

## BOROUGH OF TOTOWA

### MINUTES OF THE MAYOR AND COUNCIL

October 28, 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.

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

Councilwoman Andriani: Announced that the Board of Recreation along with the Totowa Municipal Drug Alliance/DARE will sponsor their Halloween Dance on October 30<sup>th</sup> at the PAL with K – 4<sup>th</sup> Grade from 6:00 – 7:30 p.m. and 5<sup>th</sup> – 8<sup>th</sup> Grade from 8:00 – 10:00 p.m.

Councilman Picarelli: Advised that he met with Ms. April Corbo and discussed some other possible locations for the Community Garden.

**CITIZENS HEARD:**

Kaisar Sattar, 34 Young Avenue: Said that he lives on the corner of Young Avenue and Lind Road and has called about the pot holes and the condition of the street. Stated that the rest of the road is okay, but this area is always full of potholes. Mayor Coiro: Asked DPW Superintendent Jim Niland to take a look at it and make necessary repairs.

There was a motion by Councilman Puglise, seconded by Councilman D'Angelo to approve the Minutes of the Mayor and Council for the meeting of October 14, 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. 2014-22 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 of the Borough of Totowa is authorized to refund these amounts.

<u>BLK</u>	<u>LOT</u>	<u>PROPERTY/OWNER</u>	<u>PAYABLE TO:</u>	<u>YEAR</u>	<u>FROM</u>	<u>TO</u>	<u>AMOUNT</u>
9	1	1 Otilio Terrace Otilio Properties,LLC	Saiber as counsel for Plaintiff	2010	975,000	800,000	\$2,989.00
9	1	1 Otilio Terrace Otilio Properties,LLC	Saiber as counsel for Plaintiff	2011	890,300	800,000	\$1,774.39
						Check total	\$4,763.39
6	2	555 Preakness Ave. Otilio Properties, LLC	Saiber as counsel for Plaintiff	2010	3,241,400	2,768,200	\$8,082.26

6	2	555 Preakness Ave. Otilio Properties, LLC	Saiber as counsel for Plaintiff	2011	2,768,200	2,300,000	\$9,200.13
			Saiber LLC 18 Columbia Turnpike Suite 200 Florham Park, N.J. 07932			Check total	\$17,282.39

There was a motion by Councilman D'Angelo, seconded by Councilwoman Fontanella to acknowledge receipt of the Best Practices Worksheet CY2014/SFY2015. Municipal Clerk Wassel announced the following results for the Worksheet: 29 Yes; 8 No; 11 N/A; 2 Prospective; 50 Total Answered; 42 Score (Yes + N/A + Prospective); 84% Score %; 0% Percent Withheld. The Worksheet was certified by Chief Administrative Officer/Municipal Clerk Joseph Wassel (C-0791) and Chief Financial Officer Lisa Nash (N-931). 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 of the 2014 annual contribution to the Totowa Seniors and the Happy Seniors in the amount of \$2,000 each. On roll call vote, all members of the Council present voted in the affirmative.

A letter from American Legion Memorial Post 227 inviting the Mayor and Council to attend their annual Veteran's Eve Social on Monday, November 10, 2014 at 7:00 p.m. was received and filed.

**COMMITTEE ON PUBLIC SAFETY:**

A letter from Library Director Anne Krautheim thanking the Borough of Totowa First Aid Squad for their on-site American Heart Association CPR/AED training was received and filed.

**COMMITTEE ON PUBLIC WORKS:**

There was a motion by Councilman Murphy, seconded by Councilman Puglise to adopt the following Resolution authorizing the Mayor and Council to go into executive session to discuss a personnel item(s) at the conclusion of the regular meeting agenda. On roll call vote, all members of the Council present voted in the affirmative.

RESOLUTION NO. 95-2014

WHEREAS, pursuant to N.J.S.A. 10:4 et seq. the Open Public Meetings Act, the Governing Body of a municipality may exclude the public from a portion of a meeting; and

WHEREAS, prior to the exclusion of the public from a portion of the meeting the Governing Body shall first adopt a resolution at a meeting to which the public shall be admitted; and

WHEREAS, pursuant to N.J.S.A. 10:4-12 b.(8) the Governing Body of a municipality may exclude the public from that portion of a meeting in which the Governing Body discusses personnel items.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Totowa that they go into Executive session to discuss personnel items(s) at the conclusion of the regular meeting's agenda.

BE IT FURTHER RESOLVED, that the matters discussed in Executive session will be made public upon the resolution of the personnel items(s) discussed.

A letter from Library Director Anne Krautheim thanking Superintendent Jim Niland and the DPW – specifically Laborer Steve Filan – for all their assistance with many different projects as the need arises was received and filed, with copies to be placed in their respective personnel files.

COMMITTEE ON ENGINEERING & PUBLIC PROPERTY:

There was a motion by Councilwoman Fontanella, seconded by Councilman D'Angelo to adopt the following Resolution Authorizing The Removal Of The Old Boiler At The Municipal Complex. On roll call vote, all members of the Council present voted in the affirmative.

RESOLUTION NO. 96-2014

RESOLUTION AUTHORIZING REMOVAL OF OLD BOILER FROM THE  
BOROUGH OF TOTOWA MUNICIPAL COMPLEX

WHEREAS, the Borough of Totowa Municipal Complex building has a boiler that is no longer operational; and

WHEREAS, the Borough of Totowa Department of Public Works Interim Superintendent has recommended that the boiler be removed from the building and solicited proposals from licensed professional vendors to remove the boiler; and

WHEREAS, AKR Contractors, Inc., 18 Sherbrooke Drive, Lincoln Park, New Jersey 07035 has submitted a proposal to remove the boiler at a cost not to exceed Eight Hundred and 00/100 Dollars (\$800.00), a copy of which is on file in the office of the Borough of Totowa Municipal Clerk; and

WHEREAS, the Mayor and Council of the Borough of Totowa on October 28, 2014 did examine the proposal submitted by AKR Contractors, Inc.; and

WHEREAS, the Borough of Totowa Department of Public Works Interim Superintendent has recommended that AKR Contractors, Inc. be permitted to remove the boiler from the Municipal Complex building upon submission of proof of insurance to the Borough of Totowa; and

WHEREAS, the Borough of Totowa Mayor and Council desire to authorize AKR Contractors, Inc. to remove the boiler from the Municipal Complex building upon submission of proof of insurance to the Borough of Totowa; and

WHEREAS, pursuant to the applicable New Jersey State laws, these professional 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 of AKR Contractors, Inc. to remove the boiler from the Municipal Complex building at a cost not to exceed Eight Hundred and 00/100 Dollars (\$800.00) and upon submission of proof of insurance to the Borough of Totowa Municipal Clerk.

A letter was received from a resident on behalf of the San Rocco Society requesting permission to use the Municipal Parking Lot on November 9, 2014 for a trip to Atlantic City. 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:

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. 1806 for the Do Good Student Supports Group for a Casino Night to be held on November 14, 2014 at the American Legion Hall. On roll call vote, all members of the Council present voted in the affirmative.

At this time Mayor John Coiro announced that we would take a short recess before convening in executive session and that we would return, but may or may not have a resolution to the personnel item(s) being discussed.

The following occurred in executive session:

The following people were present: Mayor John Coiro, Council President Phil Puglise, Councilman Lou D'Angelo, Councilwoman Carolyn Fontanella, Councilwoman Debbie Andriani, Councilman Anthony Picarelli, Councilman Brendan Murphy, Municipal Clerk Joseph Wassel and Municipal Attorney Robert Corrado.

Public Works Committee Chairman Councilman Brendan Murphy gave a synopsis of the current suspension being served by DPW Laborer Matt Laudi, Matt Laudi's work history, the recommendation for dismissal by Interim Superintendent of the DPW Jim Niland and of Mr. Laudi's right to have a hearing to review his suspension, disciplinary charges against him and whether or not he should be dismissed from service for cause.

Borough Clerk Wassel informed the Council that Matt Laudi had not contacted the Borough regarding these matters.

A conversation ensued between the Mayor and Council with many questions being asked and answered.

After further discussion the consensus was that:

- The initial suspension was warranted and will be upheld.
- They accept and concur with the recommendation of dismissal.

There was a motion by Councilman Murphy, seconded by Councilman Puglise to uphold the initial suspension of Matt Laudi and to accept and concur with the recommendation of dismissal from Jim Niland, Interim Superintendent of the Department of Public Works, effective today, October 28, 2014. On roll call vote, all members of the Council present voted in the affirmative.

There was a motion by Councilman Murphy, seconded by Councilman Puglise to return to open session. On roll call vote, all members of the Council present voted in the affirmative.

Upon returning to the Council Chambers, Mayor Coiro announced the outcome of the personnel item discussed in executive session.

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