

## BOROUGH OF TOTOWA

### MINUTES OF THE MAYOR AND COUNCIL

**August 11, 2015**

**PRESENT:** Council President Phil Puglise, presiding, Councilman Lou D'Angelo, Councilwoman Carolyn Fontanella, Councilwoman Debra Andriani, Councilman Anthony Picarelli, Councilman William Bucher, Municipal Clerk Joseph Wassel and Municipal Attorney Robert Corrado.

**ABSENT:** Mayor John Coiro.

Council President Phil Puglise 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.

Council President Puglise 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.

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

Councilwoman Andriani: Announced that tomorrow night we will have a Free Concert on the front lawn at the Borough Hall featuring the Big Band Swing Machine at 7:00 pm.

**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 28, 2015. On roll call vote, all members of the Council present voted in the affirmative.

#### COMMITTEE ON FINANCE:

There was a motion by Councilman Picarelli, seconded by Councilman D'Angelo to approve Resolution No. 2015-17 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 Picarelli, seconded by Councilman D'Angelo to adopt the following Resolution Certifying That The Governing Body Has Complied With N.J.A.C. 5:30-6.5 Pertaining To The Annual Audit. On roll call vote, all members of the Council present voted in the affirmative.

#### RESOLUTION NO. 100-2015

#### RESOLUTION CERTIFYING THAT THE GOVERNING BODY HAS COMPLIED WITH N.J.A.C. 5:30-6.5 PERTAINING TO THE ANNUAL AUDIT

WHEREAS, N.J.S.A. 40A:5-4 requires the governing body of every local unit to have made an annual audit of its books, accounts and financial transactions; and

WHEREAS, the Annual Report of Audit for the year 2014 has been filed by a Registered Municipal Accountant with the Municipal Clerk pursuant to N.J.S.A. 40A:5-6, and a copy has been received by each member of the governing body; and

WHEREAS, R.S. 52:27BB-34 authorizes the Local Finance Board of the State of New Jersey to prescribe reports pertaining to the local fiscal affairs; and

WHEREAS, the Local Finance Board has promulgated N.J.A.C. 5:30-6.5, a regulation requiring that the governing body of each municipality shall by resolution certify to the Local Finance Board of the State of New Jersey that all members of the governing body have reviewed, as a minimum, the sections of the annual audit entitled "Comments and Recommendations"; and

WHEREAS, the members of the governing body have personally reviewed as a minimum the Annual Report of Audit, and specifically the sections of the Annual Audit entitled "Comments and Recommendations" as evidenced by the group affidavit form of the governing body attached hereto; and

WHEREAS, such resolution of certification shall be adopted by the governing body no later than forty-five days after the receipt of the annual audit, pursuant to N.J.A.C. 5:30-6.5; and

WHEREAS, all members of the governing body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board; and

WHEREAS, failure to comply with the regulations of the Local Finance Board of the State of New Jersey may subject the members of the local governing body to the penalty provisions of R.S. 52:27BB-52 – to wit:

R.S. 52:27BB-52 – “A local Officer or member of a local governing body who, after a date fixed for compliance, fails or refuses to obey an order of the director (Director of Local Government Services), under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than one thousand dollars (\$1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his office.”

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Totowa, hereby states that it has complied with N.J.A.C. 5:30-6.5 and does hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

There was a motion by Councilman Picarelli, seconded by Councilman D'Angelo to adopt the following Resolution Authorizing The Borough Of Totowa To Enter Into A Cooperative Pricing Agreement. On roll call vote, all members of the Council present voted in the affirmative.

#### RESOLUTION NO. 101-2015

#### RESOLUTION AUTHORIZING THE BOROUGH OF TOTOWA TO ENTER INTO A COOPERATIVE PRICING AGREEMENT

WHEREAS, N.J.S.A. 40A:11-11(5) authorizes contracting units to establish a Cooperative Pricing System and to enter into Cooperative Pricing Agreements for its administration; and

WHEREAS, the County of Bergen (hereinafter referred to as the “Lead Agency”) has offered voluntary participation in a Cooperative Pricing System for the purchase of goods and services; and

WHEREAS, on August 11, 2015, the governing body of the Borough of Totowa, County of Passaic, State of New Jersey duly considered participation in a Cooperative Pricing System for the provision and performance of goods and services.

NOW, THEREFORE, BE IT RESOLVED, as follows:

TITLE

This Resolution shall be known and may be cited as the Cooperative Pricing Resolution of the Borough of Totowa.

AUTHORITY

Pursuant to the provisions of N.J.S.A. 40A:11-11(5), the Mayor of the Borough of Totowa is hereby authorized to enter into a Cooperative Pricing Agreement with the Lead Agency.

CONTRACTING UNIT

The Lead Agency shall be responsible for complying with the provisions of the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.) and all other provisions of the revised statutes of the State of New Jersey.

EFFECTIVE DATE

This Resolution shall take effect immediately upon passage.

COMMITTEE ON PUBLIC SAFETY:

There was a motion by Councilwoman Fontanella, seconded by Councilman Bucher to approve a grade increase for Patrolman Joseph Flynn, Patrolman Douglas Spinella and Patrolman Thomas Bevacqua from Grade 5 to Grade 4, effective August 14, 2015. On roll call vote, all members of the Council present voted in the affirmative.

COMMITTEE ON PUBLIC WORKS:

There was a motion by Councilman D'Angelo, seconded by Councilwoman Andriani to adopt the following Resolution Authorizing The Purchase And Delivery Of A Dump Truck. On roll call vote, all members of the Council present voted in the affirmative.

RESOLUTION NO. 102-2015

RESOLUTION AUTHORIZING CONTRACT FOR THE  
PURCHASE AND DELIVERY OF A DUMP TRUCK

WHEREAS, the Superintendent for the Borough of Totowa Department of Public Works has recommended the Borough of Totowa purchase a new Dump Truck with a snow plow; and

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

WHEREAS, State Contract No. 83025 has been awarded to Route 23 Automall, LLC, 1301 Route 23, Butler, New Jersey 07405 for the purchase of one 2015 Ford F-450 with Snow Plow; and

WHEREAS, pursuant to the applicable New Jersey State laws, the purchase of the Dump Truck may be authorized without public bidding.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Totowa do hereby authorize the purchase and delivery of one (1) new 2015 Ford F-450 Dump Truck with Snow Plow from Route 23 Automall, LLC in the amount of \$57,428.94.

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.

COMMITTEE ON ENGINEERING & PUBLIC PROPERTY:

A letter was received from the Passaic Valley Elks #2111 requesting permission to have Fellner Place – in front of their premises – closed for their Biker Run/Pig Roast Fundraiser on Sunday, September 27, 2015. There was a motion by Councilwoman Fontanella, seconded by Councilwoman Andriani to approve their request. On roll call vote, all members of the Council present voted in the affirmative.

STREET CLOSING AUTHORIZED BY THE COUNCIL PRESIDENT

Under the authority vested in me as Council President of the Borough of Totowa, County of Passaic, State of New Jersey, by virtue of N.J.S.A. 40A:60-3 and the Code of the Borough of Totowa Chapter No. 398-42, I, Council President Phil Puglise, do hereby

order and direct that Fellner Place in front of Passaic Valley Elks Lodge #2111 – from parking lot to parking lot – be closed to vehicular traffic from 9:00 a.m. to 9:00 p.m. on Sunday, September 27, 2015. I further direct that proper signs and barriers be erected at both ends of the property lines and that the Totowa Police Department control and regulate, as well as enforce, this regulation.

#### COMMITTEE ON LIAISON & INSPECTION:

A letter of resignation was received from Board of Recreation Commissioner Nico Stabile, effective immediately. There was a motion by Councilwoman Andriani, seconded by Councilman Bucher 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 Bucher, seconded by Councilman Picarelli to introduce on first reading and advertise for public hearing the following entitled ordinance. On roll call vote, all members of the Council present voted in the affirmative.

#### **ORDINANCE NO. 16-2015**

#### **A CAPITAL ORDINANCE APPROPRIATING THE SUM OF \$52,000 FOR THE PURCHASE AND INSTALLATION OF A GENERATOR TO BE UNDERTAKEN BY THE BOROUGH OF TOTOWA AND TO APPROPRIATE \$40,000 FROM CAPITAL SURPLUS AND \$12,000 FROM THE RESERVE FOR CAPITAL IMPROVEMENTS**

There was a motion by Councilman Bucher, seconded by Councilman Picarelli to add the following item to the agenda. On roll call vote, all members of the Council present voted in the affirmative.

There was a motion by Councilman Bucher, seconded by Councilman Picarelli to approve the Capital Budget Amendment. On roll call vote, all members of the Council present voted in the affirmative.

There was a motion by Councilman Bucher, seconded by Councilman Picarelli 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 13, 2015 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 Bucher, seconded by Councilman Picarelli 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 to be held on September 27, 2015 from 11:30 a.m. – 11:30 p.m. On roll call vote, all members of the Council present voted in the affirmative.

There was a motion by Councilman Bucher, seconded by Councilman Picarelli to adopt the following Resolution Proclaiming August 16 – 22, 2015 Senior Citizens Week In The Borough Of Totowa. On roll call vote, all members of the Council present voted in the affirmative.

#### RESOLUTION NO. 103-2015

#### RESOLUTION PROCLAIMING AUGUST 16 - 22, 2015 SENIOR CITIZENS WEEK IN THE BOROUGH OF TOTOWA

WHEREAS, as Americans are living longer and healthier lives, the senior citizen population continues to grow; and

WHEREAS, the Borough of Totowa is home to many residents who are 60 years of age and older; and

WHEREAS, the Mayor and Council of the Borough of Totowa are committed to valuing all individuals and recognizing their ongoing life achievements; and

WHEREAS, the older adults in the Borough of Totowa play an important role by continuing to contribute their experience, knowledge, wisdom and accomplishments; and

WHEREAS, the Mayor and Council of the Borough of Totowa celebrate the contributions older citizens have made throughout their lives; and

WHEREAS, these special citizens have led us through times of conflict, depression, peace and have witnessed first-hand the milestones of our country.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Totowa do hereby proclaim August 16 to August 22, 2015 Senior Citizen Week in the Borough of Totowa.

BE IT FURTHER RESOLVED, that the Mayor and Council of the Borough of Totowa urge every citizen to take time this week to recognize older adults as powerful and vital citizens who greatly contribute to the community.

BE IT FURTHER RESOLVED, that the Mayor and Council of the Borough of Totowa do hereby recognize and celebrate Senior Citizen Week in the Borough of Totowa on an annual basis commencing the third week of August each subsequent year.

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