

Minutes of a Regular Meeting of the Verona Township Council on Monday, March 9, 2020, beginning at 7:00 p.m. in the Municipal Building, 600 Bloomfield Avenue, Verona, New Jersey.

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; specifically, the time, date and location were included in the annual notice of meetings adopted by the governing body, posted in the Municipal Building, and sent to the official newspapers of the Township, the Verona Cedar Grove Times and the Star Ledger. Additionally, the agenda for this meeting was posted in the Municipal Building and sent to the two newspapers before 4:30 p.m. on the Friday preceding this meeting.

Roll Call:

Mayor Jack McEvoy, Deputy Mayor Alex Roman, Councilman Ted Giblin and Councilwoman Christine McGrath. Township Manager Matthew Cavallo, Brian Aloia, Township Attorney and Municipal Clerk Jennifer Kiernan are also present. Councilman Kevin Ryan is absent.

Mayor's Report:

Mayor McEvoy calls for the pledge of allegiance.

Julius Coltre, Essex County Liaison approaches the lectern to update the public on County activities. He informs the public that they can call the County Public Works offices to report pot holes at 973-239-3366 x2340. Hazardous Waste Drop off will be May 2 and Electronics Drop off will be May 16.

Mr. McEvoy reports that he participated in a conference call with mayors, OEMs and county officials on the status of COVID-19.

Manager's Report:

The Township Manager calls Chief Christopher Kiernan to the lectern. Chief Kiernan reports that Sergeant Anthony O'Connor was promoted to Lieutenant on February 29, 2020.

The Township Manager updates the public on the Coronavirus. The Governor declared a State of Emergency. This gives the State power to execute plans immediately. The Township has an ongoing dialog with all stakeholders in this situation. We will work with schools, maintain cleanliness of all buildings. The police and fire departments and rescue squad has updated their policies in regards to responding to incidents, following the CDC and Department of Health. All employees cleaning workspaces and are encouraged to stay home if symptoms develop. The Township's medical plan has Teledoc, where employees and their dependents can face-time with a doctor instead of going to their facility. The Township's long term plan, as of now, is to prepare for continuing essential government services as we continue to receive guidance from State officials. Should schools close, all recreation programs will be suspended but the Senior bus will continue to stay in service.

The Pool Concession Rebid will be opened on March 11. The bid for the demolitions of the four residential houses at Cameco will be opened on March 18. The bid for the Renovations to the Pool came in over budget and will be rejected on Monday. We will go out to be over the summer for fall work.

The County of Essex has awarded a census awareness grant to the Township in the amount of \$3,000. The Essex County Census Kick Off Event is this Wednesday, March 11 at 12 noon.

Applications and petitions for County Committee Candidates are due to the Municipal Clerk's office by 4:00 p.m. on Monday, March 30.

The Council will be receiving a presentation from PIRHL on the Concept for the Cameco Affordable Housing Project on Wednesday, March 11 beginning at 7 p.m. in Council Chambers.

Registration will start tomorrow for Children's Spring Recreation Programs, Monday, March 9 at 9:00 a.m. via Community Pass.

Essex County Executive's State of the County Address has been rescheduled again for Monday, March 23 at 7:00 p.m. at the Donald M. Payne, Sr. School of Technology in Newark.

VMAC Family Night is Thursday, March 12. The purpose of Family Night is to provide Verona families a cleared schedule to enjoy quality time with each other. It is a simple reminder of the importance of family time. Family mealtime is an effective tool in fostering family unity and helping children and adolescents remain substance free.

There are six (6) openings on the newly formed Open Space Trust Fund Advisory Board. Anyone interested should submit his or her intentions to the Municipal Clerk.

Essex County Clerk Outreach at Verona Public Library will take place on Monday, 3/9/2020 and Monday, 3/23/2020.

Councilmember's Reports:

Deputy Mayor Roman has no report this evening.

Councilman Giblin reports that as of March 1 New York is banning plastic bags. He also reports that on Saturday, March 14 he will team up with Deputy Mayor Roman in the Verona Cares 3rd Annual Corn Hole Tournament, the proceeds of which will be donated to the Alagille Syndrome Alliance. He reminds the public that the Danny O'Callahan dance at OLL is this Saturday.

Councilwoman McGrath reports that she attended Lieutenant O'Connor's promotion. She also toured Firehouse #2 and has construction concerns about the condition of the building. She read to the 3rd graders at Forest Avenue Elementary School for Read Across America Day. She also attended the library's presentation of When Verona Dared to be Different, hosted by Hilda Jaffe, who served on the Board of Education during that time.

ORDINANCE NO. 2020-06

REPEALING CHAPTER 77 (FLOOD CONTROL) IN ITS ENTIRETY AND ESTABLISHING A NEW CHAPTER 77 (FLOOD CONTROL AND DAMAGE PREVENTION) OF THE CODE OF THE TOWNSHIP OF VERONA

The Municipal Clerk reads Ordinance No. 2020-06 by title into record.

Public Hearing: None

Motion to adopt Ordinance No. 2020-06 is moved by Councilwoman McGrath; seconded by Deputy Mayor Ryan.

ROLL CALL:

AYES: McGrath, Giblin, Roman, McEvoy

NAYS:

ABSENT: Ryan

Ordinance No. 2020-06 is adopted 4-0 and will be published according to law.

ORDINANCE No. 2020-07

ORDINANCE TO AMEND CHAPTER A175, FEES, OF THE CODE OF THE TOWNSHIP OF VERONA BY AMENDING CERTAIN SECTIONS

The Municipal Clerk reads Ordinance No. 2020-07 by title into record.

Public Hearing: None

Motion to adopt Ordinance No. 2020-07 is moved by Councilman Giblin; seconded by Councilwoman McGrath.

ROLL CALL:

AYES: McGrath, Giblin, Roman, McEvoy

NAYS:

ABSENT: Ryan

Ordinance No. 2020-07 is adopted 4-0 and will be published according to law.

ORDINANCE # 2020-08

REPEALING CHAPTER 111 (RECYCLING, SOURCE SEPARATION OF LEAVES AND GARBAGE COLLECTION), ESTABLISHING A NEW CHAPTER 111 (RECYCLING, SOURCE SEPARATION OF LEAVES AND GARBAGE COLLECTION) OF CODE OF THE TOWNSHIP OF VERONA

The Municipal Clerk reads Ordinance No. 2020-08 by title into record.

Public Hearing: Gerry Shimonaski, 33 Kenwood Avenue, Verona, New Jersey

Motion to adopt Ordinance No. 2020-08 is moved by Mayor McEvoy; seconded by Deputy Mayor Roman.

ROLL CALL:

AYES: McGrath, Giblin, Roman, McEvoy

NAYS:

ABSENT: Ryan

Ordinance No. 2020-08 is adopted 4-0 and will be published according to law.

ORDINANCE NO. 2020-09

FIXING THE SALARIES AND COMPENSATION OF THE PAID OFFICERS AND EMPLOYEES OF THE TOWNSHIP FOR THE 2020 CALENDAR YEAR

The Municipal Clerk reads Ordinance No. 2020-09 by title into record.

The Township Manager explains that this ordinance is to set a stipend for the Rent Control Board Secretary.

Motion to introduce Ordinance No. 2020-09 is moved by Mayor McEvoy; seconded by Councilman Giblin.

ROLL CALL:

AYES: McGrath, Giblin, Roman, McEvoy

NAYS:

ABSENT: Ryan

Ordinance No. 2020-09 is introduced 4-0 and will be published according to law and a public hearing will be held on March 23, 2020.

Public Comment on Consent Agenda Items:

None.

Minutes from the February 24, 2020 meeting are approved 3-0, with Deputy Mayor Roman abstaining; March 2, 2020 and March 3, 2020 Special Meeting Minutes are approved unanimously by a vote of 4-0.

RESOLUTION No. 2020-063

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

**APPROVING CONTRACT CHANGE NO. 1 - CONTRACT NO. 19-04 -
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 - "Mechanical Bar Screen" for the furnishing of labor, equipment and materials in the amount of \$495,000.00, in accordance with the requirements of the Local Public Contract Law, *N.J.S.A. 40A:11-1, et seq.*; and

WHEREAS, during mobilization for this project, it was discovered that the installation of a dresser coupling on the existing influent chamber by-pass pipe is required in the amount of plus \$3,140.51; and

WHEREAS, the Council has received Contract Change No. 1 for the within contract from the Consulting Engineer, dated August 13, 2019 in an amount of plus \$3,140.51, for a revised contract amount of \$498,140.51; and

WHEREAS, the within Contract Change No. 1 is in the best interests of the Township.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Verona, in the County of Essex, New Jersey that Contract Change No. 1, in the amount of (plus) \$3,140.51, for a revised contract amount of \$498,140.51 be approved.

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

ROLL CALL:

AYES: McGrath, Giblin, Roman, McEvoy

NAYS:

ABSENT: Ryan

RESOLUTION No. 2020-064

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

AUTHORIZING A CONTRACT WITH FSD ENTERPRISES LLP

WHEREAS, Township of Verona desires to engage the services of FSD Enterprises, LLC as the Township's Wireless Telecommunications Consultant for the preparation and negotiation of new and extended leases of spaces on the Township-owned cell tower; and

WHEREAS, the Township Manager has determined that the value of said services will exceed \$17,500.00; and

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 Township Manager has recommended that FSD Enterprises LLC, 65 Mechanic Street, Suite 201, Red Bank, New Jersey 07701 be awarded a contract to provide said services for the Township, in an amount not to exceed \$21,000.00.

THEREFORE, BE IT RESOLVED by the Township Council of the Township of Verona, in the County of Essex, New Jersey that FSD Enterprises LLC is hereby awarded a contract the Township's Wireless Telecommunications Consultant not to exceed \$21,000.00 without further authorization of the Governing Body.

BE IT FURTHER RESOLVED that the Business Entity Disclosure Certification and Determination of Value are to be placed on file with this Resolution; and

BE IT FURTHER RESOLVED that this contract is being awarded pursuant to *N.J.S.A. 19:44A-20.5*.

BE IT FURTHER RESOLVED that a notice of this action shall be published once in the Verona-Cedar Grove Times; and

BE IT FURTHER RESOLVED that the Township Manager and the Township Clerk are hereby authorized to enter into an agreement for the aforementioned services a copy of which shall be available for public inspection in the Office of the Township Clerk.

ROLL CALL:

AYES: McGrath, Giblin, Roman, McEvoy

NAYS:

ABSENT: Ryan

RESOLUTION No. 2020-065

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

AUTHORIZING A CONTRACT WITH HENDRICKS APPRAISAL COMPANY, LLC

WHEREAS, the Township has a need for professional tax appeal appraisal and added assessment services; and

WHEREAS, the Township Manager has determined that the value of said services will exceed \$17,500.00; and

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, Hendricks Appraisal Company, LLC, previously conducted tax appeal appraisal and added assessment services for the Township; and

WHEREAS, the Township Manager has recommended that Hendricks Appraisal Company, LLC, 7 Hutton Avenue, West Orange, New Jersey 07052 be awarded a contract to provide said services for the Township, when necessary not to exceed \$45,000.00.

THEREFORE, BE IT RESOLVED by the Township Council of the Township of Verona, in the County of Essex, New Jersey that Hendricks Appraisal Company, LLC is hereby awarded a contract for real estate appraisals when necessary, not to exceed \$45,000.00 without further authorization of the Governing Body.

BE IT FURTHER RESOLVED that the Business Entity Disclosure Certification and Determination of Value are to be placed on file with this Resolution; and

BE IT FURTHER RESOLVED that this contract is being awarded pursuant to *N.J.S.A. 19:44A-20.5*.

BE IT FURTHER RESOLVED that a notice of this action shall be published once in the Verona-Cedar Grove Times; and

BE IT FURTHER RESOLVED that the Township Manager and the Township Clerk are hereby authorized to enter into an agreement for the aforementioned services a copy of which shall be available for public inspection in the Office of the Township Clerk.

ROLL CALL:

AYES: McGrath, Giblin, Roman, McEvoy

NAYS:

ABSENT: Ryan

RESOLUTION No. 2020-066

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

AUTHORIZING A CONTRACT WITH ALEX J. GRAZIANO, ESQ. FOR SERVICES AS RENT CONTROL BOARD ATTORNEY

WHEREAS, the § 4-63 of the Code of the Township of Verona calls for the appointment of Counsel to the Rent Control Board; and

WHEREAS, on August 5, 2019 the Township Council appointed Alex J. Graziano, Esq., 155 Pompton Avenue, Verona, New Jersey 07044 to serve as Counsel to the Rent Control Board upon recommendation of the Township Attorney; and

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 Alex J. Graziano, Esq. is being made pursuant to *N.J.S.A. 19:44A-20.5*; and

WHEREAS, the cost for said professional services shall be set at a retainer of \$6,000 for the calendar year to include general services and a fixed hourly rate of \$125.00 per hour not to exceed \$15,000 for outside services without further authorization by the Township Council; and

WHEREAS, this expenditure shall be charged to Budget Account No. 01-20-222-045, or any other account that may be deemed appropriate by the Chief Financial Officer or his designee, and the availability of funds have been contingently certified by the Chief Financial Officer of the Township pending approval of the 2020 Municipal Budget.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Verona, in the County of Essex, New Jersey that Alex J. Graziano, Esq., 155 Pompton Avenue, Verona, New Jersey 07044 is hereby appointed as Rent Control Board Attorney and shall be paid a retainer of \$6,000 for the calendar year to include general services and a fixed hourly rate of \$125.00 per hour not to exceed \$15,000 for outside services without further authorization by the Township Council.

BE IT FURTHER RESOLVED, that the Township reserves the right to cancel this contract upon thirty (30) days' notice and Alex J. Graziano, Esq., 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 this expenditure shall be charged to Budget Account No. 01-20-222-045, or any other account that may be deemed appropriate by the Chief Financial Officer or his designee, and the availability of funds have been contingently certified by the Chief Financial Officer of the Township pending approval of the 2020 Municipal Budget.

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 an agreement for the aforementioned services a copy of which shall be available for public inspection in the Office of the Township Clerk.

ROLL CALL:

AYES: McGrath, Giblin, Roman, McEvoy

NAYS:

ABSENT: Ryan

RESOLUTION No. 2020-067

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

REJECTING BID 20-01 FOR RENOVATIONS TO VERONA COMMUNITY POOL

WHEREAS, the Township of Verona public a notice to bidders for Renovations to Verona Community Pool on Friday, February 14, 2020; and

WHEREAS, two sealed bids were received by the Municipal Clerk and opened in a Public Meeting held on Tuesday, March 3, 2020 at 11:00 a.m. in the Municipal Building located at 600 Bloomfield Avenue; and

WHEREAS, a bid was received by Stoneridge, Inc., 73 Steam Whistle Drive, Ivyland, PA 18974 in the total amount of \$1,223,556.00 and a bid was received from All State Technology, Inc., 10 Lark Lane, Oak Ridge, NJ 07438 in the total amount of \$1,763,449.18; and

WHEREAS, the amount of the bids exceed the available funding.

NOW, THEREFORE, BE IT RESOLVED that the Township Council of the Township of Verona, County of Essex, State of New Jersey hereby rejects both bids pursuant to *N.J.S.A. 40A:11-13.2(b)* as the lowest bid substantially exceeds the contracting unit's appropriation for the goods or services.

ROLL CALL:

AYES: McGrath, Giblin, Roman, McEvoy

NAYS:

ABSENT: Ryan

RESOLUTION No. 2020-068

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

AUTHORIZING AN INTERLOCAL SERVICES AGREEMENT WITH THE BOROUGH OF ROSELAND TO PROVIDE STREET SWEEPING SERVICES

WHEREAS, the Uniform Shared Services and Consolidation Act, *N.J.S.A. 40A:65-1 et seq.* (the "Act"), authorized local units of this State to enter into agreements with any other local unit or units to provide or receive any service that each local unit participating in the agreement is empowered to provide or receive in its own jurisdiction; and

WHEREAS, the Township of Verona and the Borough of Roseland are desirous to enter an Interlocal Services agreement to provide Street Sweeping Services; and

WHEREAS, the Township of Verona and the Borough of Roseland have reached an agreement as to the terms and conditions associated with said agreement; and

WHEREAS, it is in the best interest of both municipalities to enter into this Interlocal Services Agreement for the period beginning January 1, 2020 and terminating December 31, 2020.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Verona, in the County of Essex, New Jersey that Township Manager and Township Clerk are hereby authorized to execute an Interlocal Services Agreement with the Borough of Roseland to provide Street Sweeping Services.

BE IT FURTHER RESOLVED that the Township Clerk shall transmit a certified copy of this resolution to the Clerk of the Borough of Roseland.

ROLL CALL:

AYES: McGrath, Giblin, Roman, McEvoy

NAYS:

ABSENT: Ryan

RESOLUTION No. 2020-069

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

ACCEPTING THE AWARD OF THE 2020 U.S. CENSUS GRANT FROM THE COUNTY OF ESSEX, STATE OF NEW JERSEY

WHEREAS, the Township of Verona has been awarded a grant in the sum of \$3,000 from the County of Essex, State of New Jersey for the 2020 U.S. Census; and

WHEREAS, this funds will assist Verona with initiatives to heighten awareness about the Census and inform the public that completing the forms are quick, easy and safe and;

WHEREAS, the Township's contribution toward the grant will be the zero dollars.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Verona, in the County of Essex, New Jersey that the Township of Verona is hereby authorized to accept for this grant in the amount of \$3,000.

BE IT FURTHER RESOLVED that the Township Manager, Municipal Clerk and any other officer deemed appropriate are hereby authorized to execute any and all documents necessary to accept this grant.

ROLL CALL:

AYES: McGrath, Giblin, Roman, McEvoy

NAYS:

ABSENT: Ryan

RESOLUTION No. 2020-70

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

REFUNDING ESCROW PAYMENT

WHEREAS, Escrow fees, for the Board of Adjustment, were received Pedro Ortiz, for property located at 248 Linden Avenue 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 AMOUNT	EXPENSES	AMOUNT TO BE REFUNDED
\$500.00	\$104.00	\$396.00

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, \$396.00 to Pedro Ortiz, 82 Lincoln Avenue, Hawthorne, NJ 07506.

ROLL CALL:

AYES: McGrath, Giblin, Roman, McEvoy

NAYS:

ABSENT: Ryan

RESOLUTION No. 2020-071

A motion was made by Councilwoman McGrath; seconded by Councilman Giblin 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:

1. The public shall be excluded from discussion of an action upon the hereinafter specified subject matter.
2. The general nature of the subject matter to be discussed is as follows:
 - a. Contract Negotiations pursuant to *N.J.S.A. 10:4-12 (7)*
 - Cameco Redevelopment - Block 2301, Lots 1-19
3. It is anticipated at this time that the above stated subject matter will be made public when said subject has been fully discussed by the Council, and the attorney rules this matter may be brought before the public without jeopardizing any pending litigation.
4. This resolution shall take effect immediately.

ROLL CALL:

AYES: McGrath, Giblin, Roman, McEvoy

NAYS:

ABSENT: Ryan

Public Comment:

Kathleen Laterza, 810 Bloomfield Avenue, Verona, New Jersey
Jessica Pearson, 20 Montclair Avenue, Verona, New Jersey

Adjournment:

Council goes into Executive Session at 8:15 p.m. Motion to adjourn the meeting at 8:45 pm is motioned by Deputy Mayor Roman; seconded by Councilman Giblin.

The next regular scheduled meeting is March 23, 2020 at 7:00 p.m.

Respectfully submitted,

Jennifer Kiernan
Jennifer Kiernan, Municipal Clerk

Jack McEvoy
Jack McEvoy, Mayor

APPROVED: March 23, 2020