

TOWNSHIP OF VERONA
COUNTY OF ESSEX, NEW JERSEY



TOWNSHIP COUNCIL AGENDA

REGULAR MEETING

7:00 P.M.

JUNE 13, 2022

****THIS MEETING WILL BE HELD IN-PERSON****

MUNICIPAL BUILDING, 600 BLOOMFIELD AVENUE

Via the internet, please click the link below to join the meeting:

<https://zoom.us/j/95262662770>

Via telephone, please dial 1(312)626-6799 or 1(646)558-8656

Use Zoom Meeting ID: 952-6266-2770, when prompted for a Participant ID, press #

A. CALL TO ORDER

The notice requirements of the Open Public Meetings Act have been satisfied with respect to this meeting of the Township Council. Specifically, the time and date were included in the public meeting notice. This information, along with the public internet link and telephone call-in information was posted in the Municipal Building, and sent the official newspapers of the Township, the Verona-Cedar Grove Times and the Star Ledger and MyVeronaNJ.com, TAPinto and the Patch, the official online news source(s) of the Township, at least 48 hours preceding the start time of this meeting. The agenda and public handouts for this meeting can be viewed online at www.veronanj.org/councilmeetings. A public comment period will be held in the order it is listed on the meeting agenda and instructions on how to comment will be provided at the appropriate time.

B. ROLL CALL

C. PLEDGE OF ALLEGIANCE

D. REPORT OF THE MAYOR

1. Julius N. Coltre, Essex County Liaison

E. REPORT OF THE TOWNSHIP MANAGER

F. COUNCILMEMBERS' REPORTS

G. HEARING ADOPTION OR AMENDMENT OF ORDINANCES

1. Ordinance No. 2022-16 ~~Amending Chapter 150 Zoning of the Code of the Township of Verona Specifically Title 11 Section 7~~
Pulled – Planning Board to determine consistency with Master Plan – Public Hearing TBD
2. Ordinance No. 2022-17 Salary Ordinance – Part Time Crossing Guards and Dispatchers

H. PROPOSED ORDINANCES

1. Ordinance No. 2022-____ Establishing a new Chapter 395 “Public Utilities Construction and Pole Installation and Replacement” of the Code of the Township of Verona

I. PUBLIC COMMENT ON CONSENT AGENDA ITEMS

TOWNSHIP COUNCIL AGENDA

JUNE 13, 2022

CONSENT AGENDA

J. MINUTES

1. May 23, 2022

K. PROPOSED RESOLUTIONS

1. Resolution No. 2022-___ 2021/2022 VMAC Grant
2. Resolution No. 2022-___ Award Contract to the Land Conservancy Group
3. Resolution No. 2022-___ Award Contract to Miracle Chemical Company
4. Resolution No. 2022-___ Authorize Estimated Tax Billing
5. Resolution No. 2022-___ Approval of 2022 Community Pool Membership Rules
6. Resolution No. 2022-___ Observing Juneteenth
7. Resolution No. 2022-___ Refund Escrow - 12 Beechwood Road
8. Resolution No. 2022-___ Executive Session

L. LICENSES AND PERMITS

M. ADDENDUM

1. Resolution No. 2022-___ Award Contract to Capitol Supply Construction Products, Inc.
2. Resolution No. 2022-___ Closeout Contract 19-08 - Reconstruction of Lynwood Road - KM Construction
3. Resolution No. 2022-___ Award Contract to DMR Architects for Planner Services

N. NEW/UNFINISHED BUSINESS

1. Discussion on Road Opening Ordinance - Specifically Fees
2. Discussion - Open Public Records Act Request
3. Continued Discussion on 2021-2023 Goals
4. Hearing request by Ajaco Towing Recovery pursuant to Chapter 488 of the Code of the Township of Verona

O. PUBLIC COMMENT

P. EXECUTIVE SESSION

1. Pending, Ongoing, or Anticipated Litigation and Contract Negotiations pursuant to N.J.S.A. 10:4-12 (7)
 - 251 ½ Grove Avenue
 - PBA Contract Negotiations Update
 - OPEIU Contract Negotiations Update
2. Purchase, lease, or acquisition of real property with public funds pursuant to N.J.S.A. 10:4-12 (5)
 - 25 Commerce Court
 - 111 Mount Prospect
 - 174 Sunset Avenue

Q. ADJOURNMENT

*The Public Comment period for the public hearing for ordinances and the Consent Agenda is limited to just those specific items. However, the public may speak on any matter during the Hearing Adoption or Amendment of Ordinance (listed on the agenda as item "G"), Public Comment on Consent Agenda Items (listed on the agenda as item "I") or general Public Comment (listed on the agenda as item "O") on this agenda. At that time, anyone from the public wishing to speak will be prompted to raise his/her virtual hand. You may do so by pressing the "raise hand" button on your monitor or, if dialing in by phone, press *9. You will be recognized and advised that you are unmuted. Your comments will be limited to four (4) minutes.*

Any member of the public may submit written communication in lieu of addressing the Township Council live during the Hearing Adoption or Amendment of Ordinance (listed on the agenda as item "G"), Public Comment on Consent Agenda Items (listed on the agenda as item "I") or general Public Comment (listed on the agenda as item "O") by sending comments to the Township Clerk via electronic mail at TownshipClerk@VeronaNJ.org or by written letter delivered to the Township Clerk by 4:30 p.m. on the day of the meeting. All written comments shall be read aloud during the public meeting at the appropriate time.

*****AGENDA SUBJECT TO CHANGE*****

TOWNSHIP OF VERONA
COUNTY OF ESSEX, STATE OF NEW JERSEY

ORDINANCE No. 2022-17

FIXING THE SALARIES AND COMPENSATION OF CERTAIN PART TIME
PAID EMPLOYEES OF THE TOWNSHIP OF VERONA

BE IT ORDAINED by the Township Council of the Township of Verona, in the County of Essex, State of New Jersey as follows:

SECTION 1: That the salaries and compensations of the various paid officers and employees of the Township of Verona shall be at the following rates:

<u>Department/Position</u>	<u>Salary (\$)</u>
Police Department (Civilian)	
School Guard - hourly	23.00-33.00/Hour
Police - P/T Dispatcher - hourly	20.00-30.00/Hour

SECTION 2: Salaries recorded above are base salaries.

SECTION 3: The salaries herein fixed shall be paid as follows: Part time employees monthly or semi-monthly unless the method of payment is changed by resolution of the Township Council.

SECTION 4: Such salaries respectively shall be in lieu of any and all fees to which the respective incumbents of said officers might be otherwise entitled to by statute of ordinance which fee immediately upon collection thereof shall be paid over to the Township Treasurer for the use of the Township.

SECTION 5: The salaries and compensation shall be effective as of the effective date of this ordinance.

SECTION 6: This ordinance shall take effect after final adoption and publication and otherwise as provided by law.

ATTEST:

JENNIFER KIERNAN
MUNICIPAL CLERK

NOTICE
I HEREBY CERTIFY THAT THE AFOREMENTIONED ORDINANCE WAS PUBLISHED IN THE STAR LEDGER, A NEWSPAPER PUBLISHED IN THE COUNTY OF ESSEX AND CIRCULATED IN THE TOWNSHIP OF VERONA, IN THE ISSUE OF MAY 27, 2022 AND XXX.

JENNIFER KIERNAN
MUNICIPAL CLERK

INTRODUCTION: May 23, 2022
PUBLIC HEARING:
EFFECTIVE DATE:

TOWNSHIP OF VERONA
COUNTY OF ESSEX, STATE OF NEW JERSEY

ORDINANCE No. 2022-___

**ESTABLISHING A NEW CHAPTER 395 "PUBLIC UTILITIES
CONSTRUCTION AND POLE INSTALLATION AND REPLACEMENT"**

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

SECTION 1. There is hereby established a new Chapter 395 (Public Utilities) of the Code of the Township of Verona to read as follows:

§ 395-1 Definitions.

For the purposes of this section:

"Underground facility" means one or more underground pipes, cables, wires, lines or other structures used for the supplying and distribution of electricity for light, heat or power, or for the furnishing of telephone or other telecommunications service.

"Pole" means, in addition to its commonly accepted meaning, any wires or cable connected thereto, and any replacements which are similar in construction and use.

"Hot patch" means the installation of a mixture of asphalt to restore property within the right of way to its previous condition subsequent to the construction or excavation of a site required for the placement, replacement or removal of a pole of a utility pole or an underground facility pursuant to this section.

§ 395-2 Placement, replacement or removal of public utility pole or underground facility; required notice, traffic control, restoration and pole removal.

A. Before a public utility places, replaces or removes a pole or an underground facility located in the Township of Verona, the public utility shall notify the Zoning Officer and Township Engineer in writing, which may be by e-mail, personal service or certified mail, at least, but not less than, 24 hours before undertaking any excavation related to the placement, replacement or removal of the pole or underground facility.

B. Any public utility placing, replacing or removing a pole or an underground facility located in the Township shall provide for adequate traffic control during the course of said work, including any barricades, cones and/or officers necessary in order to safely divert the flow of traffic.

C. After completing the placement, replacement or removal of a pole or an underground facility pursuant to this ordinance, the public utility shall remove from such right

of way any pole or underground facility no longer in use as well as any other debris created from such placement, replacement or removal and restore the property including, but not limited to, the installation of a hot patch as needed to restore the property within the right of way to its previous condition as much as possible. In the case of removal or replacement of a pole or an underground facility utilized by two or more public utilities, the public utility last removing its pipes, cables, wires, lines or other structures shall be liable for the removal and restoration required under this section.

§ 395-3 Exceptions.

Under emergency conditions which significantly impact the placement of a pole or underground facility resulting from natural forces or human activities beyond the control of the public utility, or which pose an imminent or existing threat of loss of electrical, power, telephone, or other telecommunication service, or which pose an imminent or existing threat to the safety and security of persons or property, or both, or which require immediate action by a public utility to prevent bodily harm or substantial property damage from occurring, the provisions of subsection § 395-2 A of this ordinance shall not apply when a public utility undertakes any construction or excavation related to the placement, replacement or removal of a pole or an underground facility in response to such an emergency, provided that the public utility undertaking such construction or excavation notifies the Zoning Officer and Township Engineer at the earliest reasonable opportunity and that all reasonable efforts are taken by the public utility to comply with § 395-2B and § 395-2C. After the emergency is concluded, the provisions of § 395-2C and penalties contained in § 395-4 shall be applicable for failure to restore the property or any pole or underground facility no longer in use as well as any other debris created from such placement, replacement or removal and restore the property.

This Ordinance is not intended to replace or conflict with *N.J.S.A. 48:3, Art. 3e Infrastructure Projects, et. seq.*, and where those statutory provisions are applicable those provisions must also be followed.

§ 395-4 Violations and penalties; notice of violation.

A. In the event a public utility does not satisfy the debris removal and restoration requirements of § 395-2C above within 90 days of the date of such placement, replacement or removal of a utility pole or underground utility facility, the municipality shall be authorized to impose a fine up to an amount not to exceed \$100 each day until the requirements of § 395-2C are met, except that if the public utility is unable to complete the installation of a hot patch due to the unavailability of asphalt material during the period of time from November through April, the public utility shall not be required to complete the hot patch installation until 60 days immediately following the end of the November through April period.

C. At least five business days prior to the end of the ninety-day or 60 days period

established pursuant to § 395-4(A) as applicable, the Zoning Officer shall notify the public utility that the penalties authorized by such section shall begin to be assessed against the utility after the end of the applicable period unless the utility complies with the requirements of § 395-2(C) hereof.

§ 395-5 Collection of penalties as summary enforcement action.

Any penalties imposed in accordance with § 395-4 hereof shall be collected or enforced in a summary manner, without jury, in any court of competent jurisdiction, including, but not limited to, the Municipal Court of the Township of Verona in accordance with the procedures provided by the Penalty Enforcement Law (*N.J.S.A. 2A:58-1 et seq.*).

SECTION 1: REPEAL OF INCONSISTENT PROVISIONS

All ordinances or parts thereof in conflict or inconsistent with this Ordinance are hereby repealed, but only to the extent of such conflict or inconsistency, it being the legislative intent that all such ordinances or part of ordinances now existing or in effect unless the same are in conflict or inconsistent with any provision of this Ordinance shall remain in effect.

SECTION 2: SEVERABILITY

The provisions of this Ordinance are declared to be severable and if any section, subsection, sentence, clause or phrase thereof for any reason be held to be invalid or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity of the remaining sections, subsections, sentences, clauses and phrases of this Ordinance, but shall remaining in effect; it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

SECTION 3: EFFECTIVE DATE

This Ordinance shall take effect immediately upon passage and publication as provided by law.

SECTION 4: CODIFICATION

This ordinance shall be a part of the Code of the Township of Verona as though codified and fully set forth therein. The Municipal Clerk shall have this ordinance codified and incorporated in the official copies of the Code. The Municipal Clerk and the Township Attorney are authorized and directed to change any Chapter, Article and/or Section number of the Code of the Township of Verona in the event that the codification of this Ordinance reveals that there is a conflict between the numbers and the existing Code, and in order to avoid confusion and possible accidental repealers of existing provisions not intended to be repealed.

SECTION 5: NOTICE TO PUBLIC UTILITIES

The Township Clerk shall cause any public utility that provides service in the Township to be notified of the provisions of this ordinance.

ATTEST:

JENNIFER KIERNAN
MUNICIPAL CLERK

I HEREBY CERTIFY THAT THE AFOREMENTIONED ORDINANCE WAS PUBLISHED IN THE STAR LEDGER, A NEWSPAPER PUBLISHED IN THE COUNTY OF ESSEX AND CIRCULATED IN THE TOWNSHIP OF VERONA, IN THE ISSUE OF XXXX AND XXX

JENNIFER KIERNAN
MUNICIPAL CLERK

INTRODUCTION:
PUBLIC HEARING:
EFFECTIVE DATE:

**TOWNSHIP OF VERONA
COUNTY OF ESSEX, STATE OF NEW JERSEY**

RESOLUTION No. 2022-___

A motion was made by _____ ; seconded by _____ that the following resolution be adopted:

**AUTHORIZING THE INSERTION INTO THE CY2022 MUNICIPAL
BUDGET PURSUANT TO N.J.S.A. 40A:4-87 (CHAPTER 159, P.L. 1948) OF A
SPECIAL ITEM OF REVENUE IN THE FORM OF THE 2021-2022
MUNICIPAL ALLIANCE GRANT**

WHEREAS, *N.J.S.A. 40A:4-87* provides that the Director of the Division of Local Government Services (the "Director") may approve the insertion of any special item of revenue in the budget of any county or municipality when such items shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget; and,

WHEREAS, said Director may also approve the insertion of an item of appropriation for an equal amount; and,

WHEREAS, the Township of Verona has received \$4,112.24 from the County of Essex in the form of the 2021-2022 Municipal Alliance Grant and wishes to amend its CY2022 Municipal Budget to include this amount as a revenue.

NOW, THEREFORE, BE IT RESOLVED that the Township Council of the Township of Verona, in the County of Essex, State of New Jersey hereby requests the Director to approve the insertion of an item of revenue in the CY2022 Municipal Budget in the sum of \$4,075.00 which is now available as revenue from:

Miscellaneous Revenues - Section F:
Special Items of General Revenue Anticipated with Prior Written Consent of
Director of Local Government Services -
Public and Private Revenues Offset with Appropriations:
2021-2022 Municipal Alliance Grant.

BE IT FURTHER RESOLVED that the Director to approve the insertion of an item of revenue in the CY2022 Municipal Budget in the like sum of \$4,075.00 appropriated under the caption of:

General Appropriations:
(A) Operations - Excluded from "CAPS"
Public and Private Revenues Offset with Appropriations:
2021-2022 Municipal Alliance Grant

BE IT FURTHER RESOLVED that a copy of this Resolution will be electronically filed with the Director for approval as required by law.

ROLL CALL:

AYES:

NAYS:

ABSENT:

ABSTAIN:

**THIS IS TO CERTIFY THAT THE FOREGOING IS A TRUE AND EXACT COPY OF A
RESOLUTION ADOPTED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF
VERONA AT THE REGULAR MEETING HELD ON JUNE 13, 2022.**

**JENNIFER KIERNAN
MUNICIPAL CLERK**

**TOWNSHIP OF VERONA
COUNTY OF ESSEX, STATE OF NEW JERSEY**

RESOLUTION No. 2022-___

A motion was made by _____ ; seconded by _____ that the following resolution be adopted:

AUTHORIZING A CONTRACT WITH THE LAND CONSERVANCY OF NJ

WHEREAS, there exists a need for planning, land management and conservation of open space in the 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, the Township Manager has recommended that the Land Conservancy of New Jersey, 19 Boonton Avenue, Boonton, New Jersey 07005 be awarded a contract to provide technical support of planning, land management and conservation within the Township of Verona.

THEREFORE, BE IT RESOLVED by the Township Council of the Township of Verona, in the County of Essex, New Jersey that the Land Conservancy of New Jersey is hereby awarded a contract for providing services not to exceed \$30,000.00 without further authorization of the Governing Body.

BE IT FURTHER RESOLVED Determination of Value is 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:

NAYS:

ABSENT:

ABSTAIN:

THIS IS TO CERTIFY THAT THE FOREGOING IS A TRUE AND EXACT COPY OF A RESOLUTION ADOPTED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF VERONA AT THE REGULAR MEETING HELD ON JUNE 13, 2022.

**JENNIFER KIERNAN
MUNICIPAL CLERK**

DETERMINATION OF VALUE

TO: Township Council of the Township of Verona
FROM: Steve Neale, Qualified Purchasing Agent
RE: Open Space planning, land management and conservation
DATE: June 13, 2022

This memorandum is being written to request your approval of a resolution authorizing the award of a contract pursuant to *N.J.S.A. 19:44A-20.5*, for professional services.

Contractor: The Land Conservancy of New Jersey
19 Boonton Avenue
Boonton, New Jersey 07005

Cost: Not to Exceed \$30,000.00

Purpose: Open Space planning, land management and conservation

I certify that the value of the contract exceeds \$17,500.00 and is to be awarded as a Non-Fair and Open Contract, pursuant to *N.J.S.A. 19:44A-20.5*.



STEVEN NEALE,
Qualified Purchasing Agent

**TOWNSHIP OF VERONA
COUNTY OF ESSEX, STATE OF NEW JERSEY**

RESOLUTION No. 2022-___

A motion was made by _____ ; seconded by _____ that the following resolution be adopted:

AUTHORIZING A CONTRACT WITH MIRACLE CHEMICAL COMPANY

WHEREAS, there exists a need for the purchase of various chemicals used in the operation of Water/Sewer Utility specifically soda ash; and

WHEREAS, the Township has already purchased chemicals from Miracle Chemical Company this year as they are the sole provider of soda ash; and

WHEREAS, the Supervising Operator has recommended and the Qualified Purchasing Agent concurs that Miracle Chemical Company shall be awarded a contract to provide said goods; and

WHEREAS, Temporary Chief Financial Officer has certified the availability of funds for this contract, a copy of said Certification is annexed to this Resolution as Exhibit B; and

WHEREAS, the award of the contract to Miracle Chemical Company is being made pursuant to *N.J.S.A. 19:44A-20.5* and the Business Entity Disclosure Certification and Political Contribution Disclosure Form completed by Miracle Chemical Company have been filed with the Township and are annexed to this Resolution as Exhibit C.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Verona, in the County of Essex, New Jersey that W.R. Neumann Company, Inc. d/b/a Miracle Chemical Company, 1151 B Highway #33, Farmingdale, New Jersey 07727 is hereby awarded a contract for the purchase of various chemicals used in the operation of Water/Sewer Utility not to exceed \$44,000.00.

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:

NAYS:

ABSENT:

ABSTAIN:

THIS IS TO CERTIFY THAT THE FOREGOING IS A TRUE AND EXACT COPY OF A RESOLUTION ADOPTED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF VERONA AT A REGULAR MEETING HELD ON JUNE 13, 2022.

**JENNIFER KIERNAN
MUNICIPAL CLERK**

EXHIBIT A**DETERMINATION OF VALUE**

TO: Township Council of the Township of Verona

FROM: Steven Neale, Qualified Purchasing Agent

DATE: June 9, 2022

This memorandum is being written to request your approval of a resolution authorizing the award of a contract pursuant to *N.J.S.A. 19:44A-20.5*, for professional services.

Contractor: W.R. Neumann Company, Inc.
d/b/a Miracle Chemical Company
1151 B Highway #33
Farmingdale, New Jersey 07727

Cost: Not to Exceed \$44,000.00

Purpose: Various chemicals used in the operation of Water/Sewer Utility

I certify that the value of the contract exceeds \$17,500.00 and is to be awarded as a Non-Fair and Open Contract, pursuant to *N.J.S.A. 19:44A-20.5*.



STEVEN NEALE,
Qualified Purchasing Agent

EXHIBIT B

TO: Township Council of the Township of Verona
FROM: Jennifer Muscara, CTC, Temporary Chief Financial Officer
RE: Certification of Availability of Funds
DATE: June 9, 2022

This is to certify to the Township Council that funds for the above referenced contract are available.

Contractor: W.R. Neumann Company, Inc.
d/b/a Miracle Chemical Company
1151 B Highway #33
Farmingdale, New Jersey 07727

Contract: Various chemicals used in the operation of Water/Sewer Utility

Budget Account No.	Amount	Account Description
2-05-55-502-342	NTE \$ 44,000.00	Chemicals - S

/s/ Jennifer Muscara
JENNIFER MUSCARA, CTC
TEMPORARY CHIEF FINANCIAL OFFICER

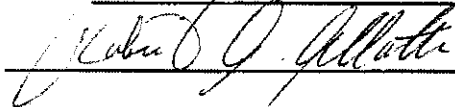
**PAY TO PLAY
POLITICAL CONTRIBUTION DISCLOSURE**

CompanyName

<i>Required by Township of Verona</i>	<i>Item</i>	<i>Page</i>	<i>Initial each entry, and submit the required form if the box contains an <input checked="" type="checkbox"/></i>
<input checked="" type="checkbox"/>	Document Checklist - COMPLETE	2	RAA
<input checked="" type="checkbox"/>	Vendor Information Sheet - COMPLETE	2	RAA
<input checked="" type="checkbox"/>	Business Registration Certificate - READ AND SUBMIT	3	RAA
<input checked="" type="checkbox"/>	Business Entity Disclosure Certification - SIGN AND NOTARIZE	4-5	RAA
<input checked="" type="checkbox"/>	Political Contribution Disclosure Certification Form - SIGN	6-7	RAA
<input checked="" type="checkbox"/>	Ownership Disclosure Certification Form - SIGN AND NOTARIZE	8-11	RAA

W.R. Neumann Company, Inc. d/b/a
Miracle Chmeical Company

Corporate Name: _____

Signature:  Date: May 19, 2022

Print Name: Robert A. Allotta Title: Vice President

RETURN COMPLETED FORMS TO:
Township Manager's Office
Township of Verona
600 Bloomfield Avenue
Verona, New Jersey 07044
(973) 239-4921

**TOWNSHIP OF VERONA, NEW JERSEY
BUSINESS ENTITY DISCLOSURE CERTIFICATION
FOR NON-FAIR AND OPEN CONTRACTS
N.J.S.A. 19:44A-20.8**

Part I - Vendor Affirmation

The undersigned, being authorized and knowledgeable of the circumstances, does hereby certify that ~~Company Name has not made and will not make~~ ^{Miracle Chemical Company} any reportable contributions pursuant to N.J.S.A. 19:44A-1 et seq. that, pursuant to P.L. 2004, c. 19 would bar the award of this contract in the one year period preceding Jan 1, 2022 to any of the following named candidate committee, joint candidates committee; or political party committee representing the elected officials of the Township of Verona or the respective Essex County political parties listed below pursuant to N.J.S.A. 19:44A-3(p), (q) and (r).

<i>Mayor Alex Roman</i>	<i>Councilman Jack McEvoy</i>
<i>Deputy Mayor Christine McGrath</i>	<i>Councilwoman Cynthia Holland</i>
<i>Essex County Republican Organization</i>	<i>Councilman Dr. Christopher Tamburro</i>
	<i>Essex County Democratic Committee</i>

Part 3 - Signature and Attestation:

The undersigned is fully aware that if I have misrepresented in whole or part this affirmation and certification, I and/or the business entity, will be liable for any penalty permitted under law.

Name of Business Entity: W.R. Neumann Company, Inc. d/b/a
Miracle Chemical Company
Signature of Affiant: *Robert A. Allotta* Title: Vice President
Printed Name of Affiant: Robert A. Allotta Date: May 19, 2022

(Notary Stamp/Seal)

Subscribed and sworn before me this
19 day of MAY, 2022.

Deborah A. Tyrell
Notary Public

Commission Expires: 2/1/2025

DEBORAH A TYRRELL
Commission # 50027966
Notary Public, State of New Jersey
My Commission Expires
December 01, 2025

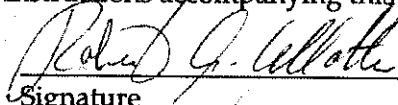
TOWNSHIP OF VERONA, NEW JERSEY
C. 271 POLITICAL CONTRIBUTION DISCLOSURE FORM
 FOR NON-FAIR AND OPEN CONTRACTS
 N.J.S.A. 19:44A-20.26

*This form or its permitted facsimile must be submitted to the local unit
 No later than 10 days prior to the award of the contract.*

Part I – Vendor Information

Vendor Name:	Miracle Chemical Company		
Address:	1151 B Highway #33		
City:	Farmingdale	State:	N.J. Zip: 07727

The undersigned being authorized to certify, hereby certifies that the submission provided herein represents compliance with the provisions of N.J.S.A. 19:44A-20.26 and as represented by the instructions accompanying this form.

 Signature	Robert A. Allotta Printed Name	Vice President Title
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Part II – Contribution Disclosure

Disclosure requirement: Pursuant to N.J.S.A. 19:44A-20.26 this disclosure must include all reportable political contributions (more than \$300 per election cycle) over the 12 months prior to submission to the committees of the government entities listed on the form provided by the local unit.

Check here if disclosure is provided in electronic form.

Contributor Name	Recipient Name	Date	Dollar Amount
NA			\$
			\$
			\$
			\$
			\$
			\$
			\$
			\$
			\$
			\$
			\$
			\$

Check here if the information is continued on subsequent page(s)

**STATEMENT OF OWNERSHIP
OWNERSHIP DISCLOSURE CERTIFICATION FORM (CONTINUED)**

Required pursuant to N.J.S.A. 52:25-24.2 (P.L. 1977, c.33, as amended by P.L. 2016, c.43)

Sign and notarize the form below, and, if necessary, complete the list below. (Please attach additional sheets if more space is needed):

Name: William R. Neumann Jr.

Name: _____

Home Address: 9 Orange Drive

Home Address: _____

Key Largo, Florida 33037

100% Ownership

Name: _____

Name: _____

Home Address: _____

Home Address: _____

Name: _____

Name: _____

Home Address: _____

Home Address: _____

Name: _____

Name: _____

Home Address: _____

Home Address: _____

Name: _____

Name: _____

Home Address: _____

Home Address: _____

Name: _____

Name: _____

Home Address: _____

Home Address: _____

CONTINUED ON NEXT PAGE

**STATEMENT OF OWNERSHIP
OWNERSHIP DISCLOSURE CERTIFICATION FORM (CONTINUED)**
Required pursuant to N.J.S.A. 52:25-24.2 (P.L. 1977, c.33, as amended by P.L. 2016, c.43)

PART III

Any Direct or Indirect Parent Entity Which is Publicly Traded:

"To comply with this section, a bidder with any direct or indirect parent entity which is publicly traded may submit the name and address of each publicly traded entity and the name and address of each person that holds a 10 percent or greater beneficial interest in the publicly traded entity as of the last annual filing with the federal Securities and Exchange Commission or the foreign equivalent, and, if there is any person that holds a 10 percent or greater beneficial interest, also shall submit links to the websites containing the last annual filings with the federal Securities and Exchange Commission or the foreign equivalent and the relevant page numbers of the filings that contain the information on each person that holds a 10 percent or greater beneficial interest."

Pages attached with name and address of each publicly traded entity as well as the name and address of each person that holds a 10 percent or greater beneficial interest.

OR

Submit here the links to the Websites (URLs) containing the last annual filings with the federal Securities and Exchange Commission or the foreign equivalent.

AND

Submit here the relevant page numbers of the filings containing the information on each person holding a 10 percent or greater beneficial interest.

Subscribed and sworn before me this
19 day of MAY, 2022.

Deborah Tyrrell

Notary Public

Commission Expires: 12/1/25

(Notary Stamp/Seal)

Robert A. Allotta

Affiant Signature
Robert A. Allotta

Vice President
Affiant Name and Title

(Corporate Seal, if appropriate)

DEBORAH A TYRRELL
Commission # 50027966
Notary Public, State of New Jersey
My Commission Expires
December 01, 2025

END OF STATEMENT OF OWNERSHIP

TOWNSHIP OF VERONA
COUNTY OF ESSEX, STATE OF NEW JERSEY

RESOLUTION No. 2022-___

A motion was made by _____ ; seconded by _____ that the following resolution be adopted:

RESOLUTION AUTHORIZING THE VERONA TOWNSHIP TAX COLLECTOR TO PREPARE AND MAIL ESTIMATED TAX BILLS IN ACCORDANCE WITH P.L 1994, C.72

WHEREAS, the State of New Jersey has not certified Municipal County Budgets as of this date, and

WHEREAS, as a result thereof, the Essex County Board of Taxation is unable to verify Verona’s tax rate and the Verona Township Collector will be unable to mail the Township’s 2022 tax bills on a timely basis;

WHEREAS, the Verona Township Tax Collector has computed an estimated tax levy in accordance with N.J.S.A 54:4-66.3, and has signed a certification showing the tax levies for the previous year, the tax rates and the range of permitted estimated tax levies;

NOW THEREFORE BE IT RESOLVED, that the Township Council of the Township of Verona, in the County of Essex and State of New Jersey on this 13th day of June 2022 as follows:

1. The Verona Township Tax Collector is hereby authorized and directed to prepare and issue estimated tax bills for the Township for the third installment of 2022 taxes. The Tax Collector shall proceed and take such actions as are permitted and required by L.1994, C. 72(N.J.S.A 54:4-66.2 and 54:4-66.3).
2. The entire estimated tax levy for 2022 is hereby set at \$71,516,227.54.
3. The Estimated tax rate (based on estimated levy) is hereby set at \$2.993.
4. In accordance with law, the third installment of 2022 taxes shall not be subject to interest until the later of August 10 or the twenty-fifth calendar day after the date the estimated tax bills were mailed. The estimated tax bills shall contain a notice specifying the date on which interest may begin to accrue.

ROLL CALL:

AYES:

NAYS:

ABSENT:

ABSTAIN:

THIS IS TO CERTIFY THAT THE FOREGOING IS A TRUE AND EXACT COPY OF A RESOLUTION ADOPTED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF VERONA AT THE REGULAR MEETING HELD ON JUNE 13, 2022.

**JENNIFER KIERNAN
MUNICIPAL CLERK**

**TOWNSHIP OF VERONA
COUNTY OF ESSEX, STATE OF NEW JERSEY**

RESOLUTION No. 2022-___

A motion was made by _____ ; seconded by _____ that the following resolution be adopted:

**APPROVING VERONA COMMUNITY POOL RULES AND REGULATIONS
FOR THE 2022 POOL SEASON**

WHEREAS, the Verona Community Pool 2022 Season runs from Memorial Day Weekend and all weekends thereafter until Friday, June 24, 2022 when the pool will then be open to members full time through Labor Day, September 5, 2022 and;

WHEREAS, pool membership is available to Verona residents only who may purchase guest passes as needed;

WHEREAS, pursuant to *N.J.A.C. 8:26-1 et seq.*, all pool facilities must comply with existing sanitation and safety regulatory requirements for recreational bathing facilities to preserve public health set forth in the New Jersey State Sanitary Code regulations.

NOW THEREFORE BE IT RESOLVED, that the Township Council of the Township of Verona, in the County of Essex and State of New Jersey approve the following rules for the 2022 Verona Community Pool season:

- A. The following rules and regulations are for the benefit of all members. They have been established to ensure safe and sanitary operation of the pool facilities. All members are to obey all rules and regulations as well as instructions of the Manager and staff employees at all times. Parents must read and explain these rules to their children. Any failure to comply with these rules shall be considered sufficient cause for immediate suspension of pool privileges of the offending person by management. The Verona Pool management shall establish additional rules as required.
1. No one is allowed in any pool unless a lifeguard is on duty.
 2. Deep water test may be required for use of any diving board or slide. Goggles cannot be worn on the slide or diving boards.
 3. All members will be issued identification tags which must be shown at the front gate for admission to the pool.
 4. Illegal transfer of badges, giving of false information or defacing of identification badges will result in revocation or suspension of membership. False or misleading representation on the pool membership application will result in an automatic revocation of the pool membership.
 5. Lost membership tags must be reported to the Front Office or Office of Community Services immediately.
 6. Membership in the Verona Community Pool is limited to Verona residents only. Members are allowed in the pool facility only during regular operating hours.
 7. The babysitter badge, can only be used when the babysitter is with the children listed on the same membership.
 8. Only adult memberships can purchase a guest pass.
 9. All coolers will be inspected before entering the pool grounds. No glass, glass containers or alcohol is permitted in the pool and will be confiscated.

10. Persons suspected of being under the influence of drugs or alcohol will be removed from the pool facilities.
11. Please remember that we have a family restroom. Children 6 years or older should not use the rest room of their opposite gender.
12. Report any sign of a fecal accident to the manager immediately. Following a fecal accident in any pool, the pool will be cleared of swimmers for a minimum of one hour. The chlorine residual will be immediately checked and adjusted appropriately. This is by recommendation of the Board of Health.
13. Portable radios, television sets and/or music players of all types must be used with earphones.
14. Thor Guard will sound one long horn to notify lightning is in the area. The Thor Guard will sound three short horns to notify the lightning has passed and all is safe.
15. Smoking of any kind is not allowed on the pool grounds or in the pool parking lot.
16. The Pool Manager or Assistant Manager may close or limit the swimming pool facilities whenever, in their judgment, such action is deemed necessary or desirable for safe operation of the pool.
17. No horseplay of any kind in the pool or pool areas. No balls, toys, etc. permitted in the pool or on the deck/grass areas around the pools. Balls may be used only in the recreation area.
18. Any conduct that endangers the safety of others or other patrons' use of the facilities shall be prohibited. No profanity, harassment, intimidation, or bullying of patrons or staff will be tolerated.
19. Members and guests must comply with the rules. Members are responsible for their guests.
20. Following items are strictly enforced in the pool perimeter;
 - a. Walking of bicycles within the pool gates.
 - b. Skate Boards will be turned into the office.
 - c. Water pistols of any kind are prohibited.
21. Only children up to the age of 6 will be permitted in the baby pool.
22. All children under age 12 must be accompanied by an adult (18 years of age or over) to be admitted to the pool complex.
23. During weekend adult swims, only 1 child, 5 years old or younger may accompany one adult.
24. No diving into the pool except from the diving boards. Jump feet first only off the 5 ft. wall.
25. No flotation devices are permitted in the main pool.
26. Consumption of alcoholic beverages is strictly prohibited on pool property.
27. There shall be no animals, littering, glass or breakable containers allowed.
28. Swimmers are required to clear the water 20 minutes prior to closing.

29. Parents are responsible for their children. An adult must accompany children 5 and under at all times.
 30. Diapers must be changed in the rest room area and disposed of in the container provided. Absolutely no changing of diapers on picnic tables.
 31. According to N.J.A.C. 8:26-5.4, all children in diapers must wear plastic pants with snug fitting elastic waist and leg bands when entering pool.
 32. All persons shall shower before entering the water.
 33. Dressing and undressing is permitted only in the locker room; discretion must be used in the locker rooms when showering/dressing.
 34. Board of Health Rules and Commission Rules prohibit urination on the pool grounds or in the pool water.
 35. Destruction of or defacing of pool property will result in suspension or revocation of membership and expulsion from the pool grounds.
 36. The pool staff are not responsible for valuables brought into the pool.
 37. Any person having a communicable disease, open blisters, cuts, sore or inflamed eyes, ears, nose or mouth infections, excessive sunburn or any type of skin disease will be excluded from the pool area.
 38. There shall be no running or throwing of objects.
 39. Unnecessary spouting of water, snapping of towels, roughness, or other conduct affecting the safety and comfort of others, shall not be permitted.
 40. No loitering in the vicinity of Lifeguard stands, entrance ladders, stairs or ramp.
 41. Pool patrons are not permitted to put up personal tents or umbrellas on pool property.
 42. Patrons who occupy tables must be present on the pool premises.
 43. Tables designated for the disabled are to be only used by pool members with a person with disability present.
 44. Tables for disabled persons are marked and are reserved for individuals with disabilities.
 45. Pool Opens Full Time Friday, June 24, 2022 at
- B. Hours of Operation for 2022 Pool Season:
1. Monday, Tuesday, Wednesday & Thursday- 12:00pm (Noon) - 8:00pm
 2. Tuesday evening is Family Night (*Must have a valid ID showing your Verona address*) - 4:00 to 8:00pm
 3. Friday - 12:00pm (Noon) to 9:00pm
 4. Saturday - ADULTS ONLY - 18+- 10:00am to 11:00am
 5. Saturday - 11:00am to 8:00pm
 6. Sunday - ADULTS ONLY - 18+ - 10:00am to 11:00am

7. Sunday - 11:00am to 8:00pm
8. No Children Under 18 Allowed in the Main Pool or Main Pool Deck During the Weekend "Adults Only" Hour.
9. First violation of any rule may result in suspension of membership for up to 2 weeks.
10. Second or subsequent violation of any rule may result in 2-week suspension or revocation of membership.
11. A bounced check will result in membership suspension or revocation. Suspended members will not be permitted on pool grounds and may not enter the pool as a guest or on other type of pass.
12. Members will sign attesting to the following: "I have read the Verona Community Pool Rules and Agree and I, My Family Members and Any Guests Will Abide by the Pool Rules."

BE IT FURTHER RESOLVED that the Township of Council of the Township of Verona hereby approves the 2022 Community Pool Stason rules and authorize the Director of Community Services to establish and enforce these rules as deemed necessary.

ROLL CALL:

AYES:

NAYS:

ABSENT:

ABSTAIN:

THIS IS TO CERTIFY THAT THE FOREGOING IS A TRUE AND EXACT COPY OF A RESOLUTION ADOPTED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF VERONA AT THE REGULAR MEETING HELD ON JUNE 13, 2022.

**JENNIFER KIERNAN
MUNICIPAL CLERK**

**TOWNSHIP OF VERONA
COUNTY OF ESSEX, STATE OF NEW JERSEY**

RESOLUTION No. 2022-___

A motion was made by _____ ; seconded by _____ that the following resolution be adopted:

OBSERVING JUNETEENTH

WHEREAS, President Abraham Lincoln signed the Emancipation Proclamation on January 1, 1863, declaring the slaves in Confederate territory free, paving the way for the passing of the 13th Amendment which formally abolished slavery in the United States of America; and

WHEREAS, word about the signing of the Emancipation Proclamation was delayed some two and one-half years, to June 19, 1865, in reaching authorities and African-Americans in the South and Southwestern United States; and

WHEREAS, June 19th has a special meaning to African-Americans, and is called "JUNETEENTH!" combining the words June and Nineteenth, and has been celebrated by the African-American community for over 150 years; and

WHEREAS, the Juneteenth Flag commemorates the day that slavery ended in the US. The red, white and blue represents the American Flag, a reminder that slaves and their descendants were and are Americans. The star represents the freedom of African Americans in all 50 states.

NOW, THEREFORE, BE IT RESOLVED that the Township Council of the Township of Verona, in the County of Essex, New Jersey, do hereby acknowledge Sunday, June 19, 2022, as "JUNETEENTH" and urge all Verona residents to become more aware of the significance of this celebration in our Nation.

BE IT FURTHER RESOLVED that the Township of Verona shall recognizes Juneteenth by raising the Juneteenth Flag in the Verona Civic Center on Friday, June 17, 2022.

ROLL CALL:

AYES:

NAYS:

ABSENT:

ABSTAIN:

THIS IS TO CERTIFY THAT THE FOREGOING IS A TRUE AND EXACT COPY OF A RESOLUTION ADOPTED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF VERONA AT THE REGULAR MEETING HELD ON JUNE 13, 2022.

**JENNIFER KIERNAN
MUNICIPAL CLERK**

**TOWNSHIP OF VERONA
COUNTY OF ESSEX, STATE OF NEW JERSEY**

RESOLUTION No. 2022-___

A motion was made by _____ ; seconded by _____ 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 Negotiations pursuant to *N.J.S.A. 10:4-12 (7)*
 - 251 1/2 Grove Avenue
 - PBA Contract Negotiations Update
 - OPEIU Contract Negotiations Update

2. Purchase, lease, or acquisition of real property with public funds pursuant to *N.J.S.A. 10:4-12 (5)*
 - 25 Commerce Court
 - 111 Mount Prospect
 - 174 Sunset Avenue

ROLL CALL:

AYES:

NAYS:

ABSENT:

ABSTAIN:

THIS IS TO CERTIFY THAT THE FOREGOING IS A TRUE AND EXACT COPY OF A RESOLUTION ADOPTED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF VERONA AT THE REGULAR MEETING HELD ON JUNE 13, 2022.

**JENNIFER KIERNAN
MUNICIPAL CLERK**

**TOWNSHIP OF VERONA
COUNTY OF ESSEX, STATE OF NEW JERSEY**

ORDINANCE No. 2022-___

ESTABLISHING A NEW CHAPTER 410 "ROAD EXCAVATIONS"

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

SECTION 1. There is hereby established a new Chapter 410 (Road Excavations Utilities) of the Code of the Township of Verona to read as follows:

**CHAPTER 410
ROAD EXCAVATIONS**

§ 410-1. Permit required.

It shall be unlawful for any person, persons, firm or corporation to excavate any portion of a road surface of the public streets, avenues, highways or public places in the Township for the purpose of constructing surface or subsurface improvements or for the purpose of laying, examining, replacing or repairing of gas mains, water mains, sewers, sewer connections, telephone conduits, electrical outlets, or for any other purpose, except and until obtaining permit from the Township Clerk.

§ 410-2. Emergency exemption.

In case of an unforeseen circumstance or occurrence, the existence of which constitutes a clear and immediate danger to person and property, hereinafter referred to as "emergency," any utility (water, gas, electric, cable, telephone, sewer, etc.), resident, property owner or lessee shall not be required to obtain a permit in advance of the work, but shall do so within 24 hours thereafter, provided that:

- (1) A true emergency exists and the person(s) doing the excavation notifies the Township Police Department; the Police Department shall log the emergency;
- (2) An application for a permit is filed with the Township Clerk within 24 hours of the street opening or on the next business day, whichever is more practical;
- (3) Said utility, resident, property owner or lessee makes the payment required by § xxx-xx; and
- (4) The excavation is performed in accordance with the provisions of this article.

§ 410-3. 5 Year Excavation Restriction for Newly Paved Roads.

On newly paved streets, there shall be a five (5) year restriction on the issuance of road opening permits. Exceptions shall be granted for utility emergencies, utility openings that impact the safety and welfare of property owners, (e.g. generators) or if the applicant is able to prove undue hardship. Undue hardships shall be approved at the discretion of the Municipal Engineer. In the event that an exception is granted during the moratorium, the applicant shall be responsible to limit the disruption as much as possible, saw cut all excavations, and restore the trench to its original condition including, but not limited to the pavement, surface treatments, and striping. All repair paving shall be completed utilizing infra-red technology within one (1) week of the trench repair. A non-refundable fee of five hundred (\$500.00) dollars will be charged to open a road within its moratorium. The inspection fee is one hundred fifty (\$150.00) dollars and the trench must be compacted in twelve (12") inch lifts.

§ 410-4. Application.

- A. All applications for permits referred to in this article shall be made in writing to the Township Clerk at least five business days in advance of the excavation, unless it is an emergency, and shall:

- (1) Specify the name and address of the individual, firm, corporation or utility for whose benefit the excavation is to be made.
- (2) Specify the name and address of the excavation, construction and/or restoration contractor(s).
- (3) Identify the specific location of the proposed excavation and the width, length and depth thereof.
- (4) The Township engineer shall confirm the location of the proposed road opening.
- (5) The Township Engineer shall confirm the Township's jurisdiction of the work area and provide a list of all federal, state, and local governmental/quasi-governmental agencies having concurrent jurisdiction and, if such agencies require approval, whether such approval has been obtained and provide copies thereof.
- (6) Identify the type of road surface.
- (7) Identify the location of any and all utilities, storm drains, sanitary sewers or sewer mains within 10 feet of the limits of the proposed opening and compliance with the Underground Facility Protection Act (N.J.S.A. 48:2-82) if applicable.
- (8) Identify the excavation start date and expected duration and method of repair.
- (9) Identify the applicable fees for the issuance of the permit as hereinafter provided, together with the charges as hereinafter set forth.
- (10) Include a signed statement by the applicant agreeing to indemnify the Township and hold it harmless from and against any claim, liability, damage and/or expense, including any attorney fees, arising out of the granting of the permit or from any negligence or fault of such applicant, his servants or agents in connection with any of the excavation performed under or in connection with such permit.

B. A nonrefundable fee of \$200 shall accompany every application to offset the cost of processing the application and inspection subsequent to the road repair.

§ 410-5. Deposits required; performance guarantee.

No permit shall be granted unless the fees set forth in this Ordinance shall be paid to the Township Clerk. Security deposits shall be held by the Township Clerk until 18 months after the completion of each improvement. The security deposit shall be held to guarantee the completion of the improvement in a good and workmanlike manner and in accordance with the specifications, standards and satisfaction of the Township and to ensure maintenance thereof for the 18 month period pursuant to the terms of the application. Eighteen months after such completion, the Township shall return the deposit to the applicant, provided that the work has been properly completed and maintained. Upon failure to complete and maintain the improvement to the satisfaction of the Township, the Township may complete and maintain the improvement, using the moneys so deposited or so much thereof as is necessary for such purpose, returning the balance of the deposit, if any, to the applicant after 18 months from the date of completion. If the security deposit is insufficient to pay for the cost of remediating the work, the person or entity responsible shall be obligated to reimburse the Township for any excess costs.

Security deposits shall be in the following amounts for each opening excavated, up to 100 square feet of area disturbed:

- A. For openings on any road paved with concrete: \$750, plus \$7.50 per square foot over 100 square feet.
- B. For openings on any road paved with macadam: \$500, plus \$5 per square foot over 100 square feet.
- C. For openings on any unimproved road or unpaved portion of improved roads: \$250, plus \$2.50 per square foot over 100 square feet.
- D. Regulated utilities governed by the New Jersey Board of Public Utilities, pursuant

to N.J.S.A. Title 48, are exempted from this section; refer to § 189-19, Utility road opening.

§ 410-6. Insurance.

The applicant shall present evidence satisfactory to the Township's Risk Manager of insurance sufficient to indemnify and save harmless the Township, its officials, employees, agents and servants against and from all suits and costs of every kind and from all personal injury or property damage resulting from negligence or from any phase of operation performed under the permit.

§ 410-7. Safeguards.

All excavations, earth, stone, lumber, pipe or other material shall be safely and securely barricaded and further guarded at night by at least two lights, one at each end of the excavation or material, and in any other manner as the Superintendent (or Foreman or his designee) of Public Works may deem necessary for the reasonable protection of the public from injury.

§ 410-8. Staging for excavation.

Not more than 1/2 of the trench shall be excavated at one time where the trench will run from one side of the pavement to the other, and the part so excavated shall immediately be backfilled under the supervision of and to the satisfaction of the Superintendent of Public Works.

§ 410-9. Manner of backfilling and restoration.

- A. The backfilling of the trench shall proceed in the following manner, namely: earth, sand, gravel or broken stone removed from the trench shall be replaced in layers not exceeding 12 inches in depth and shall be properly compacted. The work of refilling shall continue in this manner until the material is brought up to within 24 inches of the finished pavement; any rocks larger than six inches in diameter shall be removed. The first layer shall be three-quarter-inch quarry-processed (QP) rock. The backfilling shall be continued until the top thereof, after being thoroughly compacted, shall be one inch higher than the pavement. No animal or vegetable matter or refuse shall be used or permitted in the backfill, and all refuse or surplus material from the trench shall be removed from the work area immediately after the trench has been excavated. After the fill has thoroughly settled, the road surface shall be restored to a like-new condition.
- B. The person or entity conducting this work shall remain responsible for the repair of the resurfaced repair work for a period of five years and shall repair same if required by the Superintendent of Public Works.
- C. Roadway restoration shall be in accord with the engineering details set forth in the Appendix² which may be found at the end of this chapter.
- D. Any restoration of a trench or series of openings more than 15 linear feet shall include restoration in accord with the engineering details found in the Appendix, as applicable, and shall also include the milling and resurfacing of the roadway from curb to curb for the length of the opening.
- E. Any restoration of macadam which is not milled and paved shall be completed using infrared paving to ensure a smooth transition from the adjoining surface.

§ 410-10. Interference with gutter flow or traffic; fine.

It shall be unlawful for any person, firm or corporation to place any stones, earth, ashes, lumber, pipe or other materials of any description whatsoever upon any road or street so as to interfere with the flow of water along the gutters or so as to interfere with traffic on the road or street. Any unlawful exercise of this privilege shall be deemed a violation of this section and be punishable by a fine of \$50 to \$200. Nothing herein shall apply to leaves or vegetative waste. The purpose of this section is to prevent construction-related material from obstructing or interfering with the flow of water.

§ 410-11. Utility road opening.

- A. All utilities regulated by the New Jersey Board of Public Utilities under Title 48

which excavates a road in the Township shall pay a nonrefundable application fee of \$200 per opening. Said payment shall be sent to the Township Clerk within 24 hours of completion of the utility work related to the road opening.

- B. Roadways opened by utilities shall be returned to a like-new condition as set forth in § 410-9. Infrared heat paving shall be used to the satisfaction of the Superintendent of Public Works, or his/her designee.
- C. Roadway material shall be of the same material as the roadway, e.g., concrete roads shall be repaired with concrete and asphalt with asphalt.
- D. Within 90 days of completion of all road opening repair, the Township shall advise the utility if the closing is satisfactory or not, and if not, a directive of corrective action shall be included. Repairs made subsequent to notice from the Township of unsatisfactory repairs shall be concluded within 30 days of notice. If repairs are not made within 30 days and/or the repair is not done to the satisfaction of the Township Superintendent of Public Works (or Foreman) or his/her designee, then the Township may cause the repair work to be done and use the escrow to pay for same. In such event, the utility shall replenish the escrow within 30 days of notice from the Township.
- E. All utilities servicing the Township of Verona shall post a cash bond in the amount of \$2,500 with the Township Clerk to be held in a noninterest escrow account to be held in perpetuity to pay the cost of application fees and repair to road openings done in an unsatisfactory manner. If this bond is diminished by utilization for restoration or payment of application fees, the utility shall deposit additional funds sufficient to bring the balance of the cash bond to \$2,500 within 10 days of receipt of a notice of deficiency sent by the Township.

§ 410-12. Work by utility companies; disturbance of recently repaved or installed roads.

- A. Utility companies, including those engaged in the installation of gas, water and electric lines, shall report to the Department of Public Works, quarterly, their intentions with regard to prospective work requiring future street openings in the community, for the purpose of coordinating such activity with pavement projects anticipated by the Township of Verona in accordance with this Ordinance and the requirements of N.J.S.A. T. 48, Ch. 3, Art. 3e Infrastructure Projects, et. seq., as applicable.
- B. Except in the case of an emergency, the Township of Verona shall have the right to schedule street openings with utilities companies in a manner which will create the least disturbance to pavement courses, in furtherance of which purpose the Township of Verona shall provide to the utilities a schedule of expected street construction and resurfacing.
- C. In the event an applicant seeks to disturb a road which has been repaved or installed within the preceding five years, and the municipality shall have given notice of intent to repave by ordinance or actual notice to the applicant, the fees shall be doubled for the permit and bond. In addition, the applicant shall be required to repave the entire width of the road to achieve a cosmetic and surface match.

§ 410-13. Traffic control on private construction.

Any contractor or other employer requiring additional traffic management services on any project or event occurring in the Township of Verona shall utilize the Verona Police Department for such services. A shall bond to be posted for police/traffic and DPW inspections

§ 410-14. Violations and penalties.

- A. Any person, firm or corporation violating any of the provisions of this article, or neglecting or refusing to comply with any of the terms or conditions hereof, shall, upon conviction, be liable as follows:
 - (1) Failure to deposit a performance bond: the amount set forth in § 410-5, plus

\$500.

- (2) Opening a roadway without a permit and/or failing to comply with the provisions for filing an application for emergency work within 24 hours of conducting the work or the first business day thereafter: the amount set forth in § 410-5, plus \$1,000.
- (3) Failure to restore any roadway as required: the amount set forth in § 410-53, plus \$500.

B. Each and every nonconformance of this article, or each day that any provision of this article shall have been violated, shall be construed as a separate and distinct violation thereof.

SECTION 1: REPEAL OF INCONSISTENT PROVISIONS

All ordinances or parts thereof in conflict or inconsistent with this Ordinance are hereby repealed, but only to the extent of such conflict or inconsistency, it being the legislative intent that all such ordinances or part of ordinances now existing or in effect unless the same are in conflict or inconsistent with any provision of this Ordinance shall remain in effect.

SECTION 2: SEVERABILITY

The provisions of this Ordinance are declared to be severable and if any section, subsection, sentence, clause or phrase thereof for any reason be held to be invalid or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity of the remaining sections, subsections, sentences, clauses and phrases of this Ordinance, but shall remain in effect; it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

SECTION 3: EFFECTIVE DATE

This Ordinance shall take effect immediately upon passage and publication as provided by law.

SECTION 4: CODIFICATION

This ordinance shall be a part of the Code of the Township of Verona as though codified and fully set forth therein. The Municipal Clerk shall have this ordinance codified and incorporated in the official copies of the Code. The Municipal Clerk and the Township Attorney are authorized and directed to change any Chapter, Article and/or Section number of the Code of the Township of Verona in the event that the codification of this Ordinance reveals that there is a conflict between the numbers and the existing Code, and in order to avoid confusion and possible accidental repeals of existing provisions not intended to be repealed.

:5

SECTION 5: NOTICE TO PUBLIC UTILITIES

The Township Clerk shall cause any public utility that provides service in the Township to be notified of the provisions of this ordinance.

ATTEST:

JENNIFER KIERNAN
MUNICIPAL CLERK

I HEREBY CERTIFY THAT THE AFOREMENTIONED ORDINANCE WAS PUBLISHED IN THE STAR LEDGER, A NEWSPAPER PUBLISHED IN THE COUNTY OF ESSEX AND CIRCULATED IN THE TOWNSHIP OF VERONA, IN THE ISSUE OF XXXX AND XXX

**JENNIFER KIERNAN
MUNICIPAL CLERK**