



## **COUNCIL AGENDA**

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REGULAR MEETING	7:00 P.M.	JANUARY 19, 2016
Municipal Building, 600 Bloomfield Avenue		

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### **### Consent Agenda**

- A. CALL TO ORDER
  - Open Public Meetings Act Compliance Statement
- B. ROLL CALL
- C. PLEDGE OF ALLEGIANCE
- D. MAYOR'S REPORT
- E. REPORT OF MANAGER
- F. COUNCILMEMBERS' REPORTS
- G. HEARING ON ADOPTION OR AMENDMENT OF ORDINANCES
  - Ordinance #18-15 – Recycling, Source Separation of Leaves and Garbage Collection
- H. PROPOSED ORDINANCES
  - Ordinance #1-16 – Steep Slope

### **### CONSENT AGENDA**

### **### MINUTES**

- I. PROPOSED RESOLUTIONS
  - 2016-34 Awarding a Non-Fair and Open Contract for Architectural Services/Study of Verona Firehouse No. 2
  - 2016-35 Tax Lien Redemption
  - 2016-36 Closed Session – Contract Negotiations & Personnel

### J. LICENSES AND PERMITS

Raffle Application #834

Limousine License – White Line Limo Service Corporation

K. PUBLIC COMMENT

L. NEW BUSINESS

M. ADJOURNMENT

Minutes of a Regular Meeting of the Verona Township Council on Monday, January 19, 2016 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.

Roll Call:

Mayor Kevin Ryan, Deputy Mayor Michael Nochimson; Councilman Jay Sniatkowski; Councilman Bob Manley and Councilman Alex Roman. Township Manager Matthew Cavallo, Township Attorney Brian Aloia and Jennifer Kiernan, Municipal Clerk.

Mayor Ryan leads the Pledge of Allegiance.

Approval of Minutes:

Minutes from the January 4, 2016 meeting are moved for approval by Councilman Manley; seconded by Deputy Mayor Nochimson. Vote: 5 ayes.

Mayor's Report: Mayor Ryan announces that the Steep Slope Ordinance on tonight's agenda has been pulled. He explains that after introduction of this ordinance it will have to go to the Planning Board to determine if it is consistent with the Township's Master Plan. Given the pending Board of Education application to the Planning Board, the Mayor states in an effort to clear the Board's agenda for the BOE, the ordinance will be introduced at a later date.

County Liaison Jay Coltre approaches the lectern and reports that the County Executive, Joseph DiVincenzo will deliver the State of the County on February 22 at 7:00 p.m. at the Essex County Hospital Center. Deputy Mayor Nochimson asks Mr. Coltre about the summer concert series. Mr. Coltre comments that the County has not gone out to bid yet.

Manager's Report: Matthew Cavallo reports that last Tuesday the Planning Board heard testimony on the Board of Education's application for the two (2) athletic fields and addresses the rumors that the delay was on behalf of the Township. He states that the Council has no jurisdiction over the application. The Council has not discussed or formed an opinion as a group. Although the Mayor and Councilman Roman are sitting members of the Board (as per statute), Mr. Cavallo reminds the public that they are just 2 of 9 members. The Mayor interjects that the Planning Board as well as the Board of Adjustment are independent bodies and are not under the control of the Council.

Mr. Cavallo reports that the bids for Phase 1 of the Library renovations are currently under review by the architect, Township Engineer and Town Attorney and a resolution awarding the contract should be on the agenda for the February 1, 2016 meeting.

Mr. Cavallo informs the public that a resolution is on tonight's agenda to approve Mylar Architectural Group to perform a study of Firehouse #2 construction. He states that the Pay to Play law requires a resolution to certify that no political contributions have been made.

Councilmembers' Reports:

Deputy Mayor Nochimson asks if he is able to state a thought about the BOE fields, not as a Councilman, but a resident. The Township Attorney advises he may outside of Council Chambers, but not as a sitting Councilman on the dais. Mr. Nochimson asks for an update of the median on Lakeside Avenue. Township Engineer James Helb approaches the lectern and states that he has had discussions with the County Engineer, who has reservations on the median. He reports that in order to maintain parking on Lakeside Avenue the plan may need modifications that recognize those issues. He expects to have ongoing discussions with the County Engineer and report back in the Spring of 2016.

The Deputy Mayor requests a list from the Town Manager of 2015 overtime. He also requests a list of those hired over the last two (2) years, their starting salary and the number of employees converted from part time to full time, and the dates that occurred.

Councilman Sniatkowski comments that several streets have cardboard scattered along the roads. He reminds residents to tie up cardboard when placing it at the curb.

Councilman Manley reminds residents that with the pending storm, residents are asked to shovel out fire hydrants.

Councilman Roman reports he has had discussions with the police department to replace their radio system. He thanks Chief Stern, Captain DePoe and Detective Banta for their assistance.

**ORDINANCE NO.18-15**

AN ORDINANCE TO REPEAL THE CODE OF THE TOWNSHIP OF VERONA CHAPTER 85 ENTITLED GARBAGE, RUBBISH AND REFUSE IN ITS ENTIRETY AND AMEND THE CODE OF THE TOWNSHIP OF VERONA CHAPTER 111 THEREOF ENTITLED RECYCLING TO RECYCLING, SOURCE SEPARATION OF LEAVES AND GARBAGE COLLECTION.

The Municipal Clerk reads Ordinance #18-15 by title into record.

Mayor Ryan explains that this ordinance repeals the Garbage Ordinance and amends the Recycling Ordinance and combines the two to make one entity.

Council Discussion

None.

Motion to open public participation on Ordinance #18-15 is moved by Councilman Manley; seconded by Councilman Sniatkowski. Vote: 5 ayes.

Public Participation of Ordinance #18-15

None.

Motion to close Public Participation in Ordinance #18-15 is moved by Councilman Sniatkowski; seconded by Councilman Roman. Vote: 5 ayes.

Motion for final passage of Ordinance #18-15 is moved by Councilman Roman; seconded by Councilman Sniatkowski.

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**ROLL CALL:**  
**AYES: Manley, Roman, Sniatkowski, Nochimson, Ryan**  
**NAYS:**

Ordinance #18-15 is adopted on final reading and will be duly published according to law.

Resolutions:

**TOWNSHIP OF VERONA  
COUNTY OF ESSEX, STATE OF NEW JERSEY  
RESOLUTION No. 2016-34**

**AUTHORIZING A NON-FAIR AND OPEN CONTRACT WITH MYLAN  
ARCHITECTURAL GROUP FOR ARCHITECTUAL SERVICES – STUDY OF VERONA  
FIREHOUSE NO. 2**

**WHEREAS**, the Township has a need for an architectural study of the existing Firehouse No. 2 building to include a proposal for needed repairs and alterations in order to bring the building to a

safe and functionally efficient condition and to prepare a proposal to provide a new building with all the requirements of an up-to-date facility; and

**WHEREAS**, The Township has received a proposal from the Mylan Architectural Group to provide the aforementioned services; and

**WHEREAS**, the Mylan Architectural group has extensive experience with similar projects throughout the area and has designed numerous municipal service buildings in the Township and surrounding communities over the last forty years including the current Verona Firehouse No. 1 and the Verona Community Center Building; and

**WHEREAS**, the Township Engineer has recommended that the Mylan Architectural Group be awarded a contract to provide the aforementioned services; 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 the Mylan Architectural Group is being made as a result of a non-fair and open process pursuant to *N.J.S.A. 19:44A-20.5*; and

**WHEREAS**, the cost for said professional services shall be \$23,500 to include a presentation to the Mayor and Council excluding costs for hazardous material testing, test borings, soil testing and the cost of reproductions, without further authorization by the Mayor and Council; and

**WHEREAS**, this expenditure shall be charged to Account No. 53.994.963, or any other account that may be deemed appropriate by the Chief Financial Officer or his designee, and the availability of funds have been certified by the Chief Financial Officer of the Township.

**THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Township of Verona, in the County of Essex, New Jersey that the Mylan Architectural Group is hereby awarded a contract to architectural study of the existing Firehouse No. 2 building in the required contract amount of \$23,500, plus disbursements in an amount not to exceed \$2,500, without further authorization by the Mayor and Council.

**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 as a non-fair and open contract, pursuant to *N.J.S.A. 19:44A-20.5*; and

**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 this expenditure shall be charged to Account No. 53.994.963, or any other account that may be deemed appropriate by the Chief Financial Officer or his designee, and the availability of funds have been certified by the Chief Financial Officer of the Township; and

**BE IT FUTHER 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.

**TOWNSHIP OF VERONA  
COUNTY OF ESSEX, STATE OF NEW JERSEY  
RESOLUTION NO. 2016-35  
RESOLUTION REFUNDING TAX LIEN REDEMPTION**

**WHEREAS**, property located at 26 Crestmont Road, Block 2 Lot 13.01, owned by William Sapoch, has been held in tax lien since December 3, 2015,

and

**WHEREAS**, payment was received, in the amount of \$19,828.19 from William Sapoch, clearing the lien as follows:

<u>Certificate #2015-1</u>		
Certificate	18,425.09	
18% on Certificate	285.59	
Penalty 6%	1,105.51	
Due Diligence	<u>12.00</u>	
		\$19,828.19
Premium (Held in Trust)		<u>\$ 0.00</u>
<b>Total due Township of Verona From Trust</b>		<b>\$19,828.19</b>

**NOW, THEREFORE, BE IT RESOLVED**, that the Chief Financial Officer and Tax Collector be authorized to refund, from Trust, \$19,828.19 to:

Township of Verona  
600 Bloomfield Avenue  
Verona, NJ 07044

and send the cancelled certificate to: William Sapoch  
24 Crestmont Road  
Montclair, NJ 07042

Trust Check – Township of Verona \$19,828.19                      TTL #2015-1

Fiscal Impact  
Outside holder has paid all bills. Owner has redeemed – redemption is made through the Municipality and these monies are due back to the outside holder. Outside holder is entitled to interest charges by Municipality.

Due Outside Holder \$19,828.19

**TOWNSHIP OF VERONA  
COUNTY OF ESSEX, STATE OF NEW JERSEY  
RESOLUTION No. 2016-36**

**PERMITTING ITEMS TO BE DISCUSSED IN CLOSED 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 Mayor and 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 with NJIT pursuant to *N.J.S.A. 10:4-12(7)*
  - b. Personnel Matters pursuant to *N.J.S.A. 10:4-12(8)*
  - c. Annin Lofts and 858 Bloomfield Avenue *N.J.S.A. 10:4-12(5)*
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.

Licenses and Permits:

Raffle Application #834  
Limousine License – White Line Limo Service Corporation

**A motion was made by Councilman Manley; seconded by Deputy Mayor Nochimson that the items on the Consent Agenda be approved, adopted or granted:**

**ROLL CALL:**

**AYES: Manley, Roman, Sniatkowski, Nochimson, Ryan**

**NAYS:**

Public Participation: Motion to open public participation is moved by Councilman Sniatkowski; seconded by Councilman Roman. Vote: 5 ayes

Jessica Pearson – 20 Montclair Avenue, Verona, New Jersey  
Clayton Rice – 50 Oakridge Road, Verona, New Jersey  
Richard Aloia – 37 Malvern Place, Verona, New Jersey  
Avron Stoloff – 102 Fairway Avenue, Verona, New Jersey  
Gerry Shimonaski – 33 Kenwood Avenue, Verona, New Jersey

Motion to close public participation is moved by Councilman Manley; seconded by Councilman Sniatkowski. Vote: 5 ayes.

Adjournment:

Motion to adjourn meeting is moved by Councilman Sniatkowski; seconded by Councilman Manley. Vote: 5 ayes.

The meeting is adjourned at 8:07 p.m. The next regular scheduled meeting is Monday, February 1, 2016, at 7:00 p.m.

*Jennifer Kiernan*

Jennifer Kiernan, Municipal Clerk

*Kevin Ryan*

Kevin Ryan, Mayor