

Minutes of a Regular Meeting of the Verona Township Council on Monday, October 16, 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:

The Municipal Clerk reads the notice of Open Public Meetings Act.

Roll Call:

Mayor Christopher Tamburro, Deputy Mayor Jack McEvoy, Councilwoman Christine McGrath, Councilman Alex Roman and Councilwoman Cynthia Holland are present. Township Attorney Brian Aloia, Township Manager Joseph D'Arco and Municipal Clerk Jennifer Kiernan are also present.

Mayor's Report:

Mayor Tamburro expresses his thoughts and grief after the attack on Israel. He has collaborated with the Clergy Council who will host a candlelight event on October 23 at 6pm on the steps of the Municipal Building. He sends his condolences to the DeSomma family. He attended Chris' Red Hots grand opening. He thanks UNICO for assisting with the flag raising event.

Mayor Tamburro reads a proclamation to the Junior Women's Club commemorating their annual Verona Fights Hunger food drive.

Manager's Report:

Mr. D'Arco announces Municipal Auditor of the Township of Verona, Dave Gannon of PKF O'Connor-Davies is present tonight as the governing body is to approve the 2022 Audit and Corrective Action Plan.

Public Comment on Corrective Action Plan:

Carol Thomas, Verona, New Jersey

RESOLUTION No. 2023-168

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

CERTIFICATION OF 2022 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 2022 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/her 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, McGrath, Roman, McEvoy, Tamburro

NAYS:

RESOLUTION No. 2023-169

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

APPROVING THE CORRECTIVE ACTION PLAN FOR THE 2022 MUNICIPAL AUDIT

WHEREAS, the Township of Verona has received a report of audit for the year ending December 31, 2022; and

WHEREAS, Local Finance Notice No. 92-15 dated July 8, 1992 requires that the Chief Financial Officer submits a Corrective Action Plan for all findings in the audit within 60 days of receipt of the Report of Audit; and

WHEREAS, the Chief Financial Officer has prepared a Corrective Action Plan relating to the findings of the 2022 Audit.

NOW, THEREFORE, BE IT RESOLVED that the Township Council of the Township of Verona, in the County of Essex, New Jersey, does hereby approve the Corrective Action Plan for the year 2022 as submitted by the Chief Financial Officer.

BE IT FURTHER RESOLVED that the Township Clerk is hereby directed to forward a copy of this resolution and the Corrective Action Plan to the Director of the Division of Local Government Services.

ROLL CALL:

AYES: Holland, McGrath, Roman, McEvoy, Tamburro

NAYS:

Mr. D'Arco invites Anthony Kurus from Neglia Engineering to the lectern for a presentation on the renovations to Everett Field.

Public Comment on Everett Field:

Sophie (student), 12-U Softball – Short Stop, Verona, New Jersey
Laura (student), 12-U Softball – Center Field, Verona, New Jersey
Ava (student), 12-U Softball – Left Field, Verona, New Jersey
Lizzie (student), 12-U Softball – Pitcher, Verona, New Jersey
Sienna (student), 12-U Softball – 2nd Base, Verona, New Jersey

Paul Petrangeli, Verona, New Jersey
Erin Fields, Verona, New Jersey
Anthony Oscario, Verona, New Jersey
Lisa Loudon, Verona, New Jersey
Sarah O'Farrell, Verona, New Jersey

Council enters into Executive Session at 9:10 pm.

Council resumes the Public Meeting at 9:38 pm.

Councilmember's Reports:

Deputy Mayor McEvoy attended the flag raising for breast cancer awareness month and thanks Minettes Angels and Wings for all their hard work. Walk to School Day was a success. This Saturday the County will hold an electronics recycling collection at 99 Bradford Avenue in Cedar Grove.

Councilman Roman yields his time due to the lengthy agenda.

Councilwoman McGrath thanks the MIAAC and the Library for hosting the Hispanic Heritage Celebration. The Diwali celebration will be on November 4th. She attended the UNICO flag raising and thanks VMAC for holding their Family Night and she sends her condolences to the DeSomma family.

Councilwoman Holland requests to be provided with information from the Administration on the advantages and disadvantages of a private or partial-private waste water treatment plant.

The Municipal Clerk provides a 2023 General Election update.

Public Comment:

Kevin Ryan, Verona, New Jersey

ORDINANCE No. 2023-41

BOND ORDINANCE PROVIDING FOR IMPROVEMENTS AT THE LINN DRIVE WELL IN AND BY THE TOWNSHIP OF VERONA, IN THE COUNTY OF ESSEX, NEW JERSEY, APPROPRIATING \$4,000,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$4,000,000 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE THE COST THEREOF

The Municipal Clerk reads Ordinance No. 2023-41 by title into record.

Motion to move Ordinance No. 2023-41 is moved by Councilwoman McGrath; seconded by Councilman Roman.

Public Hearing:

None.

ROLL CALL:

AYES: Holland, McGrath, Roman, McEvoy, Tamburro

NAYS:

Ordinance No. 2023-41 passes 5-0 and it will be published according to law.

ORDINANCE No. 2023-42

BOND ORDINANCE PROVIDING FOR IMPROVEMENTS AT THE FAIRVIEW AVENUE WELL IN AND BY THE TOWNSHIP OF VERONA, IN THE COUNTY OF ESSEX, NEW JERSEY, APPROPRIATING \$5,000,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$5,000,000 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE THE COST THEREOF.

The Municipal Clerk reads Ordinance No. 2023-42 by title into record.

Motion to move Ordinance No. 2023-42 is moved by Councilman Roman; seconded by Mayor Tamburro.

Public Hearing:

Kevin Ryan, Verona, New Jersey

Council Discussion.

ROLL CALL:

AYES: Holland, McGrath, Roman, McEvoy, Tamburro

NAYS:

Ordinance No. 2023-42 passes 5-0 and it will be published according to law.

ORDINANCE # 2023-43

**FIXING THE SALARY AND COMPENSATION OF THE ACTING
DIRECTOR OF COMMUNITY SERVICES FOR THE 2023 CALENDAR YEAR**

The Municipal Clerk reads Ordinance No. 2023-43 by title into record.

Motion to move Ordinance 2023-43 is moved by Deputy Mayor McEvoy; seconded by Mayor Tamburro.

ROLL CALL:

AYES: Holland, McGrath, Roman, McEvoy, Tamburro

NAYS:

Ordinance 2023-43 will be published according to law and a public hearing will be held on October 30, 2023.

ORDINANCE No. 2023-42

**BOND ORDINANCE PROVIDING FOR IMPROVEMENTS AT THE
FAIRVIEW AVENUE WELL IN AND BY THE TOWNSHIP OF VERONA, IN
THE COUNTY OF ESSEX, NEW JERSEY, APPROPRIATING \$5,000,000
THEREFOR AND AUTHORIZING THE ISSUANCE OF \$5,000,000 BONDS
OR NOTES OF THE TOWNSHIP TO FINANCE THE COST THEREOF.**

The Municipal Clerk reads Ordinance No. 2023-42 by title into record.

Motion to move Ordinance 2023-42 is moved by Councilman Roman; seconded by Deputy Mayor McEvoy.

Council Discussion.

ROLL CALL:

AYES: Holland, McGrath, Roman, McEvoy, Tamburro

NAYS:

Ordinance 2023-42 will be published according to law and a public hearing will be held on October 16, 2023.

Consent Agenda

Minutes from the September 11, 2023 meeting are approved unanimously.

Councilwoman McGrath requests to pull resolution K-2 from the consent agenda.

Public Comment on Consent Agenda:

None.

RESOLUTION No. 2023-170

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

AUTHORIZING A CONTRACT WITH EG TECHNOLOGY NJ, LLC

WHEREAS, the Township of Verona has a need for information technology services for the Police Department and backup information technology services for the Township and seeks to make the award as non-fair and open contract pursuant to the provisions of *N.J.S.A. 19:44A-20.5*; and,

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

WHEREAS, EG Technology NJ, LLC, with offices at, 107 East Mount Pleasant Avenue, Suite 4, Livingston, New Jersey 07039 has submitted a proposal indicating the ability to perform said services at a cost not-to-exceed \$35,000.00; and

WHEREAS, this expenditure shall be charged in an amount not to exceed \$25,000 to Budget Account No. 3-01-24-264-260 an amount not to exceed \$10,000 to Budget Account No. 3-3-01-24-264-063 or any other account that may be deemed appropriate by the Chief Financial Officer or her designee, and the availability of funds have been contingently certified by the Chief Financial Officer; and

WHEREAS, EG Technology NJ, LLC has completed and submitted a Business Entity Disclosure Certification which certifies that EG Technology NJ, LLC has not made any reportable contributions to a political or candidate committee in the Township of Verona in the previous one year, and the contract will prohibit EG Technology NJ, 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 EG Technology NJ, LLC for information technology services for the Police Department and backup information technology services for the Township in an amount not-to-exceed \$35,000.00 subject to the following:

1. The award of this contract is subject to finalization of the contract terms to be drafted and approved by the Township Attorney.
2. The contract and any contract amendments which may become necessary shall be subject to the Township's ability to appropriate sufficient funds, which appropriation shall be at the sole discretion of the Township Council.
3. 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.
4. The Township Clerk is in receipt of the Stockholder Disclosure form, Contribution Disclosure form, Certificate of Employee Information Report, Business Registration Certificate, and Certificate of Insurance.

BE IT FURTHER RESOLVED that the Township reserves the right to cancel this contract upon thirty (30) days' notice and EG Technology NJ, LLC shall only be paid for the work completed; furthermore, no minimum amount of work or payment is implied or guaranteed.

ROLL CALL:

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

RESOLUTION No. 2023-171

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

IN SUPPORT OF THE ADOPTION OF A STRONG ANTI-IDLING POLICY IN NEW JERSEY

WHEREAS, emissions from gasoline and diesel-powered vehicles contribute significantly to air pollution, including greenhouse gases, ozone formation, fine particulates; and

WHEREAS, numerous scientific studies have found links between exposure to fine particles and health effects including premature death, and increased incidents of asthma, allergies, and other breathing disorders; and

WHEREAS, the United States Environmental Protection Agency has classified diesel exhaust as likely to be carcinogenic to humans; and

WHEREAS, vehicle idling occurs in locations (e.g. school grounds, parking lots, distribution centers, strip malls, construction sites, business centers, etc.) where New Jerseyans can be exposed to concentrated sources of air pollutant emissions; and

WHEREAS, asthma is a significant public health concern in New Jersey, especially among children (up to 25% of New Jersey's school-age children are asthmatic) and the elderly; and

WHEREAS, the reduction of fine-particle emissions from diesel engines could also prevent 16,000 new asthma cases annually and save \$770 million to \$10 billion in health care and related costs in the State; and

WHEREAS, for every gallon of gasoline used, the average car produces about 20 pounds of carbon dioxide (CO₂), the largest contributor to greenhouse climate change, with one-third of greenhouse gas emissions coming from the transportation sector; and

WHEREAS, petroleum-based gasoline and diesel fuel are nonrenewable fuels and should be used wisely and not wasted; and

WHEREAS, idling is not generally beneficial to a vehicle's engine because it wears engine parts; and

WHEREAS, idling more than 10 seconds uses more fuel and emits more pollutants than turning an engine off and on again; and

WHEREAS, current state law prohibits the idling of vehicles for more than three minutes and studies have shown that an anti-idling policy will save fuel, prolong engine life, and improve air quality.

NOW THEREFORE, BE IT RESOLVED that the Township Council of Verona, in the County of Essex, State of New Jersey supports the adoption of a strong anti-idling policy by government agencies, schools, businesses, and other organizations by:

1. Make enforcing existing violations and penalties under New Jersey's existing no-idling law a priority pursuant to C. 39:3- 70.2 and C. 26:2C-1;
2. Encouraging any gasoline or diesel-powered motor vehicle to turn off their engines immediately at schools and off-site school related events to minimize exposure of children to vehicle emissions;
3. Maintaining municipal vehicles to eliminate any visible exhaust and complying with the annual inspection requirement for those vehicles;
4. Promote the widespread use of emission controls in construction contracts (for example, see the "Diesel Emission Controls in Construction Projects: Model Contract Specification" developed by the Northeast Diesel Collaborative); and
5. Supporting broad education of the public about the health, environmental and economic impacts of idling and ways to reduce idling.
6. Forming safe routes to enable more walkable streets within the Township of Verona.

ROLL CALL:

AYES: Holland, McGrath, Roman, McEvoy, Tamburro

NAYS:

RESOLUTION No. 2023-172

A motion was made by Councilwoman McGrath; seconded by Councilman Roman 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. Purchase, Lease or Acquisition of Real Property pursuant to *N.J.S.A. 10:4-12 (5)*
2. Pending, Ongoing, or Anticipated Litigation and Contract Negotiations pursuant to *N.J.S.A. 10:4-12 (7)*

ROLL CALL:

AYES: Holland, McGrath, Roman, McEvoy, Tamburro

NAYS:

RESOLUTION No. 2023-173

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

AUTHORIZING EXECUTION OF A PROFESSIONAL SERVICE AGREEMENT FOR PLANNING SERVICES WITH H2M ASSOCIATES, INC.

WHEREAS, the Township requires a qualified firm or individual to provide professional Planning services; and,

WHEREAS, Township advertised an RFP and reviewed the proposals received; and;

WHEREAS, the proposals were evaluated and the Planners were interview: and

WHEREAS, it was determined that H2M Associates, Inc., having its principal office at 119 Cherry Hill Road, Ste. 110 Parsippany, NJ 07054 (hereinafter "Planner") is quailed to provide the necessary Planning services; and,

WHEREAS, the Council approved Planner to provide the required services; and

WHEREAS, the Township has the need for the Planner to review the Master Plan and recommend the necessary and appropriate changes to the Township's zoning ordinances; and

WHEREAS, the Planner has submitted the attached proposal to perform the required services; and

WHEREAS, the Administration recommends retaining the Planner to perform the services described in the attached proposal for an amount not to exceed \$44,000 for calendar year 2023 and expenditures shall be charged to Ordinance 2021-18.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Verona that the Township Manager, or his designee, is authorized to execute a contract with H2M Associates, Inc., in accordance with the attached RFP submission and subject to the following:

1. The award of this contract is subject to finalization of the contract terms which shall include a clause that it may be terminated by the Township at any time and the Planner shall only be paid for the work performed up to the date of termination.
2. Any contract amendments or change orders which may become necessary shall be subject to the Township's ability to appropriate sufficient funds, which appropriation shall be at the sole discretion of the Township Council.
3. The Council hereby authorizes the 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.
4. The Township is in receipt of the vendor's Contribution Disclosure and Stockholder Disclosure Certification.
5. Planner may be paid upon passage and certification of this resolution, and for a period of ninety (90) days thereafter, before the final execution of a contractual agreement. Said payments shall be in accordance with this resolution and the RFP as is fully delineated herein. If a finalized contract is not entered within ninety (90) days following the date of the herein resolution, all work and payments will be put on hold until the contract is finalized. The vendor shall be entitled to payment upon submission of an appropriate invoice for all work authorized and performed during the ninety (90) day period but not for any work performed thereafter until and unless the contract is finalized and fully executed by both parties.
6. The Manager, or his designee, is hereby authorized to execute an agreement as outlined herein with H2M Associates, Inc.

ROLL CALL:

AYES: Roman, McEvoy, Tamburro

NAYS: McGrath, Holland

Addendum:

RESOLUTION No. 2023-174

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

**AUTHORIZING A CONTRACT WITH GOOGLE
WORKSPACE BUSINESS PLUS**

WHEREAS, the Township of Verona employs the use of Google Workspace Business PLUS, including e-mail, document retention, vault and storage; and,

WHEREAS, the Township is in the second of a three-year contract with Google Workspace Business PLUS through a third party seller as Google does not contact these services out directly; and,

WHEREAS, the Township has contacted with Cumulus Global on a multi-year basis to realize discounted pricing of 30% off of Google's nationally published MSRP of \$216 per license per year and seeks to make the award as non-fair and open contract pursuant to the provisions of *N.J.S.A. 19:44A-20.*; 5; and,

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

WHEREAS, Cumulus Global, with offices at, 4 Bellows Road, Westborough, Massachusetts 01581-6129 will perform said services at a cost not-to-exceed \$19,000.00; and

WHEREAS, this expenditure shall be charged to Budget Account No. 3-01-24-264-063 or any other account that may be deemed appropriate by the Chief Financial Officer or her designee, and the availability of funds have been contingently certified by the Chief Financial Officer; and

WHEREAS, Cumulus Global has completed and submitted a Business Entity Disclosure Certification which certifies that Cumulus Global has not made any reportable contributions to a political or candidate committee in the Township of Verona in the previous one year, and the contract will prohibit Cumulus Global 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 Cumulus Global with the Township in an amount not-to-exceed \$19,000.00 subject to the following:

1. The award of this contract is subject to finalization of the contract terms to be drafted and approved by the Township Attorney.
2. The contract and any contract amendments which may become necessary shall be subject to the Township's ability to appropriate sufficient funds, which appropriation shall be at the sole discretion of the Township Council.
3. 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.
4. The Township Clerk is in receipt of the Stockholder Disclosure form, Contribution Disclosure form, Certificate of Employee Information Report, Business Registration Certificate, and Certificate of Insurance.

BE IT FURTHER RESOLVED that the Township reserves the right to cancel this contract upon thirty (30) days' notice and Cumulus Global shall only be paid for the work completed; furthermore, no minimum amount of work or payment is implied or guaranteed.

ROLL CALL:

AYES Holland, McGrath, Roman, McEvoy, Tamburro

NAYS:

New Business:

Council Discusses an ordinance Amending Chapter 390, Article II of the Township Code Entitled Lead-Based Paint Hazard Inspection Requirements for Rental Dwellings; an ordinance Amending Chapter 5, Article IX of the Township Code Entitled Department of Community Services, to Allow for Flexibility in the Appointment of the Director of Health and Welfare and the Director of Recreation; and an ordinance Amending Chapter 18, Commissions Committees and Boards, Article V, Parks and Recreation Advisory Committee.


Public Comment:

None.

Motion to adjourn is made by Councilman Roman; seconded by Councilwoman McGrath at 10:36 pm. The next regularly scheduled meeting of the Township Council is October 30, 2023 at 7:00 pm.

Respectfully submitted,


Jennifer Kiernan, Municipal Clerk


Christopher Tamburro, Mayor

APPROVED: December 4, 2023