

## **BOROUGH OF TOTOWA**

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

**September 23, 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 on Ordinance No. 11-2014 as advertised. On roll call vote, all members of the Council present voted in the affirmative.

Municipal Clerk Wassel announced that Ordinance No. 11-2014 has been advertised for public hearing for Tuesday, September 23, 2014.

Municipal Clerk Wassel read the legal notice and the title of Ordinance No. 11-2014.

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 Ordinance No. 11-2014.

CITIZENS HEARD:

Mike Mahometa, 269 Lincoln Avenue: Asked if this program is something that will be uniform for all residents or will residents have the option of staying with their current provider. Mayor Coiro: Explained the program and the options available for the residents and that the County is projecting a savings of 2 – 10%. A conversation ensued.

Robert Barbieri, 617 Totowa Road: Inquired if everyone was in and then you would have to opt out. Mayor Coiro: Responded yes, that everyone is automatically in, but you have the option to opt out at any point.

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.

Municipal Clerk Wassel read Ordinance No. 11-2014 by title:

**ORDINANCE NO. 11-2014**

**AN ORDINANCE TO AMEND THE CODE OF THE BOROUGH OF TOTOWA  
TO CREATE A NEW CHAPTER TO BE ENTITLED  
“ENERGY AGGREGATION PROGRAM”**

There was a motion by Councilman Puglise, seconded by Councilman D'Angelo to adopt Ordinance No. 11-2014 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 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.

There were no reports.

#### CITIZENS HEARD:

Mike Rabboh, 33 Huntington Terrace: Asked about having lights installed at Minnisink Road Field for soccer even though he realizes that the town doesn't own the property, but leases it from the State. Says they currently use portable lights with generators, but he contacted PSE&G and was told that adding lights to existing poles would cost about \$3,000 per year. He said their portable lights/generators cost about \$8,000 and they have dangerous fumes, cause air pollution, the children stand by them when they are cold and they could fall over. Mayor Coiro: Inquired if it was \$3,000 per light or for all the lights. Mr. Rabboh: Responded that PSE&G would utilize four existing poles at \$62.87 per light per month. Mayor Coiro: Asked if the lights go on automatically or if there is a switch. Mr. Rabboh: Answered automatically. Mayor Coiro: Then asked for the details, plans, etc. from PSE&G. Councilman D'Angelo: Advised that he had been involved with the soccer program and getting lights at the Minnisink Road Field and PSE&G told him it couldn't be done because the poles were too short for spot lights or athletic lighting and the lights would shine into the eyes of the batters during baseball games. A conversation ensued. A question came up if they would be regular lighting or professional athletic lighting. Mr. Rabboh: Responded regular lighting. Councilman D'Angelo: Then asked about the need to install transformers. Mr. Rabboh: Said no. Mayor Coiro: Asked Mr. Rabboh to send us their PSE&G contact, plus any design details, plans, etc. and we will contact them and have our engineer check it out to make sure it would work and everything is included for \$3,000 per year.

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 September 9, 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. 2014-20 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>
170.01	2	55 West End Road Manny & Sons, LLC	Saiber, LLC	2012	1,960,800	1,760,000	\$4,136.48
170.01	2	55 West End Road Manny & Sons	Saiber, LLC	2013	1,960,800	1,633,800	\$6,876.81

Mail To:  
Saiber LLC  
18 Columbia Turnpike  
Suite 200  
Florham Park, N.J.  
07932

Upon the recommendation of the Committee, there was a motion by Councilman D'Angelo, seconded by Councilwoman Fontanella to appoint Debra Andriani to the Library Board (Mayor's Alternate). On roll call vote, all members of the Council present voted in the affirmative. Councilwoman Andriani abstained from the voting.

**MAYOR'S APPOINTMENT**

I, Mayor John Coiro with the advice and consent of the Council do hereby appoint Debra Andriani to the Library Board (Mayor's Alternate) for a term of one year expiring on December 31, 2014.

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. Councilwoman Andriani abstained from the voting.

COMMITTEE ON PUBLIC SAFETY:

There was a motion by Councilman Puglise, seconded by Councilman Murphy to approve a grade increase for Patrolman Sean Williams from Probationary to Grade 6, effective September 27, 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 Gary Bierach from Grade 2 to Grade 1, effective September 28, 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 payment of the annual garage rent for 2014 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.

There was a motion by Councilman Puglise, seconded by Councilman Murphy to adopt the following Resolution Authorizing Agreement To Borrow A Fire Engine From The Township Of Wayne. On roll call vote, all members of the Council present voted in the affirmative.

RESOLUTION NO. 91-2014

RESOLUTION AUTHORIZING AGREEMENT TO BORROW A FIRE ENGINE  
FROM THE TOWNSHIP OF WAYNE

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, by Resolution No. 83-2014 dated August 12, 2014, the Mayor and Council of the Borough of Totowa authorized the emergency repairs to Fire Truck 1 of the Borough of Totowa Fire Department fleet; and

WHEREAS, the Fire Chief has requested the Township of Wayne temporarily lend its 1996 Saulsbury Fire Engine, Model #35658-96, Vin No. 1S91N61F7V1020024 to the Borough of Totowa Fire Department for a period of up to six (6) months while Fire Truck 1 undergoes the necessary repairs; and

WHEREAS, the Mayor and Council of the Borough of Totowa desire to authorize the borrowing of the Township of Wayne's 1996 Saulsbury Fire Engine to protect the public health, safety and welfare of the residents of the Borough of Totowa; and

WHEREAS, the Mayor and Council of the Borough of Totowa agrees to return the fire apparatus in the same condition it was in when the Borough of Totowa takes possession of the apparatus as well as indemnify and hold the Township of Wayne harmless from any and all claims that may arise as a result of the use of said vehicle by the Borough of Totowa's Fire Department; and

WHEREAS, the Mayor and Council of the Borough of Totowa desire to memorialize the terms and conditions of an agreement to borrow a fire truck from the Township of Wayne.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Totowa do hereby authorize the Borough of Totowa to enter into an agreement with the Township of Wayne to temporarily loan Wayne's 1996 Saulsbury Fire Engine to the Borough of Totowa subject to the aforementioned terms and conditions

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.

A letter from Father Patrick Ryan, St. James of the Marches Church thanking Mayor Coiro, Councilwoman Andriani, Councilman Picarelli and Councilman Murphy for attending their Mass of Thanksgiving on Sunday, September 7, 2014 was received and filed.

A letter from AAA North Jersey inviting the Mayor and Police Chief to attend the 2014 AAA Community Traffic Safety Awards Luncheon on Wednesday, October 22, 2014 at 11:00 a.m. at The Brownstone was received and filed.

A letter from resident Gilda Blair thanking Police Officers Joe Tomasello, Doug Spinella and Gary Bierach for helping to keep Norwood Terrace safe was received and filed with copies to be placed in their personnel jackets.

COMMITTEE ON PUBLIC WORKS:

There was a motion by Councilman Murphy, seconded by Councilman Puglise to adopt the following Resolution To Submit A Grant Application And Execute A Grant Agreement With The New Jersey Department Of Transportation For The 2015 Municipal Aid Application For Hobart Place, Gordon Avenue And Hudson Avenue Improvements—Final Phase. On roll call vote, all members of the Council present voted in the affirmative.

RESOLUTION NO. 92-2014

RESOLUTION TO SUBMIT A GRANT APPLICATION AND EXECUTE A GRANT AGREEMENT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR THE 2015 MUNICIPAL AID APPLICATION FOR HOBART PLACE, GORDON AVENUE AND HUDSON AVENUE IMPROVEMENTS—FINAL PHASE

WHEREAS, the Borough of Totowa continues to develop projects that will improve access and maintenance on public roads; and

WHEREAS, the Borough of Totowa's Engineer has provided plans specifically designed to address and improve traffic flow/safety issues and maintenance on our roads; and

WHEREAS, the Borough of Totowa has submitted plans to the State of New Jersey, Department of Transportation for Municipal Aid and will continue to do so in the future; and

WHEREAS, the Borough of Totowa has identified Hobart Place—from Union Boulevard to Crosby Avenue, Gordon Avenue—from Union Boulevard to Crosby Avenue and Hudson Avenue—from Chamberlain Avenue to Barnert Avenue in desperate need of repair.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Totowa, in the County of Passaic, State of New Jersey formally approves the grant application for Hobart Place, Gordon Avenue and Hudson Avenue Improvements—Final Phase.

BE IT FURTHER RESOLVED, that the Mayor and Municipal Clerk are hereby authorized to submit an electronic grant application identified as *MA-2015-Totowa Borough-00239* to the New Jersey Department of Transportation on behalf of the Borough of Totowa.

BE IT FURTHER RESOLVED, that the Mayor and Municipal Clerk are hereby authorized to sign the grant agreement on behalf of the Borough of Totowa and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

#### COMMITTEE ON ENGINEERING & PUBLIC PROPERTY:

There was a motion by Councilwoman Fontanella, seconded by Councilman D'Angelo to approve Change Order No. 1 for a net decrease of \$2,751.50 and Payment Estimate No. 1 (Final) in the amount of \$94,850.75 to National Water Main Cleaning Co. for the Sanitary Sewer Main Rehabilitation Project. 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 the Application For Special Permit For Social Affair from the State Of New Jersey Division Of Alcoholic Beverage Control for the BPOE #2111 Passaic Valley Elks for October 19, 2014 from 11:30 a.m. – 10:00 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 Councilwoman Andriani to Amend Raffle License Nos. 1791 & 1792 for Angels of Animals, Inc. 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 No. 1798 for ASFA/Academy of St. Francis of Assisi for a Calendar Raffle to be held during November 2014, December 2014 & January 2015. 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. 1799 & 1800 for the Woman's Club of Little Falls for a Tricky Tray and On-Premise 50/50, respectively, to be held on October 29, 2014 at The Barnyard and Carriage House. 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