

## **BOROUGH OF TOTOWA**

### **MINUTES OF THE MAYOR AND COUNCIL**

**August 12, 2014**

**PRESENT:** Mayor John Coiro, presiding, Council President Phil Puglise, Councilman Lou D'Angelo, Councilwoman Carolyn Fontanella, Councilwoman Debra Andriani, Councilman Anthony Picarelli, Councilman Brendan Murphy, 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 D'Angelo to dispense with the regular order of business in order to hold a public hearing to adopt and confirm the Assessment Report setting forth the apportioned costs for the Union Boulevard Curb And Sidewalk Replacement Project from Totowa Road to the Route 80 Interchange as advertised. On roll call vote, all members of the Council present voted in the affirmative.

Municipal Clerk Wassel read the legal notice for the public hearing on the Assessment Report.

There was a motion by Councilman Puglise, seconded by Councilman D'Angelo 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 the Assessment Report.

CITIZENS HEARD:

William Hunt, 542 Union Boulevard: Asked who will determine the interest rate if it is paid off over 10 years. Mayor Coiro: Informed him that our auditors will determine the rate based on the current market rate and it will be a fixed rate.

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

Mayor Coiro gave a brief overview of the process for the Board of Assessments and how the Commissioners met and held a public hearing on Wednesday, August 6, 2014 and then submitted their Assessment Report to the Council who will adopt and confirm it tonight.

There was a motion by Councilman Puglise, seconded by Councilman D'Angelo to adopt and confirm the Assessment Report as submitted by the Board of Assessments Commissioners. On roll call vote, all members of the Council present voted in the affirmative.

There was a motion by Councilman Puglise, seconded by Councilman D'Angelo 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: Announced that as the Council is already aware, there was a major blast and substantial damage at one of our companies in town, Pharmachem on Adams Drive/King Road, but there were only two minor injuries and he wanted to thank all of our first responders for their quick actions. He also said that he spoke with the

company owners who were also very appreciative of the quick response time.

**CITIZENS HEARD:**

There were no citizens who wished to be heard.

There was a motion by Councilman D'Angelo, seconded by Councilwoman Fontanella to approve the Minutes of the Mayor and Council for the meeting of July 22, 2014. On roll call vote, all members of the Council present voted in the affirmative. Councilman Puglise and Councilwoman Andriani abstained from the voting.

**COMMITTEE ON FINANCE:**

There was a motion by Councilman D'Angelo, seconded by Councilwoman Fontanella to approve Resolution No. 2014-17 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 To Acknowledge Receipt Of And Accept The 2013 Audit Corrective Action Plan. On roll call vote, all members of the Council present voted in the affirmative. Councilman Murphy abstained from the voting.

**RESOLUTION NO. 82-2014**

**RESOLUTION TO ACKNOWLEDGE RECEIPT OF AND ACCEPT  
THE 2013 AUDIT CORRECTIVE ACTION PLAN**

WHEREAS, by Resolution No. 20-2014 dated January 1, 2014, the Mayor and Council of the Borough of Totowa authorized the firm of Lerch, Vinci & Higgins, LLP, 17-17 Route 208, Fair Lawn, New Jersey 07410, to serve as the Municipal Auditor for the Borough of Totowa; and

WHEREAS, the professional services to be provided by the Municipal Auditor include but are not limited to auditing the financial statements for the Borough of Totowa; preparing the unaudited annual financial statement; review and certification of the annual budget; and preparing the annual debt statement and performing all general auditing services as needed; and

WHEREAS, the Municipal Auditor has completed the Borough of Totowa, Passaic County, New Jersey Report of Audit Year Ended December 31, 2013; and

WHEREAS, the Municipal Clerk prepared The 2013 Audit Corrective Action Plan based on the recommendations listed in the Audit Report, a copy of which is on file in the office of the Borough of Totowa Municipal Clerk; and

WHEREAS, copies of The 2013 Audit Corrective Action Plan have been distributed to the Mayor and Council of the Borough of Totowa and the Recommendations and 2013 Audit Corrective Action Plan have been forwarded to all Department Heads.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Totowa do hereby acknowledge receipt of and accept The 2013 Audit Corrective Action Plan as prepared by the Municipal Clerk.

There was a motion by Councilman D'Angelo, seconded by Councilwoman Fontanella to authorize the Borough Attorney and Borough Clerk to prepare the specifications and advertise for the receipt of bids for Solid Waste Collection and/or Disposal Services. On roll call vote, all members of the Council present voted in the affirmative.

#### COMMITTEE ON PUBLIC SAFETY:

There was a motion by Councilman Puglise, seconded by Councilman Murphy to approve a grade increase for Patrolman Park Balloutine from Grade 2 to Grade 1, effective August 10, 2014. On roll call vote, all members of the Council present voted in the affirmative.

There was a motion by Councilman Puglise, seconded by Councilman Murphy to approve a grade increase for Patrolman Joseph Flynn, Patrolman Douglas Spinella and Patrolman Thomas Bevacqua from Grade 6 to Grade 5, effective August 14, 2014. On roll call vote, all members of the Council present voted in the affirmative.

Upon the recommendation of the Fire Chief, there was a motion by Councilman Puglise, seconded by Councilman Murphy to adopt the following resolution authorizing emergency engine repairs to the Fire Department ladder truck. On roll call vote, all members of the Council present voted in the affirmative.

RESOLUTION NO. 83-2014

RESOLUTION AUTHORIZING EMERGENCY REPAIRS TO  
BOROUGH OF TOTOWA FIRE DEPARTMENT LADDER TRUCK

WHEREAS, the Fire Chief for the Borough of Totowa Volunteer Fire Department has advised the Mayor and Council of the Borough of Totowa that one of the Department's fleet trucks has sustained substantial damage to the engine; and

WHEREAS, more specifically, Fire Truck 1 of the Borough of Totowa Fire Department fleet, a 1995 Smeal Aerial Truck bearing VIN No. 4S7AT9D01SC016959, suffered a failed engine block as a result of a rod piercing through the engine; and

WHEREAS, this situation adversely affects the public health, safety and welfare of the residents of the Borough of Totowa and requires immediate repairs to the Borough Totowa Fire Truck 1; and

WHEREAS, the Borough of Totowa Fire Chief has solicited quotes from licensed and certified fire apparatus repair vendors to perform the necessary repairs to Fire Truck 1; and

WHEREAS, Stewart & Stevenson – Atlantic Detroit Diesel - Allison Division, 180 Route 17, Lodi, New Jersey 07644 has submitted a proposal to undertake the necessary repairs to the Fire Truck in the amount of \$37,382.39, a copy of which is on file in the office of the Municipal Clerk; and

WHEREAS, the Fire Chief for the Borough of Totowa Fire Department has reviewed the proposal and recommended that the Borough of Totowa proceed with the repairs; and

WHEREAS, the Mayor and Council of the Borough of Totowa desire to authorize the emergency repairs to Fire Truck 1 of the Borough of Totowa Fire Department fleet to protect the public health, safety and welfare of the residents of the Borough of Totowa; and

WHEREAS, pursuant to the applicable New Jersey State laws, the authorization of these emergency repair services may be awarded without public bidding.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Totowa do hereby accept the proposal submitted by Stewart & Stevenson – Atlantic Detroit Diesel - Allison Division for the repair of Fire Truck 1 in the amount of \$37,382.39

BE IT FURTHER RESOLVED, that the Mayor and Council of the Borough of Totowa do hereby authorize Stewart & Stevenson – Atlantic Detroit Diesel - Allison Division to provide the materials and perform the services as set forth in their proposal.

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

COMMITTEE ON PUBLIC WORKS:

There was a motion by Councilman Murphy, seconded by Councilman Puglise to accept the following bids for the Purchase and Delivery of a Chipper. On roll call vote, all members of the Council present voted in the affirmative.

<u>Company</u>	<u>Bid Amount</u>
Northeastern Arborist Supplies	\$40,674.00
Garden State Bobcat Group	\$44,650.00
Vermeer North Atlantic	\$52,440.00
Somerville Equipment & Arbor Supply	No bid.

Upon the recommendation of the Committee, there was a motion by Councilman Murphy, seconded by Councilman Puglise 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. 84-2014

RESOLUTION AUTHORIZING CONTRACT FOR THE  
PURCHASE AND DELIVERY OF A CHIPPER

WHEREAS, the Interim Superintendent for the Borough of Totowa Department of Public Works has recommended the Borough of Totowa purchase a new wood chipper; and

WHEREAS, the Mayor and Council of the Borough of Totowa desire to purchase a new chipper for use by the Department of Public Works; and

WHEREAS, the Mayor and Council of the Borough of Totowa did advertise for receipt of sealed bids for the purchase and delivery of a new chipper for the Department of Public Works in accordance with its specifications entitled "Specifications and Proposal for the Purchase and Delivery of One (1) New 2014 Chipper for the Borough of Totowa, Passaic County, New Jersey"; and

WHEREAS, the Borough of Totowa did receive bids at its Municipal Building on August 6, 2014; and

WHEREAS, the Mayor and Council of the Borough of Totowa on August 12, 2014 did examine all bids for materials and equipment services called for; and

WHEREAS, Northeastern Arborist Supply, 50 Notch Road, Woodland Park, New Jersey 07424 has submitted a proposal to provide one new 2014 Brush Bandit 1390XP 15" Drum Style Chipper with a bid the amount of \$40,674.00, a copy of which is on file in the office of the Borough of Totowa Municipal Clerk; and

WHEREAS, the Interim Superintendent for the Borough of Totowa Department of Public Works has reviewed the proposal and recommended the Borough of Totowa authorize the award of a contract to Northeastern Arborist Supply for the purchase and delivery of one new 2014 Brush Bandit 1390XP 15" Drum Style Chipper and related equipment; and

WHEREAS, the Mayor and Council of the Borough of Totowa have determined that the lowest responsible bid submitted by Northeastern Arborist Supply 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 Northeastern Arborist Supply for the purchase and delivery of one (1) new 2014 Brush Bandit 1390XP 15" Drum Style Chipper as the lowest responsible bid for the total sum of \$40,674.00.

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.

There was a motion by Councilman Murphy, seconded by Councilman Puglise to adopt the following Resolution Accepting Grant For The De-Silting And De-Snagging Of The Passaic River. On roll call vote, all members of the Council present voted in the affirmative.

RESOLUTION NO. 85-2014

RESOLUTION ACCEPTING GRANT FOR THE  
DE-SILTING AND DE-SNAGGING OF THE PASSAIC RIVER

WHEREAS, the Mayor and Council of the Borough of Woodland Park and the Mayor and Council of the Borough of Totowa, County of Passaic, State of New Jersey, have jointly applied for a New Jersey State Department of Environmental Protection (NJDEP) grant for the de-silting and de-snagging of the Passaic River; and

WHEREAS, the municipalities have been advised that a grant in the amount of \$150,000.00 has been awarded by the NJDEP for the referenced project; and

WHEREAS, the administrative staff of the Borough of Woodland Park has agreed to be the lead agency to administer this grant.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Totowa, on behalf of itself and the Borough of Woodland Park accept this NJDEP grant in the amount of \$150,000.00 for the de-silting and de-snagging of sections of the Passaic River.

BE IT FURTHER RESOLVED, by the Municipal Council of the Borough of Totowa that Mayor John Coiro is hereby authorized to execute any and all documents related to this matter.

There was a motion by Councilman Murphy, seconded by Councilman Puglise to adopt the following Resolution Of The Borough Of Totowa Authorizing The Payment Of Terminal Leave Benefits To Kenneth Smith. On roll call vote, all members of the Council present voted in the affirmative.

RESOLUTION NO. 86-2014

RESOLUTION OF THE BOROUGH OF TOTOWA AUTHORIZING THE  
PAYMENT OF TERMINAL LEAVE BENEFITS TO KENNETH SMITH

WHEREAS, Kenneth Smith began his employment with the Borough of Totowa as a CETA Laborer in the Department of Public Works on March 14, 1978; and

WHEREAS, Kenneth Smith retired from the Borough of Totowa Department of Public Works as a Foreman effective August 1, 2014; and

WHEREAS, the policy of the Borough of Totowa is that employees with twenty-five (25) years of service are entitled to a maximum of one hundred thirty (130) days of Terminal Leave to be paid upon retirement; and

WHEREAS, the Terminal Leave amount is calculated at the amount of sick day benefits, not to exceed one hundred thirty (130) days or eighty-seven (87) days for those employees under the Pitman/12 Hour Shift Schedule, at the daily rate of pay of the last twelve (12) months of service upon retirement; and

WHEREAS, Kenneth Smith has accumulated one hundred thirty (130) unused sick days and has completed more than twenty-five (25) years of service as an employee of the Borough of Totowa; and

WHEREAS, Kenneth Smith does hereby waive any other claim and/or claims for any salary, benefits and/or other compensation.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Totowa that Kenneth Smith is granted one hundred thirty (130) days of accumulated sick leave (Terminal Leave) for a total amount of Fifty-Seven Thousand Four Hundred Sixty-Five and 00/100 (\$57,465.00). Said monies are given in full and final consideration of any and all claims that Kenneth Smith may have against the Borough of Totowa.

#### COMMITTEE ON ENGINEERING & PUBLIC PROPERTY:

There was a motion by Councilwoman Fontanella, seconded by Councilman D'Angelo to approve the 2014 Open Space & Farmland Preservation Trust Fund Agreement between the Borough of Totowa and County of Passaic for the Lincoln Fields Tennis Court. On roll call vote, all members of the Council present voted in the affirmative.

A letter was received from residents Robert & Eileen Corrado requesting permission to use the Municipal Parking Lot on Sunday, August 31, 2014. There was a motion by Councilwoman Fontanella, seconded by Councilman D'Angelo to grant permission. On roll call vote, all members of the Council present voted in the affirmative.

COMMITTEE ON LIAISON & INSPECTION:

A letter from pool member Louise Capra thanking the Totowa Fire Department for their generosity and hospitality during their family picnic on July 27, 2014 was received and filed.

COMMITTEE ON LEGISLATION & ORDINANCES:

There was a motion by Councilman Picarelli, seconded by Councilwoman Andriani to approve the Application For Special Permit For Social Affair from the State Of New Jersey Division Of Alcoholic Beverage Control for the Totowa Borough Republican Club for Sunday, September 7, 2014 from 12:00 – 8:00 p.m. to be held at the recreational areas at The PAL. 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 the Ice Cream Vendors License Applications for Julie Trauerts as Owner/Operator and Alida Arre as Operator, trading as Mainland Shave Ice. 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. 1789 & 1790 for Helpful Hands, Northeast Regional Early Intervention Collaborative, Inc. for a Casino Night and Off-Premise 50/50, respectively, to be held on November 1, 2014 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 D'Angelo that the meeting be adjourned. On roll call vote, all members of the Council present voted in the affirmative.

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Joseph Wassel, RMC  
Municipal Clerk