

BOROUGH OF TOTOWA

MINUTES OF THE MAYOR AND COUNCIL

May 13, 2014

PRESENT: Mayor John Coiro, presiding, Council President Phil Puglise, Councilman John Waryas, Councilman Lou D'Angelo, Councilwoman Carolyn Fontanella, Councilwoman Debra Andriani, Councilman Anthony Picarelli, 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 hold a public hearing on Ordinance Nos. 05-2014, 06-2014, 07-2014 & 08-2014 as advertised. On roll call vote, all members of the Council present voted in the affirmative.

Municipal Clerk Wassel announced that Ordinance Nos. 05-2014, 06-2014, 07-2014 & 08-2014 have been advertised for public hearing for Tuesday, May 13, 2014.

Municipal Clerk Wassel read the legal notice and the title of Ordinance No. 05-2014.

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. 05-2014.

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. 05-2014 by title:

ORDINANCE NO. 05-2014

**A CAPITAL ORDINANCE AMENDING ORDINANCE NOS. 08-2012, 06-2013
AND 10-2013 APPROPRIATING AN ADDITIONAL \$105,432 FOR SEWER MAIN
IMPROVEMENTS TO BE UNDERTAKEN BY THE BOROUGH OF TOTOWA
AND TO APPROPRIATE AN ADDITIONAL \$105,432 FROM
COMMUNITY DEVELOPMENT BLOCK GRANTS**

There was a motion by Councilman Puglise, seconded by Councilman Waryas to adopt Ordinance No. 05-2014 on second and final reading. On roll call vote, all members of the Council present voted in the affirmative.

Municipal Clerk Wassel read the legal notice and the title of Ordinance No. 06-2014.

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. 06-2014.

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. 06-2014 by title:

ORDINANCE NO. 06-2014

**AN ORDINANCE TO AMEND THE CODE OF THE BOROUGH OF TOTOWA
CHAPTER 415 ENTITLED "ZONING AND LAND USE", PART 3, "SUBDIVISION
AND SITE PLAN REVIEW", ARTICLE XIII, "DESIGN STANDARDS"**

There was a motion by Councilman Puglise, seconded by Councilman Waryas to adopt Ordinance No. 06-2014 on second and final reading. On roll call vote, all members of the Council present voted in the affirmative.

Municipal Clerk Wassel read the legal notice and the title of Ordinance No. 07-2014.

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. 07-2014.

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. 07-2014 by title:

ORDINANCE NO. 07-2014

**AN ORDINANCE TO AMEND THE CODE OF THE BOROUGH OF TOTOWA
CHAPTER 415 ENTITLED "ZONING AND LAND USE", PART 4, "ZONING",
ARTICLE XXIV, "CONDITIONAL USES", TO CREATE A NEW
SUB-SECTION 190(A) ENTITLED "SMOKE SHOPS"**

There was a motion by Councilman Puglise, seconded by Councilman Waryas to adopt Ordinance No. 07-2014 on second and final reading. On roll call vote, all members of the Council present voted in the affirmative.

Municipal Clerk Wassel read the legal notice and the title of Ordinance No. 08-2014.

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. 08-2014.

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. 08-2014 by title:

ORDINANCE NO. 08-2014

**AN ORDINANCE TO AMEND THE CODE OF THE BOROUGH OF TOTOWA
CHAPTER 415 ENTITLED "ZONING AND LAND USE", ARTICLE II,
"DEFINITIONS", SECTION 4, "DEFINITIONS"**

There was a motion by Councilman Puglise, seconded by Councilman Waryas to adopt Ordinance No. 08-2014 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.

Councilwoman Andriani: 1) Thanked Jim Niland and the DPW for setting up the annual Rabies Clinic at the DPW building and said that Nurse Darlene Walsh did a nice job and there was a good turnout; 2) Stated that Pool Registrations and Summer Camp Registrations will be held this Friday, May 16th and Thursday, May 22nd at the Library from 6:30—9:00 p.m.

CITIZENS HEARD:

Mike Mahometa, 269 Lincoln Avenue: Asked what will happen with the buildings at the North Jersey Developmental Center now that they are closing. Mayor Coiro: Explained that we had a meeting with representatives from the State in April regarding this matter and said that the patients will all be transferred and that they asked us for ideas for its use going forward. Advised that they may offer some of the buildings to other organizations, sell off portions or offer it to Totowa with certain stipulations. Stated that this was the first of many meetings.

There was a motion by Councilman Puglise, seconded by Councilman Waryas to approve the Minutes of the Mayor and Council for the meeting of April 22, 2014. 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. 2014-11 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 a check for \$64.56 to the lien holder to correct an error on the prior redemption of Tax Sale Certificate #13-00004, Block 89, Lot 6.01, 158 Mitchell Avenue. On roll call vote, all members of the Council present voted in the affirmative.

RESOLUTION

Certificate of Sale #13-00004
Block 89, Lot 6.01

PROPERTY: 158 Mitchell Ave.
Totowa, N.J. 07512
OWNER: Tomasello, Leonette, A.&M.

WHEREAS, at the Municipal Tax Sale on October 24, 2013, a lien was sold on Block 89, Lot 6.01, also known as 158 Mitchell Avenue in Totowa for 2012 delinquent taxes; and

WHEREAS, as a result of an error, a prior Resolution regarding the redemption of this lien was passed and a check was issued to the Lien Holder Stonefield Investment Fund III in the amount of \$14,954.63; and

WHEREAS, the correct amount should have been \$15,019.19, which is the actual amount that was due. Therefore the Lien Holder is entitled to an additional \$64.56, as per the attached letter of Tax Collector Elaine Reddin dated 4/24/14.

NOW, THEREFORE, BE IT RESOLVED, that the Treasurer be authorized to issue a check in the amount of \$64.56 payable to "Stonefield Investment Fund III, 21 Robert Pitt Drive, Suite 202, Monsey, NY 10952 for the redemption of Tax Sale Certificate #13-00004.

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 due to overpayment of 2nd Quarter 2014 taxes. On roll call vote, all members of the Council present voted in the affirmative.

RESOLUTION

WHEREAS, there has been an overpayment of taxes on the property listed below; and

WHEREAS, the taxpayer is entitled to a refund; and

WHEREAS, the chart sets forth the refund as follows:

Block	Lot	Property/Owner	Payable to:	OVERPAYMENT
39	7	117 Jefferson Place James Sanchez	James Sanchez 117 Jefferson Place	\$1,782.29

NOW, THEREFORE BE IT RESOLVED, that the overpayment shall be refunded to the taxpayer, as stated above, and the Treasurer is authorized to issue separate checks for the refunds, which shall be paid to the stated property owner or taxing authority.

There was a motion by Councilman D'Angelo, seconded by Councilwoman Fontanella to acknowledge receipt of the Report of Audit for the year ended December 31, 2013 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.

There was a motion by Councilman D'Angelo, seconded by Councilwoman Fontanella to approve payment to the various Marching Bands for the 2014 Memorial Day Parade. On roll call vote, all members of the Council present voted in the affirmative.

COMMITTEE ON PUBLIC SAFETY:

There was no report.

COMMITTEE ON PUBLIC WORKS:

There was a motion by Councilman Waryas, seconded by Councilman Puglise to approve Change Order No. 2 for a net increase of \$1,087.50 and Payment Estimate No. 2 (Final) in the amount of \$14,143.50 to John Garcia Construction Co., Inc. for the Shepherds Lane Pump Station Abandonment. On roll call vote, all members of the Council present voted in the affirmative.

COMMITTEE ON ENGINEERING & PUBLIC PROPERTY:

Upon the recommendation from Sewer Department Superintendent Ernie Paese, there was a motion by Councilwoman Fontanella, seconded by Councilman D'Angelo to approve a grade increase for DPW Laborer Bernard Sivik from Grade 1 to Grade 1-C, effective May 19, 2014. On roll call vote, all members of the Council present voted in the affirmative.

COMMITTEE ON LIAISON & INSPECTION:

A letter of resignation was received from Board of Adjustment Commissioner Louis Cuccinello. There was a motion by Councilwoman Andriani, seconded by Councilman Picarelli to accept his resignation and send him a letter of thanks. On roll call vote, all members of the Council present voted in the affirmative.

COMMITTEE ON LEGISLATION & ORDINANCES:

There was a motion by Councilman Picarelli, seconded by Councilwoman Andriani to adopt the following Proclamation Recognizing Municipal Clerks Week May 4 – May 10, 2014. On roll call vote, all members of the Council present voted in the affirmative.

PROCLAMATION RECOGNIZING MUNICIPAL CLERKS WEEK MAY 4 – MAY 10, 2014

WHEREAS, a Municipal Clerk is a professional who provides continuity in government from administration to administration, seeing to it that the business of local government continues uninterrupted while providing experienced and dedicated public service to the governing body, colleagues and residents; and

WHEREAS, one of the oldest positions of public servants in local government, the Municipal Clerk's Office was established when the early colonists came to America and began setting up forms of local government; and

WHEREAS, the functions of a Municipal Clerk necessitate a thorough knowledge of law procedure, administration and interpersonal relations; and

WHEREAS, a Municipal Clerk has core duties prescribed by State Statute, including but not limited to (1) acting as secretary to the municipal corporation; (2) acting as secretary to the governing body; (3) serving as chief administrative officer in all elections; (4) serving as chief registrar of voters in their municipality; (5) serving as the administrative officer responsible for accepting and issuing various licenses and permits; (6) serving as coordinator and records manager; and (7) performing other such duties as are imposed by Statute, regulation, municipal ordinance or resolution; and

WHEREAS, in recognition of Municipal Clerk's Week (May 4 – May 10, 2014) the Mayor and Council of the Borough of Totowa wishes to recognize its Municipal Clerk and his staff for their outstanding services with which they provide to our community.

NOW, THEREFORE, BE IT PROCLAIMED, by the Mayor and Council of the Borough of Totowa that while recognizing the importance of the role and functions of the Municipal Clerk's Office and the impact it has on the public, that it does hereby salute its Municipal Clerk, Joseph Wassel; Deputy Clerk Kathryn Wasilewski; and Administrative Clerk Denise Zarek for their dedication and commitment to the Borough of Totowa's local government.

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