

## BOROUGH OF TOTOWA

### MINUTES OF THE MAYOR AND COUNCIL

July 22, 2014

**PRESENT:** Mayor John Coiro, presiding, Councilman Lou D'Angelo, Councilwoman Carolyn Fontanella, Councilman Anthony Picarelli, Councilman Brendan Murphy, Municipal Clerk Joseph Wassel and Municipal Attorney Robert Corrado.

**ABSENT:** Council President Phil Puglise and Councilwoman Debra Andriani.

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

Councilwoman Fontanella: Stated that since she wasn't at the last meeting, congratulated Brendan on his appointment to the Council and wished him the best of luck.

Mayor Coiro announced that he was going to alter the agenda and go directly to the Committee on Engineering and Public Property so Eagle Scout candidate Joseph Santoro didn't have to wait through the whole meeting. Asked Joe Santoro to come up and explain his Eagle Scout project.

Joseph Santoro approached the dais and explained that in order to earn his Eagle Scout Award; he would like to build a lending library and two benches in the front of the library on Cherba Place to the left of the ramp. Mayor Coiro, along with Councilman D'Angelo had some questions for Joe, which he answered. Joe advised that he would have the Certificate of Liability Insurance updated. Mayor Coiro also asked if someone from the Scouts comes to judge his work. Joe said that if the Mayor and Council approve his project, then the Scouts would also have to approve it.

#### COMMITTEE ON ENGINEERING & PUBLIC PROPERTY:

A letter was received from Eagle Scout candidate Joseph Santoro requesting permission to build a lending library and two benches at the Municipal Complex in the front of the library. Upon hearing Joe's presentation, 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.

#### CITIZENS HEARD:

There were no citizens who wished to be heard.

There was a motion by Councilman D'Angelo, seconded by Councilman Picarelli to approve the Minutes of the Mayor and Council for the meeting of July 8, 2014. 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 Councilman D'Angelo, seconded by Councilwoman Fontanella to approve Resolution No. 2014-16 for the payment of bills. On roll call vote, all members of the Council present voted in the affirmative.

There was a motion by Councilman D'Angelo, seconded by Councilwoman Fontanella to adopt the following Resolution Re: Extension Of Due Date For Payment Of The 3<sup>rd</sup> Quarter Tax Payment 2014. On roll call vote, all members of the Council present voted in the affirmative.

RESOLUTION NO. 75-2014

RE: EXTENSION OF DUE DATE FOR PAYMENT OF THE 3<sup>RD</sup> QUARTER TAX PAYMENT 2014

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 2014 final/preliminary 2015 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 3<sup>rd</sup> quarter taxes to August 18, 2014 which is inclusive of the 10 day grace period.

BE IT FURTHER RESOLVED, that tax payments received after the extended grace period of August 18, 2014 will be charged interest back to the original due date of August 1, 2014 as required by law.

There was a motion by Councilman D'Angelo, seconded by Councilwoman Fontanella to adopt the following Resolution Scheduling A Public Hearing For The Union Boulevard Improvement Assessments And Authorizing The Municipal Clerk to Publish Notice Of The Hearing. On roll call vote, all members of the Council present voted in the affirmative.

RESOLUTION NO. 76-2014

RESOLUTION SCHEDULING A PUBLIC HEARING FOR THE UNION BOULEVARD IMPROVEMENT ASSESSMENTS AND AUTHORIZING THE MUNICIPAL CLERK TO PUBLISH NOTICE OF THE HEARING

WHEREAS, pursuant to Borough of Totowa Ordinance No. 03-2010, the Mayor and Council of the Borough of Totowa authorized the replacement of sidewalks, curbs and driveway aprons along Union Boulevard between Totowa Road and the Route 80 Interchange as part of the on-going Union Boulevard Beautification Project; and

WHEREAS, Ordinance No. 03-2010 also provides that the Union Boulevard property owners that benefit from the improvements shall be assessed for the costs of these improvements; and

WHEREAS, a contract was awarded to Trino Associates, LLC, 354 Verona Way, Paramus, New Jersey 07652 to perform the Union Boulevard improvements; and

WHEREAS, the Union Boulevard Project including the replacement of the sidewalks, curbs and driveway aprons has been completed; and

WHEREAS, the assessment report setting forth the apportioned cost of the improvement for each of the Union Boulevard property owners has been completed; and

WHEREAS, the Mayor and Council of the Borough of Totowa are required to meet for the purpose of adopting and confirming the assessments and notice of the meeting shall be provided to the affected property owners.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Totowa do hereby direct the Municipal Clerk to schedule a public hearing to examine and confirm the assessment report to be held on Tuesday, August 12, 2014, at 8:00 p.m. or as soon thereafter as may be possible.

BE IT FURTHER RESOLVED, that the Mayor and Council of the Borough of Totowa do hereby direct the Municipal Clerk to provide notice of the hearing by publishing in a local newspaper and notifying the property owners named in the report by mail.

There was a motion by Councilman D'Angelo, seconded by Councilwoman Fontanella to adopt the following Resolution Establishing Salary Guidelines For The Borough Of Totowa Board Of Assessments Commissioners. On roll call vote, all members of the Council present voted in the affirmative.

#### RESOLUTION NO. 77-2014

#### RESOLUTION ESTABLISHING SALARY GUIDELINES FOR THE BOROUGH OF TOTOWA BOARD OF ASSESSMENTS COMMISSIONERS

WHEREAS, the Borough of Totowa Board of Assessments shall make all assessments for benefits accruing from local improvements and incidental damages, and also when any improvement ordinance shall require the taking of any lands or any right or interest therein; and

WHEREAS, the Board of Assessments is comprised of three discreet freeholders who are residents of the Borough of Totowa; and

WHEREAS, the Commissioners of the Borough of Totowa Board of Assessments shall hold office at the pleasure of the Council and until their successors are appointed and qualified; and

WHEREAS, the Commissioners of the Borough of Totowa Board of Assessments shall review Assessment Reports, conduct public hearings and make recommendations to the Mayor and Council of the Borough of Totowa concerning the confirmation and adoption of local improvement assessments as necessary; and

WHEREAS, the Mayor and Council of the Borough of Totowa desire to compensate the Commissioners of the Borough of Totowa Board of Assessments for the services they provide and establish the appropriate salary guidelines; and

WHEREAS, each Commissioner of the Borough of Totowa Board of Assessments shall be compensated in the amount of Three Hundred and 00/100 Dollars (\$300.00) for each local improvement project they are required to assess on behalf of the Borough of Totowa.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Totowa do hereby establish a salary in the amount of Three Hundred and 00/100 Dollars (\$300.00) for the Commissioners of the Borough of Totowa Board of Assessments subject to the aforementioned terms and conditions.

#### COMMITTEE ON PUBLIC SAFETY:

A letter from William and Pamela Wanko thanking Patrolman Gary Potenzone for his genuine concern and advice expressed related to an incident involving their daughter was received and filed.

COMMITTEE ON PUBLIC WORKS:

There was no report.

COMMITTEE ON LIAISON & INSPECTION:

Upon the recommendation of the Committee, there was a motion by Councilman Picarelli, seconded by Councilman Murphy to appoint Brian Nash as a Board of Adjustment Commissioner to fill an unexpired term. 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 Brian Nash as a Board of Adjustment Commissioner to fill an unexpired term ending on December 31, 2016.

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.

There was a motion by Councilman Picarelli, seconded by Councilman Murphy to adopt the following Resolution Adopting A Community Forestry Management Plan For The Borough Of Totowa. On roll call vote, all members of the Council present voted in the affirmative.

RESOLUTION NO. 78-2014

RESOLUTION ADOPTING A COMMUNITY FORESTRY MANAGEMENT PLAN  
FOR THE BOROUGH OF TOTOWA

WHEREAS, the Mayor and Council of the Borough of Totowa desire to have a management plan for our shade trees to enhance the quality of life for our residents; and

WHEREAS, by Resolution No. 70-2007 dated July 10, 2007, the Mayor and Council of the Borough of Totowa retained the services of James Ilgenfritz, 1097 Pembroke Street, Teaneck, New Jersey 07666, a certified arborist to prepare a State approved comprehensive Community Forestry Management Plan (the "Plan") for the municipality; and

WHEREAS, by Resolution No. 34-2008 dated July 10, 2008, the Mayor and Council of the Borough of Totowa adopted the five (5) year Community Forestry Management Plan prepared by Mr. Ilgenfritz for the Borough of Totowa; and

WHEREAS, the Mayor and Council of the Borough of Totowa further desire to continue to implement and maintain a management plan the community's shade trees; and

WHEREAS, by Resolution No. 86-2012 dated July 24, 2012, the Mayor and Council of the Borough of Totowa retained the services of Sterling Consultants, LLC, 35 Mickeljohn Avenue, Little Falls, New Jersey 07424 to prepare an updated and approved comprehensive Plan for the municipality; and

WHEREAS, Sterling Consultants, LLC has prepared a Plan with the assistance of the Borough of Totowa Shade Tree Commission in accordance with the New Jersey Shade Tree and Community Assistance Forestry Act; and

WHEREAS, the Mayor and Council of the Borough of Totowa did review the Plan on July 22, 2014; and

WHEREAS, the Mayor and Council of the Borough of Totowa desire to adopt the Plan on behalf of the Borough of Totowa.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Totowa do hereby adopt a Community Forestry Management Plan for the Borough of Totowa.

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 instruments relating thereto.

BE IT FURTHER RESOLVED, that a copy of the Community Forestry Management Plan for the Borough of Totowa shall be submitted to the New Jersey Forest Service for review and approval.

There was a motion by Councilman Picarelli, seconded by Councilman Murphy to adopt the following Resolution Authorizing Partial Refund Of 2013 Board Of Recreation Summer Camp Fee. On roll call vote, all members of the Council present voted in the affirmative.

RESOLUTION NO. 79-2014

RESOLUTION AUTHORIZING PARTIAL REFUND OF  
2013 BOARD OF RECREATION SUMMER CAMP FEE

WHEREAS, the Borough of Totowa Board of Recreation hosts an annual summer camp for the youth of the community; and

WHEREAS, the Mayor and Council of the Borough of Totowa after conferring with the Board of Recreation and for good cause shown approved the 2013 Fee schedule for the Board of Recreation Summer Camp; and

WHEREAS, Jennifer Novak-Hart, 424 Riverview Drive, Totowa, New Jersey 07512 has requested a partial refund due to the fact that her child only attended the 2013 Board of Recreation Summer Camp membership camp for one week; and

WHEREAS, the request for the refund was made at the time it was determined that her child would not attend the Board of Recreation Summer Camp for the remaining five weeks of the 2013 Camp season; and

WHEREAS, the Borough of Totowa Board of Recreation Commissioners have recommended the return of the partial fee in the amount of \$179.00; and

WHEREAS, the Mayor and Council of the Borough of Totowa desire to authorize the partial refund of the fee for the 2013 Board of Recreation Summer Camp membership in the amount of \$179.00.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Totowa do hereby authorize the refund of \$179.00 to Jennifer Novak-Hart for the partial membership fee paid to the Borough of Totowa for the 2013 Board of Recreation Summer Camp.

BE IT FURTHER RESOLVED, that the Borough of Totowa Municipal Clerk is hereby authorized to issue a check in the amount of \$179.00 to Jennifer Novak-Hart, 424 Riverview Drive, Totowa, New Jersey 07512.

There was a motion by Councilman Picarelli, seconded by Councilman Murphy to adopt the following Resolution Authorizing Full Refund Of 2014 Board Of Recreation Summer Camp Fee. On roll call vote, all members of the Council present voted in the affirmative.

RESOLUTION NO. 80-2014

RESOLUTION AUTHORIZING FULL REFUND OF  
2014 BOARD OF RECREATION SUMMER CAMP FEE

WHEREAS, the Borough of Totowa Board of Recreation hosts an annual summer camp for the youth of the community; and

WHEREAS, by Resolution No. 58-2014 dated May 13, 2014, the Mayor and Council of the Borough of Totowa after conferring with the Board of Recreation and for good cause shown approved the 2014 Fee schedule for the Board of Recreation Summer Camp; and

WHEREAS, Sasha Oquendo, 231 Dewey Avenue, Totowa, New Jersey 07512 has requested a full refund due to the fact that her child moved prior to the opening of the 2014 Board of Recreation Summer Camp and did not attend the camp this year; and

WHEREAS, the Borough of Totowa Board of Recreation Commissioners have recommended the return of the full Camp membership fee in the amount of \$220.00; and

WHEREAS, the Mayor and Council of the Borough of Totowa desire to authorize the full refund of the fee for the 2014 Board of Recreation Summer Camp membership in the amount of \$220.00.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Totowa do hereby authorize the refund of \$220.00 to Sasha Oquendo for the full membership fee paid to the Borough of Totowa for the 2014 Board of Recreation Summer Camp.

BE IT FURTHER RESOLVED, that the Borough of Totowa Municipal Clerk is hereby authorized to issue a check in the amount of \$220.00 to Sasha Oquendo, 231 Dewey Avenue, Totowa, New Jersey 07512.

There was a motion by Councilman Picarelli, seconded by Councilman Murphy to adopt the following Resolution Authorizing Partial Refund Of 2014 Board Of Recreation Summer Camp Fee. On roll call vote, all members of the Council present voted in the affirmative.

RESOLUTION NO. 81-2014

RESOLUTION AUTHORIZING PARTIAL REFUND OF  
2014 BOARD OF RECREATION SUMMER CAMP FEE

WHEREAS, the Borough of Totowa Board of Recreation hosts an annual summer camp for the youth of the community; and

WHEREAS, by Resolution No. 58-2014 dated May 13, 2014, the Mayor and Council of the Borough of Totowa after conferring with the Board of Recreation and for good cause shown approved the 2014 Fee Schedule for the Board of Recreation Summer Camp; and

WHEREAS, Marija Golcev, 7 Roseland Avenue, Totowa, New Jersey 07512 has requested a partial refund due to the fact that her children were only able to attend the 2014 Board of Recreation Summer Camp for one week; and

WHEREAS, the Borough of Totowa Board of Recreation Commissioners have recommended the partial return of the Camp membership fee in the amount of \$210.00; and

WHEREAS, the Mayor and Council of the Borough of Totowa desire to authorize the partial refund of the fee for the 2014 Board of Recreation Summer Camp membership in the amount of \$210.00.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Totowa do hereby authorize the refund of \$210.00 to Marija Golcev for the partial membership fee paid to the Borough of Totowa for the 2014 Board of Recreation Summer Camp.

BE IT FURTHER RESOLVED, that the Borough of Totowa Municipal Clerk is hereby authorized to issue a check in the amount of \$210.00 to Marija Golcev, 7 Roseland Avenue, Totowa, New Jersey 07512.

A letter from Library Director Anne Krautheim thanking the Board of Recreation for the visit by the summer day campers was received and filed.

## COMMITTEE ON LEGISLATION & ORDINANCES:

There was a motion by Councilman Picarelli, seconded by Councilman D'Angelo to approve the Application For Special Permit for Social Affair from the State of New Jersey Division Of Alcoholic Beverage Control for the Macedonian Orthodox Church "St. Nikola" for September 13, 2014 (rain date September 20<sup>th</sup>) from 12:00—10:00 p.m. and September 14, 2014 from 12:00—8:00 p.m. On roll call vote, all members of the Council present voted in the affirmative.

There was a motion by Councilman Picarelli, seconded by Councilman D'Angelo to approve Raffle License Application No. 1788 for the Diane D'Apolito-May Beyond The Rainbow Charitable Foundation for a Casino Night to be held on October 3, 2014 at The Elks. 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 D'Angelo, seconded by Councilwoman Fontanella 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