

BOROUGH OF TOTOWA

MINUTES OF THE MAYOR AND COUNCIL

July 23, 2013

PRESENT: Mayor John Coiro, presiding, Councilman John Waryas, Councilwoman Carolyn Fontanella, Councilwoman Debra Andriani, Councilman Anthony Picarelli, Municipal Clerk Joseph Wassel and Municipal Attorney Robert Corrado.

ABSENT: Council President Phil Puglise and Councilman Lou D'Angelo.

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 Waryas, seconded by Councilwoman Fontanella to dispense with the regular order of business to allow for a presentation by Passaic County Sheriff Richard Berdnik and in order to hold a public hearing on Ordinance No. 10-2013 as advertised. On roll call vote, all members of the Council present voted in the affirmative.

Mayor Coiro asked Police Chief Robert Coyle to join him in front of the dais along with Sheriff Berdnik. Sheriff Berdnik said that on behalf of the Sheriff's Department he would like to donate a 2007 Harley Davidson Police Motorcycle to the Borough of Totowa. Mayor Coiro thanked the Sheriff for the donation and also for all the assistance that the Passaic County Sheriff's Department provides to the Borough of Totowa. Chief Coyle also read a prepared statement thanking Sheriff Berdnik for the motorcycle.

Municipal Clerk Wassel announced that Ordinance No. 10-2013 has been advertised for public hearing for Tuesday, July 23, 2013.

Municipal Clerk Wassel read the legal notice and title of Ordinance No. 10-2013.

There was a motion by Councilman Waryas, seconded by Councilwoman Fontanella 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. 10-2013.

CITIZENS HEARD:

There were no citizens who wished to be heard.

There was a motion by Councilman Waryas, seconded by Councilwoman Fontanella 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. 10-2013 by title:

ORDINANCE NO. 10-2013

**A CAPITAL ORDINANCE AMENDING ORDINANCE NOS. 08-2012 AND 06-2013
APPROPRIATING AN ADDITIONAL \$7,100 FOR SEWER MAIN IMPROVEMENTS TO
BE UNDERTAKEN BY THE BOROUGH OF TOTOWA AND TO APPROPRIATE AN
ADDITIONAL \$7,100 FROM A COMMUNITY DEVELOPMENT BLOCK GRANT**

There was a motion by Councilman Waryas, seconded by Councilwoman Fontanella to adopt Ordinance No. 10-2013 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 Waryas, seconded by Councilwoman Fontanella 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: 1) Stated that last week was a tough week for the Fire Department where they had to battle a chemical release at the Passaic Valley Water Commission and then assist on a fire on Andrews Drive in Woodland Park with the intense heat from the heat wave and fire and said that some of our guys suffered from heat exhaustion, but were okay. Thanked all our volunteer fireman as well as the First Aid Squad and Police Department for chipping in; 2) Announced that the Library Foundation has raised about \$12,000 which will be used to remodel the kitchen in the Library. Thanked the Foundation for their efforts.

CITIZENS HEARD:

There were no citizens who wished to be heard.

There was a motion by Councilman Waryas, seconded by Councilwoman Andriani to approve the Minutes of the Mayor and Council for the meeting of July 9, 2013. On roll call vote, all members of the Council present voted in the affirmative. Councilwoman Fontanella abstained from the voting.

COMMITTEE ON FINANCE:

There was a motion by Councilwoman Fontanella, seconded by Councilman Picarelli to approve Resolution No. 2013-16 for the payment of bills. On roll call vote, all members of the Council present voted in the affirmative.

There was a motion by Councilwoman Fontanella, seconded by Councilman Picarelli 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 of the Borough of Totowa is authorized to refund this amount.

BLOCK	LOT	PROPERTY/OWNER	PAYABLE TO:	YEAR	FROM	TO	AMOUNT
14	4	22 Boyle Avenue Matthew Loforese	Matthew Loforese 22 Boyle Ave Totowa, NJ 07512	2012	330,900.00	314,300.00	\$341.96

There was a motion by Councilwoman Fontanella, seconded by Councilman Picarelli to adopt the following Resolution Re: Extension Of Due Date For Payment Of The 3rd Quarter Tax Payment 2013. On roll call vote, all members of the Council present voted in the affirmative.

RESOLUTION NO. 84-2013

RE: EXTENSION OF DUE DATE FOR PAYMENT OF THE 3RD QUARTER TAX PAYMENT 2013

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

WHEREAS, the Borough of Totowa will not be able to print and mail out the 2013 final/preliminary 2014 tax bills on time because of the delay by the state; and

WHEREAS, the Borough of Totowa by law must allow the taxpayers a period of 25 days from the date of the mailing of the tax bill to make payment.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council do hereby extend the due date for the 3rd quarter taxes to August 19, 2013 which is inclusive of the 10 day grace period.

BE IT FURTHER RESOLVED, that tax payments received after the extended grace period of August 19, 2013 will be charged interest back to the original due date of August 1, 2013 as required by law.

There was a motion by Councilwoman Fontanella, seconded by Councilman Picarelli to authorize Sage Title Agency to do a title search concerning the foreclosure action at 515 Union Boulevard. On roll call vote, all members of the Council present voted in the affirmative.

There was a motion by Councilwoman Fontanella, seconded by Councilman Picarelli to acknowledge receipt of the Report of Audit for the year ended December 31, 2012 and that the recommendations will be reviewed by the Governing Body. On roll call vote, all members of the Council present voted in the affirmative.

COMMITTEE ON PUBLIC SAFETY:

There was a motion by Councilman Waryas, seconded by Councilwoman Fontanella to approve payment of the annual garage rent for 2013 in the amount of \$7,000.00 to Volunteer Fire Company No. 1 and \$5,500.00 to Riverview Park Fire Company, Inc. On roll call vote, all members of the Council present voted in the affirmative.

COMMITTEE ON PUBLIC WORKS:

There was no report.

COMMITTEE ON ENGINEERING & PUBLIC PROPERTY:

There was a motion by Councilwoman Fontanella, seconded by Councilwoman Andriani to approve the 2013 Open Space & Farmland Preservation Trust Fund Agreement between the Borough of Totowa and County of Passaic for the Lincoln Fields Drainage Improvements—Final Phase. On roll call vote, all members of the Council present voted in the affirmative.

A letter was received from the attorney for Preakness Real Estate, LLC requesting the vacation of Maple Street. There was a motion by Councilwoman Fontanella, seconded by Councilwoman Andriani to refer this to the Borough Engineer for his review and comments. On roll call vote, all members of the Council present voted in the affirmative.

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 Nos. 1724 & 1725 for Pet Adoption Thru Caring Hands for a Tricky Tray and Off-Premise 50/50, respectively, to be held on October 10, 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 Waryas, seconded by Councilwoman Fontanella that the meeting be adjourned. On roll call vote, all members of the Council present voted in the affirmative.

Joseph Wassel, RMC
Municipal Clerk