

BOROUGH OF TOTOWA

MINUTES OF THE MAYOR AND COUNCIL

November 13, 2012

PRESENT: Mayor John Coiro, presiding, Council President Phil Puglise, Councilman John Waryas, Councilman Lou D'Angelo, Councilwoman Carolyn Fontanella, Councilwoman Debra Andriani, Municipal Clerk Joseph Wassel and Municipal Attorney Robert Corrado.

ABSENT: Councilman Anthony Picarelli.

Mayor John Coiro called the meeting to order and asked the Municipal Clerk to call the roll.

Municipal Clerk Wassel recited the Prayer of the Meeting followed with the Pledge of Allegiance to the Flag with the public participating.

Mayor Coiro asked the Clerk to read the statement of the meeting.

The Municipal Clerk read the following statement: This meeting of the Mayor and Council held on this day is being held in accordance with Chapter 231, P.L. 1975 of the State of New Jersey as amended. The agenda for this meeting has been prepared and distributed to the Mayor and Council and a copy has been on file in the Office of the Municipal Clerk.

Mayor Coiro congratulated Councilwoman Carolyn Fontanella and Councilman Anthony Picarelli on being re-elected to the Council.

There was a motion by Councilman Puglise, seconded by Councilman Waryas to dispense with the regular order of business in order to hold a public hearing on Ordinance No. 12-2012 as advertised. On roll call vote, all members of the Council present voted in the affirmative.

Municipal Clerk Wassel announced that Ordinance No. 12-2012 has been advertised for public hearing for Tuesday, November 13, 2012.

Municipal Clerk Wassel read the legal notice and the title of Ordinance No. 12-2012.

There was a motion by Councilman Puglise, seconded by Councilman Waryas to open the public hearing. On roll call vote, all members of the Council present voted in the affirmative.

Mayor Coiro asked if any citizens wished to be heard on Ordinance No. 12-2012.

CITIZENS HEARD:

There were no citizens who wished to be heard.

There was a motion by Councilman Puglise, seconded by Councilman Waryas to close the public hearing. On roll call vote, all members of the Council present voted in the affirmative.

Municipal Clerk Wassel read Ordinance No. 12-2012 by title:

ORDINANCE NO. 12-2012

A CAPITAL ORDINANCE APPROPRIATING THE SUM OF \$176,000 FOR THE REPLACEMENT OF 24" SANITARY SEWER FORCE MAIN SHARED BY LITTLE FALLS, TOTOWA AND WOODLAND PARK, PHASE III, BY THE BOROUGH OF TOTOWA AND TO APPROPRIATE \$68,571 FROM THE RESERVE FOR LAND SALE PROCEEDS AND \$107,429 FROM GENERAL CAPITAL SURPLUS

There was a motion by Councilman Puglise, seconded by Councilman Waryas to adopt Ordinance No. 12-2012 on second and final reading. On roll call vote, all members of the Council present voted in the affirmative.

There was a motion by Councilman Puglise, seconded by Councilman Waryas to revert to the regular order of business. On roll call vote, all members of the Council present voted in the affirmative.

Mayor Coiro asked if any members of the Council, the Municipal Clerk or the Municipal Attorney wished to address the Council.

Mayor Coiro: Thanked all our first responders and volunteers for all their hard work these last couple of weeks with Hurricane Sandy and the nor'easter and asked our officials to pass this along to the volunteers.

Councilman Waryas: Concurred with the Mayor's remarks and also thanked our DPW employees and Police Officers for their efforts.

Councilwoman Andriani: Thanked the Board of Recreation for hosting a Halloween Trunk-or-Treat at the PAL which will become an annual event.

Councilman D'Angelo: Advised that a former Crossing Guard George Talbot had passed away and extended condolences to his family.

CITIZENS HEARD:

Donald Cerone, 108 Hudson Avenue: Said that many large trees at the PAL had fallen during the hurricane—some into homes—and wants the Council to look at the trees at the PAL and walking path and have them trimmed, maintained or removed if need be. OEM Coordinator Allen Del Vecchio: Informed the Mayor that FEMA is coming in to assess and we already gave them a list of Borough property to be looked at and the PAL is on the list. Said that FEMA will come in, assess the situation, remove felled trees and trim others. Mayor Coiro: Asked when FEMA will be here. OEM Coordinator Del Vecchio: Answered either the end of this week or next week. Mayor Coiro: Told him he wants to know an exact date.

There was a motion by Councilman Puglise, seconded by Councilman Waryas to approve the Minutes of the Mayor and Council for the meeting of October 23, 2012. On roll call vote, all members of the Council present voted in the affirmative.

COMMITTEE ON FINANCE:

There was a motion by Councilman D'Angelo, seconded by Councilwoman Fontanella to approve Resolution No. 2012-23 for the payment of bills. On roll call vote, all members of the Council present voted in the affirmative.

There was a motion by Councilman D'Angelo, seconded by Councilwoman Fontanella to adopt the following resolution authorizing the Treasurer to issue refunds to various property owners pursuant to State Tax Court judgments. On roll call vote, all members of the Council present voted in the affirmative.

RESOLUTION

WHEREAS, there has been a State Tax Court judgment to reduce the evaluation on the following.

NOW, THEREFORE, BE IT RESOLVED, that the Treasurer is authorized to refund these amounts:

Blk	Lot	Owner/Property	Payable To	Yr	From	To	Amount
170	3	Totowa VF C/O Vornado Rlty. Tr./545 Route 46	The Irwin Law Firm Attorney For Plaintiff, Totowa VF, C/O Vornado Rlty	2009	\$75,752,200	\$63,000,000	\$206,585.64
170	3	Totowa VF C/O Vornado Rlty, Tr./545 Route 46	" "	2010	\$75,752,200	\$59,000,000	\$286,127.57
TOTAL CHECK							\$492,713.21
170.03	6	Star Warehouses/ 90 Maltese Drive	Owner C/O Frank Carlet 1135 Clifton Ave., Suite 104 Clifton, NJ 07013	2009	\$ 4,704,700	\$ 3,854,200	\$ 13,778.10
170.03	6	Star Warehouses/ 90 Maltese Drive	" "	2010	\$ 4,704,700	\$ 3,468,800	\$ 21,109.17
TOTAL CHECK							\$ 34,887.27
180	5	Norwell Land Co./ 700-710 Union Blvd	Sitar Law Offices, LLC Attorney Trust Account 1481 Oak Tree Road Iselin, NJ 08830	2012	\$23,000,000	\$18,500,000	\$ 92,700.00
180	5.01	Norwell Land Co./ 740 Union Blvd	" "	2012	\$ 1,908,500	\$ 1,450,000	\$ 9,445.10

There was a motion by Councilman D'Angelo, seconded by Councilwoman Fontanella to adopt the following Resolution Extending The Due Date For Payment Of The 4th Quarter 2012 Tax Payment. On roll call vote, all members of the Council present voted in the affirmative.

RESOLUTION NO. 105-2012

RESOLUTION EXTENDING THE DUE DATE FOR PAYMENT OF THE
4TH QUARTER 2012 TAX PAYMENT

WHEREAS, the fourth quarter tax payment is normally due on November 1, with a 10 day grace period; and

WHEREAS, due to the effects of Hurricane Sandy some residents have been left without power and may not be able to pay their bills on time; and

WHEREAS, the Mayor and Council have decided to grant our taxpayers additional time to pay their taxes due to these unforeseen circumstances.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council do hereby extend the due date for the 4th quarter taxes to November 20, 2012, which is inclusive of the 10 day grace period.

BE IT FURTHER RESOLVED, that tax payments received after the extended grace period of November 20, 2012 will be charged interest back to the original due date of November 1, 2012 as required by law.

COMMITTEE ON PUBLIC SAFETY:

A letter from a resident commending the actions of the First Aid Squad and Police Department for saving the life of a neighbor was received and filed.

COMMITTEE ON PUBLIC WORKS:

There was a motion by Councilman Waryas, seconded by Councilman Puglise to adopt the following Resolution Extending The Due Date For The Payment Of 2nd Quarter 2012 Cycle 3 Water Bills. On roll call vote, all members of the Council present voted in the affirmative.

RESOLUTION NO. 106-2012

RESOLUTION EXTENDING THE DUE DATE FOR THE PAYMENT
OF 2ND QUARTER 2012 CYCLE 3 WATER BILLS

WHEREAS, the Borough of Totowa Water Department bills its customers based on three cycles, four times a year; and

WHEREAS, the second quarter billing period for Cycle 3 for 2012 is June 1, 2012 to August 31, 2012; and

WHEREAS, the second quarter water bills are due on October 1st with a 30 day grace period; and

WHEREAS, due to the effects of Hurricane Sandy some residents have been left without power and may not be able to pay their bills on time; and

WHEREAS, the Mayor and Council have decided to grant our water customers additional time to pay their water bills due to these unforeseen circumstances.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council do hereby extend the due date for the Cycle 3, 2nd quarter water bills to November 20, 2012, which is inclusive of an additional 20 day grace period.

BE IT FURTHER RESOLVED, that water payments received after the extended grace period of November 20, 2012, will be charged interest back to the original due date on any unpaid balance as required by law.

A letter from resident Carol Scovish thanking Assistant Superintendent Jim Both, Laborer Sean Yennie and the rest of the DPW crew for their swift action removing a downed tree during Hurricane Sandy was received and filed, with copies to be placed in their personnel jackets.

There was a motion by Councilman Puglise, seconded by Councilman Waryas to add the following item to the agenda. On roll call vote, all members of the Council present voted in the affirmative.

There was a motion by Councilman Waryas, seconded by Councilman Puglise to approve Change Order No. 1 for a net decrease in the amount of \$2,728.00 for the Storm Sewer Check Valves Project for Rock Solid Construction, Inc. On roll call vote, all members of the Council present voted in the affirmative.

COMMITTEE ON ENGINEERING & PUBLIC PROPERTY:

There was no report.

COMMITTEE ON LIAISON & INSPECTION:

There was a motion by Councilwoman Andriani, seconded by Councilman Waryas to adopt the following Resolution Approving Grant Agreement Between Totowa Borough And The State Of New Jersey By And For The Department Of Environmental Protection For The 2013 Green Communities Grant Community Forestry Management Plan. On roll call vote, all members of the Council present voted in the affirmative.

RESOLUTION NO. 107-2012

The governing body of Borough of Totowa desires to further the public interest by obtaining a grant from the State of New Jersey in the amount of approximately \$1,975.00 to fund the following project:

2013 Green Communities Grant Community Forestry Management Plan

Therefore, the governing body resolves that John Coiro or the successor to the office of Mayor is authorized (a) to make application for such a grant, (b) if awarded, to execute a grant agreement with the State for a grant in an amount not less than \$1,975.00 and not more than \$1,975.00, and (c) to execute any amendments thereto which do not increase the Grantee's obligations.

This authorizes Borough of Totowa Council and hereby agrees to match \$1,975.00 of the Total Project Amount, in compliance with the match requirements of the agreement. The availability of the match for such purposes, whether cash, services, or property, is hereby certified. 100% of the match will be made up of in-kind services (if allowed by grant program requirements and the agreement).

The Grantee agrees to comply with all applicable federal, State, and municipal laws, rules and regulations in its performance pursuant to the agreement.

A letter was received from St. Joseph's Home For The Elderly, Little Sisters Of The Poor requesting that their building permit fee be waived for their roofing project. There was a motion by Councilwoman Andriani, seconded by Councilman Waryas to waive the building permit fee. On roll call vote, all members of the Council present voted in the affirmative.

COMMITTEE ON LEGISLATION & ORDINANCES:

There was a motion by Councilwoman Andriani, seconded by Councilman Puglise to approve Raffle License Application No. 1670 for Special Olympics New Jersey, Inc. for an Off-Premise Merchandise Raffle to be held on May 7, 2013 at the North Jersey Developmental Center. On roll call vote, all members of the Council present voted in the affirmative.

There was a motion by Councilwoman Andriani, seconded by Councilman Puglise to approve Raffle License Application Nos. 1671, 1672 & 1673 for The Diane D'Apolito-May "Beyond the Rainbow" Charitable Foundation for an On-Premise 50/50, Off-Premise 50/50 and Tricky Tray, respectively, to be held on March 23, 2013 at The Bethwood. On roll call vote, all members of the Council present voted in the affirmative.

There being no further business to come before the Council, there was a motion by Councilman Puglise, seconded by Councilman Waryas that the meeting be adjourned. On roll call vote, all members of the Council present voted in the affirmative.

Joseph Wassel, RMC
Municipal Clerk