

BOROUGH OF TOTOWA

MINUTES OF THE MAYOR AND COUNCIL

September 25, 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: None.

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.

There was a motion by Councilman Puglise, seconded by Councilman Waryas to dispense with the regular order of business in order to have a swearing in ceremony for newly appointed Councilman Anthony Picarelli to take the Oath of Allegiance & Office. On roll call vote, all members of the Council present voted in the affirmative.

Mayor Coiro asked Councilman Anthony Picarelli to approach the dais to take the Oath of Allegiance & Office.

Councilman Anthony Picarelli approached the dais along with his mother Mary—who held the Bible—and his father Domenic by his side.

Honorable Mayor John Coiro administered the Oath of Allegiance & Office to newly appointed Councilman Anthony Picarelli.

Mayor Coiro presented a badge symbolic to the Office of Council to Councilman Anthony Picarelli.

Mayor Coiro commented that when Councilman Niland stepped down and we had to select someone to fill the vacancy of Council and we had to think of who could carry on our tradition and be here for a long time—we came up with Anthony. Mayor Coiro went on to say that we know he will do well, we look forward to working with him and then welcomed Anthony to the Council.

Councilman Anthony Picarelli thanked Totowa Republican Chairman Peter Murphy for recommending him and also thanked the Mayor and Council, his family and friends for their support and said that he was very humbled to be selected to fill Councilman Niland's shoes and that he will work hard for the residents of Totowa.

The Mayor, Council, Municipal Clerk and Municipal Attorney all congratulated and welcomed Councilman Anthony Picarelli.

Mayor Coiro announced that we will take a short recess to allow everyone in the audience to congratulate Councilman Picarelli.

Mayor Coiro asked the Municipal Clerk to call the roll of the Council.

PRESENT: Mayor John Coiro, presiding, Council President Phil Puglise, Councilman John Waryas, Councilman Lou D'Angelo, Councilwoman Carolyn Fontanella, Councilwoman Debra Andriani and Councilman Anthony Picarelli.

ABSENT: None.

Mayor Coiro announced the following new Council Committees for the remainder of 2012.

FINANCE & ADMINISTRATION

D'ANGELO FONTANELLA PICARELLI

PUBLIC SAFETY

PUGLISE WARYAS FONTANELLA

PUBLIC WORKS

WARYAS PUGLISE D'ANGELO

ENGINEERING & PUBLIC PROPERTY

FONTANELLA D'ANGELO ANDRIANI

LIAISON & INSPECTION

ANDRIANI PICARELLI WARYAS

LEGISLATIVE & ORDINANCES

PICARELLI ANDRIANI PUGLISE

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.

Councilman Waryas: Thanked St. James Church for their 9-11 Ceremony honoring the Police Department, Fire Department and First Aid Squad.

CITIZENS HEARD:

Allan Burghardt, 27 Knox Terrace: Said that there was a recent water main break in front of his house and said the DPW did a great job fixing it.

Allen Del Vecchio, OEM Coordinator: Advised that before you read it in the paper, Totowa was approved for a Green Acres grant in the amount of \$325,000 and it is a matching grant that we will be looking to offset with a HUD grant for the acquisition of six homes in the floodway.

There was a motion by Councilman Puglise, seconded by Councilman Waryas to approve the Minutes of the Mayor and Council for the meeting of September 11, 2012. On roll call vote, all members of the Council present voted in the affirmative. Councilman Picarelli abstained from the voting.

COMMITTEE ON FINANCE:

There was a motion by Councilman D'Angelo, seconded by Councilwoman Fontanella to approve Resolution No. 2012-20 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	PROPERTY	OWNER	PAYABLE TO	YEAR	FROM	TO	AMT
9.05	10	9 Huntington Terrace	Fakher Rabboh	Davenport & Spiotti, Attorneys at Law	2010	1,120,200	1,080,300	\$ 681.49
173	41	440 Route 46	440 Realty LLC C/O Nissan 46	The Irwin Law Firm Attorney Trust Account F.B.O. 440 Realty, LLC C/O Nissan 46	2011	4,336,200	4,261,200	\$1,473.75

There was a motion by Councilman D'Angelo, seconded by Councilwoman Fontanella to adopt the following Resolution to Approve By-Law Amendments to The New Jersey Intergovernmental Insurance Fund. On roll call vote, all members of the Council present voted in the affirmative.

RESOLUTION NO. 98-2012

RESOLUTION TO APPROVE BY-LAW AMENDMENTS TO THE NEW JERSEY
INTERGOVERNMENTAL INSURANCE FUND

WHEREAS, N.J.S.A. 40A:10-36 et seq. permits local units to join together to form a joint insurance fund; and

WHEREAS, said statute was designed to give local units the opportunity to use alternative risk management techniques, providing they are based on sound actuarial principles; and

WHEREAS, the New Jersey Intergovernmental Insurance Fund, hereinafter the Fund, was established effective February 1, 1991 pursuant to said statutes; and

WHEREAS, the Borough of Totowa is a member of the Fund; and

WHEREAS, revisions to the existing by-laws of the Fund were reviewed and approved by the Fund's Executive Committee at their March 21, 2012 meeting.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Totowa hereby adopts the following by-law amendments hereto attached:

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.

Upon the recommendation of the Committee, there was a motion by Councilman D'Angelo, seconded by Councilwoman Fontanella to appoint Keri Giacchi as Violations Clerk. On roll call vote, all members of the Council present voted in the affirmative.

MAYOR'S APPOINTMENT

I, Mayor John Coiro, with the advice and consent of the Council do hereby appoint Keri Giacchi as Violations Clerk for a one year term ending on December 31, 2012.

There was a motion by Councilman D'Angelo, seconded by Councilwoman Fontanella to confirm the appointment. On roll call vote, all members of the Council present voted in the affirmative.

COMMITTEE ON PUBLIC SAFETY:

A retirement letter was received from Police Captain Dennis Blakeley, effective December 31, 2012. There was a motion by Councilman Puglise, seconded by Councilman Waryas to accept his retirement. 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 approve a grade increase for Patrolman Gary Bierach from Grade 4 (\$77,344.) to Grade 3 (\$88,011.), effective September 28, 2012. 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 adopt the following Resolution Approving Submission Of A Grant Application And Execution Of A Grant Agreement Through The New Jersey Department Of Transportation's Highway Safety Fund Grant Program For Fiscal Year 2012. On roll call vote, all members of the Council present voted in the affirmative.

RESOLUTION NO. 99-2012

RESOLUTION APPROVING SUBMISSION OF A GRANT APPLICATION AND EXECUTION OF A GRANT AGREEMENT THROUGH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION'S HIGHWAY SAFETY FUND GRANT PROGRAM FOR FISCAL YEAR 2012

WHEREAS, the Borough of Totowa has been awarded \$7,716.92 through the New Jersey Department of Transportation's (NJDOT) Highway Safety Fund grant program for Fiscal Year 2012.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Totowa does hereby approve the grant application for the above stated project.

BE IT FURTHER RESOLVED, that the Mayor and Council and Police Chief are hereby authorized to submit an electronic grant application identified as HSF-2012-Totowa Borough-00074 to the New Jersey Department of Transportation on behalf of the Borough of Totowa.

BE IT FURTHER RESOLVED, by the Mayor and Council that the Mayor and Municipal Clerk are hereby authorized to sign the grant agreement on behalf of Borough of Totowa and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

A letter from Police Chief Robert Coyle advising the Mayor and Council that he will be attending the International Association of Chiefs of Police Conference from September 29 to October 2, 2012 with Captain Scott Titus as Officer in Charge was received and filed.

COMMITTEE ON PUBLIC WORKS:

There was a motion by Councilman Waryas, seconded by Councilman Puglise to carry the following two items on the agenda—1) Accept the bids for the 2012 Road Program and 2) Recommendation of the Engineer and resolution to award the contract to the lowest responsible bidder—for two weeks until the next Council Meeting. 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 adopt the following Resolution Re: Approval To Submit A Grant Application And Execute A Grant Agreement With The New Jersey Department Of Transportation For The 2013 Municipal Aid Application For Gordon Avenue Improvements. On roll call vote, all members of the Council present voted in the affirmative.

RESOLUTION NO. 100-2012

RESOLUTION RE: APPROVAL TO SUBMIT A GRANT APPLICATION AND EXECUTE A GRANT AGREEMENT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR THE 2013 MUNICIPAL AID APPLICATION FOR GORDON AVENUE IMPROVEMENTS

WHEREAS, the Borough of Totowa continues to develop projects that will improve access and maintenance on public roads; and

WHEREAS, the Borough of Totowa's Engineering Department has provided plans specifically designed to address and improve traffic flow/safety issues and maintenance on our roads; and

WHEREAS, the Borough of Totowa has submitted plans to the State of New Jersey, Department of Transportation for Municipal Aid and will continue to do so in the future; and

WHEREAS, the Borough of Totowa has identified Gordon Avenue, from Barnert Avenue to Union Boulevard in desperate need of repair;

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Totowa, in the County of Passaic, State of New Jersey formally approves the grant application for Gordon Avenue.

BE IT FURTHER RESOLVED, that the Mayor and Municipal Clerk are hereby authorized to submit an electronic grant application identified as *MA-2013-Totowa Borough-00157* to the New Jersey Department of Transportation on behalf of the Borough of Totowa.

BE IT FURTHER RESOLVED, that the Mayor and Municipal Clerk are hereby authorized to sign the grant agreement on behalf of the Borough of Totowa and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

There was a motion by Councilman Waryas, seconded by Councilman Puglise to adopt the following resolution approving a payment plan for a water customer due to a high water bill as a result of a leak in the sprinkler system. On roll call vote, all members of the Council present voted in the affirmative.

RESOLUTION NO. 101-2012

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 2 for 2012 is May 1, 2012 to July 31, 2012; and

WHEREAS, Judy & Mei Zhang, 15 Independence Trail, Block 9.08, Lot 72 is located in Cycle 2; and

WHEREAS, the Borough of Totowa Water Department meter reader noticed an unusually high meter reading and advised the homeowner; and

WHEREAS, the homeowner checked for leaks and found a leak in the sprinkler system, which resulted in second quarter 2012 billing for 976,000 gallons and \$7,625.78; and

WHEREAS, because of the extraordinarily high water bill, the homeowner has requested to be put on a payment plan.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Totowa do hereby approve a payment plan for ninety (90) days with no interest, to be paid in three (3) installments of \$2,541.93 by September 30, 2012, October 31, 2012 and November 30, 2012.

BE IT FURTHER RESOLVED, by the Mayor and Council of the Borough of Totowa that if the entire balance isn't paid in full by November 30, 2012, then interest will be charged back to the original due date on any unpaid balance.

BE IT FURTHER RESOLVED, by the Mayor and Council of the Borough of Totowa that the Borough Clerk send a copy of this resolution to the Water Registrar.

Upon the recommendation of Assistant DPW Superintendent Jim Both, there was a motion by Councilman Waryas, seconded by Councilman Puglise to approve a grade increase for DPW Laborer William Marmo from Grade 1 (\$62,199.) to Grade 1-C (\$68,534.), effective October 9, 2012. On roll call vote, all members of the Council present voted in the affirmative.

COMMITTEE ON ENGINEERING & PUBLIC PROPERTY:

There was a motion by Councilwoman Fontanella, seconded by Councilman D'Angelo to accept the following bids for the Sanitary Sewer Main Rehabilitation Project. On roll call vote, all members of the Council present voted in the affirmative.

<u>Company</u>	<u>Base Bid</u>	<u>Alternate A</u>	<u>Total Bid</u>
Allstate Power Vac Rahway, NJ	\$170,394.00	\$28,145.00	\$198,539.00

En-Tech Corp. Closter, NJ	\$185,543.50	\$29,387.50	\$214,931.00
National Water Main Cleaning Newark, NJ	\$225,910.00	\$31,000.00	\$256,910.00

Upon the recommendation of the Engineer, there was a motion by Councilwoman Fontanella, seconded by Councilman D'Angelo to adopt the following resolution to award the contract to the lowest responsible bidder. On roll call vote, all members of the Council present voted in the affirmative.

RESOLUTION NO. 102-2012

RESOLUTION AWARDING CONTACT FOR THE BOROUGH OF TOTOWA
JEFFERSON PLACE SEWER LINING PROJECT

WHEREAS, in August of 2011, the Borough of Totowa suffered the devastating effects of Hurricane Irene which resulted in unprecedented flooding throughout the community; and

WHEREAS, the Borough of Totowa Municipal Engineer has recommended the rehabilitation of portions of the sanitary sewer mains located on Jefferson Place, Dewey Avenue, and William Place; and

WHEREAS, the Borough of Totowa has received a Block Grant from Passaic County through the Community Development Block Grant Program for the rehabilitation of sanitary sewer mains within portions of Jefferson Place, Dewey Avenue, and William Place; and

WHEREAS, the Mayor and Council of the Borough of Totowa did advertise for receipt of sealed bids for its Sanitary Sewer Rehabilitation Project in accordance with its specifications entitled "Specifications, Proposal and Contract Documents for Borough of Totowa Jefferson Place Sewer Lining Project Phase I, Borough of Totowa, Passaic County, New Jersey, Contract No. 2012-1"; and

WHEREAS, the Borough of Totowa did receive bids at its Municipal Building on September 18, 2012; and

WHEREAS, the Mayor and Council of the Borough of Totowa on September 25, 2012 did examine all bids for materials and services called for; and

WHEREAS, the Mayor and Council of the Borough of Totowa have determined that the lowest responsible bid was submitted by Allstate Power Vac, Inc., 928 East Hazelwood Avenue, Rahway, New Jersey 07065 with a base bid in the amount of One Hundred Seventy Thousand Three Hundred Ninety-Four and 00/100 Dollars (\$170,394.00) and a bid for Alternate "A" – William Place in the amount of Twenty-Eight Thousand One Hundred Forty-Five and 00/100 Dollars (\$28,145.00) for a total bid in the amount One Hundred Ninety-Eight Thousand Five Hundred Thirty-Nine and 00/100 Dollars (\$198,539.00), a copy of which is on file in the office of the Municipal Clerk; and

WHEREAS, the Mayor and Council of the Borough of Totowa have determined that the bid submitted by Allstate Power Vac, Inc. be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Totowa do hereby accept the bid of Allstate Power Vac, Inc. for the Borough of Totowa Jefferson Place Sewer Lining Project Phase I as the lowest responsible bid for the total sum of One Hundred Ninety-Eight Thousand Five Hundred Thirty-Nine and 00/100 Dollars (\$198,539.00).

BE IT FURTHER RESOLVED, that the Municipal Council of the Borough of Totowa does hereby authorize the Mayor and Municipal Clerk to execute any and all necessary instruments relating thereto.

COMMITTEE ON LIAISON & INSPECTION:

There was no report.

COMMITTEE ON LEGISLATION & ORDINANCES:

There was a motion by Councilman Picarelli, seconded by Councilwoman Andriani to approve Raffle License Application No. 1660 for Christ Episcopal Church for a Tricky Tray to be held on November 3, 2012. On roll call vote, all members of the Council present voted in the affirmative.

There was a motion by Councilman Picarelli, seconded by Councilwoman Andriani to approve Raffle License Application No. 1661 for the Academy of St. Francis of Assisi for a Calendar Raffle to be held during the months of December 2012, January & February 2013. On roll call vote, all members of the Council present voted in the affirmative.

There was a motion by Councilman Picarelli, seconded by Councilwoman Andriani to approve Raffle License Application Nos. 1662 & 1663 for St. Mary's School for an On-Premise 50/50 and Tricky Tray, respectively, to be held on November 13, 2012 at The Bethwood. On roll call vote, all members of the Council present voted in the affirmative.

There was a motion by Councilman Picarelli, seconded by Councilwoman Andriani to approve Raffle License Application No. 1664 for the Do Good Student Support Group, Inc. for a Casino Night to be held on November 16, 2012 at The American Legion Hall. 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