognize the 26th birthday of Hadiya Pendleton, who was tragically shot and killed in 2013 at the age of 15, people across the United States, as well as here in Verona, will recognize National Gun Violence Awareness Day and wear orange in tribute to -

- (1) Hadiya Pendleton and other victims of gun violence; and
- (2) the loved ones of those victims; and

WHEREAS, the idea was inspired by a group of Hadiya’s friends, who asked their classmates to commemorate her life by wearing orange, a color they chose because hunters wear orange to announce themselves to other hunters when out in the woods; orange is a color that symbolizes the value of human life; and

WHEREAS, by wearing orange on June 2, 2023 Americans will raise awareness about gun violence and honor the lives of gun violence victims and survivors; and

WHEREAS, support for the Second Amendment rights of law-abiding citizens goes hand-in-hand with keeping guns away from people with dangerous histories, raising awareness about gun violence, and honoring the lives of victims and survivors; and

WHEREAS, mayors and law enforcement officers –in partnership with local violence intervention activists and resources –know their communities best and are best positioned to understand how to keep their citizens safe; and

WHEREAS, the Township of Verona has committed to reducing gun violence and pledging to do all it can to keep firearms out of the hands of people who should not have access to them, and encouraging responsible gun ownership to help keep our families and community safe.

NOW, THEREFORE, BE IT RESOLVED that the Township Council of the Township of Verona does hereby resolve the first Friday in June, June 2, 2023, to be National Gun Violence Awareness Day and encourage all citizens to support their local communities’ efforts to prevent the tragic effects of gun violence and to honor and value human lives. Furthermore, the Township of Verona recognizes Gun Violence Awareness by lighting its buildings orange during

the month of June.

ROLL CALL:

AYES: Holland, Tamburro, McEvoy, McGrath, Roman

NAYS:

RESOLUTION No. 2023-112

A motion was made by Councilman Tamburro; seconded by Deputy Mayor McGrath 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 Council of the Township of Verona, County of Essex, State of New Jersey, as follows:

The public shall be excluded from discussion of an action upon the hereinafter specified subject matter.

1. Pending, Ongoing, or Anticipated Litigation and Contract/Settlement Negotiations pursuant to *N.J.S.A. 10:4-12 (7)*

ROLL CALL:

AYES: Holland, Tamburro, McEvoy, McGrath, Roman

NAYS:

RESOLUTION No. 2023-113

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

**AUTHORIZING EXECUTION OF A SERVICE AGREEMENT FOR A
DEFERRED COMPENSATION PLAN WITH EQUITABLE
LIFE INSURANCE COMPANY**

WHEREAS, he Township of Verona (hereinafter referred to as the "Employer") by resolution adopted a Deferred Compensation Plan (hereinafter referred to as the "Plan") for the purpose of making available to eligible employees the accrual of tax benefits under Section 457 Deferred Compensation Plan; and

WHEREAS, there is no direct financial cost to the Employer to adopt and implement both a deferred compensation plan and Service Agreement; and

WHEREAS, the Employer made written requests for proposals from two contractors including Equitable and National Life Group for the administration of the investments of funds under a deferred compensation plan including providing Prototypical Plans and Service Agreements that meet the requirements of the Municipal, County and Authority Deferred Compensation programs Rule N.J.A.C. 5.37; and

WHEREAS, the following contractors submitted proposals: Equitable Life Insurance Company (hereinafter referred to as "Equitable) and National Life Group; and

WHEREAS, the Township of Verona reviewed the proposals and spoke with the representatives of the responding contractors of deferred compensation services; and

WHEREAS, it was deemed that Equitable has the ability to: (1) maintain complete records of accounts; (2) manage accounts with absolute fidelity; (3) provide advice concerning various categories of investments; and (4) provide continuing consultation to participants.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of

Verona, in the County of Essex, New Jersey that effective as of the date of this resolution the deferred compensation plan provided by Equitable and assigned the plan identifier: 20-PD-EQUITABLE-091720 by the New Jersey Division of Local Government Services, is hereby adopted and signed by the Employer.

BE IT FURTHER RESOLVED that said deferred compensation plan is substantially similar to one on which a favorable Private Letter Ruling has been previously obtained from the federal Internal Revenue Service except for provisions added by reason of The Small Business Job Protection Act of 1996 (United States Public Law No. 104-188), the Tax payer Relief Act of 2001 (United States Public Law No. 105-34), and the Economic Growth and Tax Relief Reconciliation Act of 2001 (United States Public Law No. 107-16), and all such provisions are stated in the plan in terms substantially similar to the text of those provisions in the Code Section 457 including pertinent applicable Treasury Regulations. The use of the Ruling is for guidance only and acknowledges that for Internal Revenue Service purposes, the Ruling of another employer is not be considered precedent.

BE IT FURTHER RESOLVED that the Township Manager is authorized to execute the Service Agreement (bearing the identifier: 20-SA-Equitable-091720 assigned by the New Jersey Division of Local Government) with Equitable for the provision of administrative and investment services. There has been no collusion, or evidence or appearance of collusion, between any local official and a representative of Equitable and National Life Group in the selection of Equitable as contractor for the administration of the Service Agreement pursuant to N.J.A.C. Section 5:37-5.7.

BE IT FURTHER RESOLVED that the Chief Financial Officer is hereby designated as Local Plan Administrator for the administration of this deferred compensation plan.

ROLL CALL:

AYES: Holland, Tamburro, McEvoy, McGrath, Roman

NAYS:

RESOLUTION No. 2023-114

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

**AWARDING CONTRACT No. 2023-02
2021 CDBG VARIOUS ADA RAMP IMPROVEMENTS**

WHEREAS, the Township of Verona received bids for Proposed ADA Curb Ramp Improvements – Contract No. 2023-02 on May 10, 2023; and

WHEREAS, three (3) bids were received for Contract 2023-02; and

WHEREAS, AA Berms LLC, PO Box 180, Belleville, New Jersey 07109 was the lowest responsive and responsible bidder in the Base Bid Amount of \$131,698.00; and

WHEREAS, the Consulting Engineer has reviewed and recommends the Contract award be made to AA Berms LLC, as the lowest responsive and responsible bid.

NOW, THEREFORE BE IT RESOLVED by the Township Council of the Township of Verona, in the County of Essex, New Jersey that the contract for Contract No. 2023-02 be awarded, pending approval of the County of Essex Community Development Block Grant coordinator, to the lowest responsive and responsible bidder, AA Berms LLC, PO Box 180, Belleville, New Jersey 07109 in the total amount of \$131,698.00.

BE IT FURTHER RESOLVED that this expenditure shall be charged against the 2019 CDBG Grant and Capital Bond Ordinance No. 2022-10(a) or any other account that may be deemed appropriate by the Chief Financial Officer or her designee, and the availability of funds has been certified by the Chief Financial Officer.

ROLL CALL:

AYES: Holland, Tamburro, McEvoy, McGrath, Roman

NAYS:

New and Unfinished Business:

Council discusses Chapter 370-11 of the Township Code.

RESOLUTION No. 2023-115

A motion was made by Deputy Mayor McGrath; seconded by Councilwoman Holland that the following resolution be adopted:

PRIDE MONTH AND JUNETEENTH FLAG RAISING

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Verona that the Administration is directed to schedule a flag raising for Pride month and Juneteenth.

ROLL CALL:

AYES: Holland, Tamburro, McEvoy, McGrath, Roman

NAYS:

Council discusses the upcoming Reorganization meeting.

Public Comment:

None.

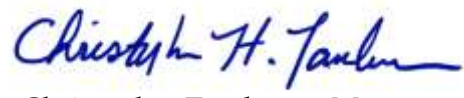
Council goes into Executive Session at 10:38 pm.

Adjournment:

Council returns from Executive Session at 11:03 pm. A motion to adjourn is made by Councilman McEvoy; seconded by Councilman Tamburro. The next scheduled meeting of the Township Council is June 12, 2023.

Respectfully submitted,


Jennifer Kiernan, Municipal Clerk


Christopher Tamburro, Mayor

APPROVED: July 10, 2023