

Minutes of a Regular Meeting of the Verona Township Council on Monday, December 3, 2018 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 Kevin Ryan, Deputy Mayor Nochimson, Councilman Alex Roman, Councilman Ted Giblin and Councilman Jack McEvoy are present. Township Attorney Brian Aloia, Township Manager Matthew Cavallo and Municipal Clerk Jennifer Kiernan are also present.

Mayor Ryan leads the Pledge of Allegiance.

Mayor's Report:

Mayor Ryan calls Essex County Liaison Jay Coltre to the lectern. Mr. Coltre comments on the Verona Public Library renovations. Mr. Coltre announces the 2018 Essex County Holiday Lights Spectacular at the Turtle Back Zoo beginning November 16 and running through the end of the year.

Mayor Ryan attended the grand opening of the Verona Public Library on Saturday and encourages everyone to pay a visit. He states this was taxpayer money spent wisely, as the library is a great asset to the Town. He extends his thanks to County Executive Joseph DiVincenzo for attending. The Mayor also attended the Township's 2<sup>nd</sup> annual Menorah Lighting Ceremony on Sunday and thanks Rabbi Tobin for taking part.

Manager's Report:

Matthew Cavallo invites Steven Neale to the lectern. Mr. Neale thanks everyone involved in the Fair in the Square – the Mayor and Council, DPW, Building & Grounds, the police department, rescue squad, fire department, local businesses and non-profit organizations.

The Township Manager asks Assistant Township Engineer Michael DeCarlo to the lectern. Mr. DeCarlo discusses the Township's 2019 application for the Community Development Block Grant. As explained in the previous meeting, Mr. DeCarlo reiterates that this year the Township has chosen as Priority One – ADA and Pavement Improvements located at the Community Center; and Priority Two – ADA Curb Ramp Rehabilitations at various locations throughout the Township. Mr. DeCarlo opens the public comment for this year's application.

PUBLIC HEARING FOR CDBG: None.

Bids were received for the Solid Waste Collection Services Bid. The award of the five-year contract is on tonight's agenda. Bids were also received for the Municipal Building Roof Replacement. The award is also on tonight's agenda. Bids were received for the Fairway Avenue Water Tank Rehabilitation, the DPW Garage Fire Sprinkler System and the Loading, Transportation and Delivery of Liquid Sludge. Bids are currently being reviewed and will be awarded on December 17. Parking meters throughout the Township were bagged for the holiday season through Sunday, January 3, 2019.

The Land Conservancy of New Jersey will be presenting the draft Environmental Resource Inventory to the Planning Board on December 6 at 7:30 p.m. This is an open meeting and is open to the public.

The Leaf Dump opened on Saturday, September 29 from 8:30 a.m. to 3:30 p.m. It will be open on Saturdays at the same time, Sundays from 12 noon to 3 p.m. and Wednesdays from 8 a.m. to 3 p.m. through Sunday, December 16.

On Tuesday, November 27, the Township Manager attended the first New Jersey Shared Services Symposium presented by the Division of Local Government Services. Governor Murphy spoke at the event. He has reported that the Division has added two new full time employees to assist municipalities in studying the possibilities of Shared Services.

Councilmember's Reports:

Deputy Mayor Nochimson requests a status update regarding the noise at the Community Center. The Township Manager informs him that it has been determined that the noise was coming from an association's own speakers and not from the field speakers. The association has been notified.

Councilman Roman states it has been a successful week with the library opening, the Fair in the Square and the Menorah Lighting.

Councilman McEvoy states there was a lot of money spent on the library renovations but the outcome is beautiful. He congratulates Steven Neale on a successful Fair in the Square and wishes everyone a Happy Hanukkah.

Councilman Giblin thanks the Library Board of Trustees for their hard work in creating a "wow factor" with the new library. He thanks former Mayor and Councilman Frank Sapienza, who initially took an active approach to reconstructing the library in 2009. Councilman Giblin states the library will hold a gala on January 24, 2019 and states more information will come.

**ORDINANCE NO. 2018-34**

**BOND ORDINANCE PROVIDING FOR THE ACQUISITION OF REAL PROPERTY KNOWN AS THE CAMECO PROPERTY IN AND BY THE TOWNSHIP OF VERONA, IN THE COUNTY OF ESSEX, NEW JERSEY, APPROPRIATING \$3,100,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$2,952,000 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF**

The Municipal Clerk reads Ordinance No. 2018-34 by title into record.

Public Hearing: Mary Bovich, 86 Afterglow Avenue, Verona, NJ  
John Fiorito, 26 Westover Road, Verona, NJ  
Christi DiBartolo, 34 Oakridge Road, Verona, NJ  
James Tonko, 26 East Reid Place, Verona, NJ  
Larry Bovich, 86 Afterglow Avenue, Verona, NJ  
Santi Condorelli, 59 Brookside Road, Verona, NJ  
Herb Lev, 45 Summit Road, Verona, NJ  
Sean DiBartolo, 34 Oakridge Road, Verona, NJ  
Jesse Lilley, 52 Brookside Road, Verona, NJ

Motion to adopt Ordinance No. 2018-34 is moved by Mayor Ryan; seconded by Deputy Mayor Nochimson.

**ROLL CALL:**

**AYES: Roman, McEvoy, Nochimson, Ryan**

**NAYS: Giblin**

Ordinance No. 2018-34 is adopted 4-1 and will be published according to law.

**RESOLUTION No. 2018-151**

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

#### **MUNICIPAL LIEN FOR UNPAID SEWER CONNECTION FEES**

**WHEREAS**, the Township of Verona (the “Township”) has authorized and directed the Sanitary Sewer Extension Permit TWA to provide sewerage services to the benefit of real property known as 2-48 Grove Avenue, Township of Cedar Grove 07009 and designated on the tax map of Township of Cedar Grove as Block 71 Lot 2 (hereinafter the “Property”) owned by Grove Street LLC; and

**WHEREAS**, the Township provided sewer-connection services to the benefit of the Property; and

**WHEREAS**, pursuant to *N.J.S.A. 40A:26A-1 et seq.* and Township Ordinance § 146-46, the Chief Financial Officer has determined that the sewer-connection fees of said services is \$70,040.33; and

**WHEREAS**, the Township submitted a \$70,040.33 bill to Grove Street LLC; and

**WHEREAS**, Grove Street LLC has not made any payment on the \$70,040.33 bill; and

**WHEREAS**, these sewer-connection fees shall be levied on the Property in the form of a municipal lien for the above services pursuant to *N.J.S.A. 40A:26A-1 et seq.*; *N.J.S.A. 54:5-1 et seq.*; Township Ordinance § 146-46; and any other applicable State or Federal regulation; and

**NOW, THEREFORE BE IT RESOLVED** by the Township Council of the Township of Verona, County of Essex, New Jersey, that the Township of Cedar Grove Tax Collector be and is hereby authorized and directed to take all appropriate actions to impose on the real property known as 2-48 Grove Avenue, Township of Cedar Grove 07009 and designated on the tax map of Township of Cedar Grove as Block 71 Lot 2 owned by Grove Street LLC a municipal lien in the amount of the \$70,040.33, where upon the Township of Cedar Grove Tax Collector shall, within ten (10) days of encumbering of the Property, send official notice of said encumbrance *via* certified mail, return receipt requested and regular mail to any and all other lien holders or creditors with a secured interest in the property.

#### **ROLL CALL:**

**AYES:** Giblin, McEvoy, Roman, Nochimson, Ryan

**NAYS:**

#### **RESOLUTION No. 2018-152**

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

#### **AWARDING CONTRACT No. 18-17 MUNICIPAL BUILDING ROOF REPLACEMENT**

**WHEREAS**, on November 8, 2018 the Township of Verona received bids for Contract 18-17 – Municipal Building Roof Replacement; and

**WHEREAS**, six (6) responsive and responsible bids were received for Contract 18-17; and

**WHEREAS**, the apparent low base bid with supplemental bids items was submitted by Northeast Roof Maintenance Inc. of Perth Amboy, New Jersey, and that the Northeast Roof Maintenance Inc. did submit a written request on November 9, 2018 to withdraw their bid, citing omissions and errors in the preparation of the bid estimate; and

**WHEREAS**, White Rock Corp., 17 Gramercy Road, Old Bridge, New Jersey 08857 was the next responsive and responsible bidder in the Base Bid Amount of \$215,000 plus Alternate #4 (new canopy over the Police lower level entrance) in the amount of (plus) \$18,000.

**WHEREAS**, the Consulting Architect has reviewed and recommends the Contract award be made to the White Rock Corp., 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. 18-17 be awarded to the lowest responsive and responsible bidder, White Rock Corp., 17 Gramercy Road, Old Bridge, New Jersey 08857 in the total amount of \$233,000 for the Base Bid plus Alternate #4.

**BE IT FURTHER RESOLVED** that this expenditure shall be charged against Capital Account No. C-53-46-026-000 (Bond Ordinance No. 2018-29) or any other account that may be deemed appropriate by the Chief Financial Officer or his designee, and the availability of funds has been certified by the Chief Financial Officer.

**ROLL CALL:**

**AYES:** Giblin, McEvoy, Roman, Nochimson, Ryan

**NAYS:**

**RESOLUTION No. 2018-153**

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

**AWARDING CONTRACT No. 18-12  
SOLID WASTE COLLECTION SERVICES**

**WHEREAS**, on November 28, 2018, the Township of Verona received bids for Solid Waste Collection Services, Contract 18-12, and

**WHEREAS**, Waste Industries LLC, 800 East Grand Street, Elizabeth, New Jersey 07201, was the lowest responsible bidder for Contract 18-12 for a period of five years in the amount of \$750,000 in Year 1 (2019), \$775,000 in Year 2 (2020), \$800,000 in Year 3 (2021), \$800,000 in Year 4 (2022), \$800,000 in Year 5 (2023); and

**WHEREAS**, funds are available in Account No. 01-26-305-190, or any other account that may be deemed appropriate by the Chief Financial Officer or his designee, and the availability of funds has been certified by the Chief Financial Officer.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Verona, in the County of Essex, New Jersey that the bid of Waste Industries LLC, 800 East Grand Street, Elizabeth, New Jersey 07201 for Contract 18-12 for a period of five (5) years commencing on January 1, 2019 in the amount of \$750,000 per year in Year 1 (2019), \$775,000 per year in Year 2 (2020), \$800,000 per year in Year 3 (2021), \$800,000 per year in Year 4 (2022), \$800,000 per year in Year 5 (2023) be accepted and it be awarded Contract 18-12; and

**BE IT FURTHER RESOLVED** that this expenditure shall be charged to Account No. 01-26-305-190 or any other account that may be deemed appropriate by the Chief Financial Officer or his designee. The availability of funds shall be certified annually by the Chief Financial Officer upon adoption of the municipal budget.

**ROLL CALL:**

**AYES:** Giblin, McEvoy, Roman, Nochimson, Ryan

**NAYS:**

**RESOLUTION No. 2018-154**

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

**COMMUNITY DEVELOPMENT BLOCK GRANTS FOR THE 2019 YEAR**

**WHEREAS**, The Township of Verona will participate in the Community Development Block Grant Program for the 2019 Program Period, and;

**WHEREAS**, The Township must designate and prioritize its project application for the 2019 Program year.

NOW, THEREFORE, BE IT RESOLVED, that the Township Manager and the Engineering Manager are hereby authorized and directed to submit an application for the Community Development Block Grant in accordance with the priority indicated below:

<u>Priority</u>	<u>Project</u>	<u>Amount</u>
1	ADA & Pavement Improvements at Verona Community Center	\$ 294,930.00
2	ADA Curb Ramp Rehabilitation at Various Locations Throughout the Township	\$ 52,012.50

ROLL CALL:  
AYES: Giblin, McEvoy, Roman, Nochimson, Ryan  
NAYS:

RESOLUTION NO. 2018-155

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

APPOINTMENT OF REPRESENTATIVE’S TO THE ESSEX COUNTY  
COMMUNITY DEVELOPMENT BLOCK GRANT COMMITTEE

BE IT RESOLVED by the Township Council of the Township of Verona, in the County of Essex, New Jersey, that Municipal Officials Michael DeCarlo, Engineering Manager and Matthew Cavallo, Township Manager are hereby appointed to serve as the Township’s representatives to the Community Development Block Grant Committee for the year 2019.

ROLL CALL:  
AYES: Giblin, McEvoy, Roman, Nochimson, Ryan  
NAYS:

RESOLUTION No. 2018-156

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

AUTHORIZING A CONTRACT WITH  
NEW YORK-NEW JERSEY TRAILER BUILDERS SUPPLY, INC.

WHEREAS, the Township has a need to purchase two enclosed trailers and related parts for use by the Department of Public Works; and

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

WHEREAS, the Township Manager has recommended that New York-New Jersey Trailer Builders Supply, Inc., 1401 Route 23 South, Butler, NJ 07405 be awarded a contract to provide said enclosed trailers and related parts.

THEREFORE, BE IT RESOLVED by the Township Council of the Township of Verona, in the County of Essex, New Jersey that New York-New Jersey Trailer Builders Supply, Inc. is hereby awarded a contract for two enclosed trailers and related parts not to exceed \$18,647.00 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: Giblin, McEvoy, Roman, Nochimson, Ryan**

**NAYS:**

**AUTHORIZING A CONTRACT WITH  
PARTNER ENGINEERING AND SCIENCE, INC.**

**WHEREAS**, the Township has a need to conduct Phase I initial environmental assessments of real properties, specifically the Cameco Tract (Block 2301 – Lots 11, 12, 14 & 15) prior to acquisition of the properties by the Township; 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 Partner Assessment Corporation DBA Partner Engineering and Science, Inc., 611 Industrial Way West, Eatontown, NJ 07724 be awarded a contract to provide said environmental assessments for the Township.

**THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Verona, in the County of Essex, New Jersey that Partner Engineering and Science, Inc. is hereby awarded a contract to conduct Phase I initial environmental assessments of real properties, specifically the Cameco Tract (Block 2301 – Lots 11, 12, 14 & 15) prior to acquisition of the properties by the Township not to exceed \$19,500.00 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: Giblin, McEvoy, Roman, Nochimson, Ryan**

**NAYS:**

**RESOLUTION No. 2018-158**

A motion was made by Councilman McEvoy; seconded by Mayor Ryan 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. Pending Litigation pursuant to *N.J.S.A. 10:4-12 (7)*
    - i. Docket No. ESX-L-4773-15
    - ii. Correspondence from Becker & Poliakoff dated October 15, 2018
  - b. Contract Negotiations pursuant to *N.J.S.A. 10:4-12 (7)*
    - i. Collective Bargaining Agreement with PBA Local 72
  - c. Purchase, Lease or Acquisition of Real Property pursuant to *N.J.S.A. 10:4-12 (5)*
    - i. Cameco Tract (Block 2301 – Lots 11, 12, 14 & 15)
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: Giblin, McEvoy, Roman, Nochimson, Ryan**

**NAYS:**

New/Unfinished Business:

Albert Rawding, 155 Forest Avenue is appointed to the Neighborhood Traffic and Safety Committee to fill unexpired term ending 6/30/2018 by a vote of 4-1.

Public Participation:

Sean DiBartolo, 34 Oakridge Road, Verona, NJ  
Jessica Pearson, 20 Montclair Avenue, Verona, NJ  
James Tonko, 26 East Reid Place, Verona, NJ  
Mary Bovich, 86 Afterglow Avenue, Verona, NJ  
Christine McGrath, 57 Fairway Avenue, Verona, NJ  
Santi Condorelli, 59 Brookside Road, Verona, NJ  
Corisa Walker, 74 Sunset Avenue, Verona, NJ  
Eileen Spano, 24 Afterglow Avenue, Verona, NJ  
Nancy Leonard, 104 Park Avenue, Verona, NJ

Adjournment:

Council goes into Executive Session at 9:27 p.m. Motion to adjourn the public meeting at 10:18 p.m. is moved by Mayor Ryan; seconded by Councilman McEvoy. Vote: 5 ayes.

The next regular scheduled meeting is December 17, 2018 at 7:00 p.m.

Respectfully submitted,

*Jennifer Kiernan*  
Jennifer Kiernan, Municipal Clerk

*Kevin Ryan*  
Kevin Ryan, Mayor

APPROVED: DECEMBER 17, 2018