

BOROUGH OF TOTOWA

MINUTES OF THE MAYOR AND COUNCIL

February 23, 2016

PRESENT: Mayor John Coiro, presiding, Council President Phil Puglise, 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: 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 Nos. 03-2016 & 04-2016 as advertised. On roll call vote, all members of the Council present voted in the affirmative.

Municipal Clerk Wassel announced that Ordinance Nos. 03-2016 & 04-2016 have been advertised for public hearing for Tuesday, February 23, 2016.

Municipal Clerk Wassel read the legal notice and the title of Ordinance No. 03-2016.

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. 03-2016.

CITIZENS HEARD:

There were no citizens who wished to be heard.

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. 03-2016 by title:

ORDINANCE NO. 03-2016

**AN ORDINANCE OF THE BOROUGH OF TOTOWA, COUNTY OF PASSAIC,
NEW JERSEY ADOPTING THE REDEVELOPMENT PLAN FOR THE
PROPERTY COMMONLY KNOWN AS BLOCK 154, LOT 19 ON THE TAX MAP
OF THE BOROUGH OF TOTOWA (BLOCK 154, LOT 19 AND
BLOCK 154.01, LOT 1 ON THE TAX ASSESSMENT RECORDS)**

There was a motion by Councilman Puglise, seconded by Councilman D'Angelo to adopt Ordinance No. 03-2016 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. 04-2016.

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. 04-2016.

CITIZENS HEARD:

There were no citizens who wished to be heard.

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. 04-2016 by title:

ORDINANCE NO. 04-2016

**A CAPITAL ORDINANCE APPROPRIATING THE SUM OF \$175,000
FOR THE REPAIR OF A WATER MAIN TO BE UNDERTAKEN BY THE
BOROUGH OF TOTOWA AND TO APPROPRIATE \$175,000 FROM THE
WATER UTILITY CAPITAL IMPROVEMENT FUND**

There was a motion by Councilman Puglise, seconded by Councilman D'Angelo to adopt Ordinance No. 04-2016 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 Mahometa, 269 Lincoln Avenue: Asked if at the bottom of Lincoln Avenue at

Union Boulevard by the dog grooming business if the yellow curb could be extended so there would be no parking to at least maybe the driveway of the first house past the dog grooming business, because it is tight to approach the intersection and make turns. Mayor Coiro: Requested that Police Chief Robert Coyle investigate the situation and report back with his recommendations.

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 February 9, 2016. On roll call vote, all members of the Council present voted in the affirmative. Councilman Puglise abstained from the voting.

COMMITTEE ON FINANCE:

There was a motion by Councilman Picarelli, seconded by Councilman D'Angelo to approve Resolution No. 2016-05 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 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.

| Block | Lot | Property/Owner | Payable to: | YEAR | FROM | TO | AMOUNT |
|--------|-----|--|--|------|------------|-------------|-------------|
| 170.02 | 6 | 11 Taft Road Taft Associates c/o Bed Bath & Beyond | Michael A. Hazen of Janata, Lacap & Hazen LLC as Attorney's for the Plaintiff Mail To: | 2013 | 16,920,000 | 15,400,000 | \$31,965.60 |
| 170.02 | 6 | same as above | Crossroads Corporate | 2014 | 16,920,000 | 15,400,000 | \$32,254.40 |
| 170.02 | 6 | same as above | Center, One International Blvd, Suite 400, PMB # 14 Mahwah, NJ 07495 | 2015 | 16,920,000 | 15,400,000 | \$34,716.80 |
| | | | | | | Total Check | \$98,936.80 |

There was a motion by Councilman Picarelli, seconded by Councilman D'Angelo to adopt the following resolution authorizing the Treasurer to issue refunds to various property owners due to overpayment of 1st Quarter 2016 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 properties listed below; and

WHEREAS, the taxpayer is entitled to a refund; and

WHEREAS, the chart sets forth the refund as follows:

1st Qtr 2016

| Block | Lot | Property/Owner | Payable to: | OVERPAYMENT |
|--------------|------------|--|---|--------------------|
| 33 | 5 | 150 Lincoln Ave. Anthony & Phyllis Paventa | Corelogic Attn: Refunds Dept. Mail Code: DFW 1-3 1 Corelogic Drive Westlake, TX 76262 | \$1820.92 |
| 74 | 2 | 32 Columbus Ave. Letizia Sicignano | Corelogic (same as above) | \$6,074.30 |
| 87 | 3 | 123 Raphael Road Gary Titus | Lereta 1123 Park View Drive Covina, CA 91724 Attn: Central Refunds | \$2,117.58 |

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 Picarelli, seconded by Councilman D'Angelo to adopt the following resolution authorizing the Tax Collector to adjust the taxes for Kenneth Samra, 50 Duffus Avenue, Block 131, Lot 11 pursuant to a 100% Exemption for a 100% Permanent and Total Disability due to a wartime service connected disability. On roll call vote, all members of the Council present voted in the affirmative.

RESOLUTION

Re: Kenneth Samra
50 Duffus Ave.
Block 131, Lot 11

WHEREAS, Kenneth Samra has applied for a 100% exemption for a 100% permanent and total disability due to a wartime service connected disability; and

WHEREAS, he meets all the requirements for the exemption, and his 100% disability became effective on January 4, 2016 which means he is exempted from paying property taxes from that date; and

WHEREAS, taxes due for the first half of 2016 is \$4,049.53, which amounts to \$22.13 per day. The taxpayer owes 3 days (\$66.39).

NOW THEREFORE BE IT RESOLVED, upon collecting the \$66.39 due, this property will be exempted from future tax payments for as long as Kenneth Samra owns the property.

There was a motion by Councilman Picarelli, seconded by Councilman D'Angelo to adopt the following resolution authorizing the Tax Collector to adjust the taxes for Wilfred Grotz, 83 Dewey Avenue, Block 115, Lot 30 pursuant to a 100% Exemption for a 100% Permanent and Total Disability due to a wartime service connected disability. On roll call vote, all members of the Council present voted in the affirmative.

RESOLUTION

Re: Wilfred Grotz
83 Dewey Ave.
Block 115, Lot 30

WHEREAS, Wilfred Grotz has applied for a 100% exemption for a 100% permanent and total disability due to a wartime service connected disability; and

WHEREAS, he meets all the requirements for the exemption, and his 100% disability became effective on January 26, 2016 which means he is exempted from paying property taxes from that date; and

WHEREAS, the Taxpayer paid the 1st quarter taxes in the amount of \$1531.74. He was only required to pay 26 days which equals \$435.24. Therefore the taxpayer is entitled to a refund of \$1,096.50.

NOW, THEREFORE, BE IT RESOLVED, that the Treasurer is authorized to refund \$1096.50 to Wilfred Grotz and upon paying the refund due the Taxpayer, this property will be exempted from future tax payments for as long as Wilfred Grotz owns the property.

There was a motion by Councilman Picarelli, seconded by Councilman D'Angelo to adopt the following Resolution Appointing A Fund Commissioner For The Garden State Municipal Joint Insurance Fund. On roll call vote, all members of the Council present voted in the affirmative.

RESOLUTION NO. 35-2016

RESOLUTION APPOINTING FUND COMMISSIOER FOR THE GARDEN STATE MUNICIPAL JOINT INSURANCE FUND

WHEREAS, the Borough of Totowa, County of Passaic, New Jersey, is a member of the Garden State Municipal Joint Insurance Fund (GSMJIF); and

WHEREAS, it is required by the Garden State Municipal Joint Insurance Fund (GSMJIF) for the Borough of Totowa to have representation on the Board of Commissioners.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Totowa, County of Passaic, State of New Jersey that:

1. John Waryas is hereby appointed as Fund Commissioner representing the Borough of Totowa on the Garden State Municipal Joint Insurance Fund (GSMJIF) Board of Commissioners.

COMMITTEE ON PUBLIC SAFETY:

After conferring with Police Chief Robert Coyle and upon the recommendation of the Committee, there was a motion by Councilman Puglise, seconded by Councilwoman Fontanella to appoint Meagan Akins as a Probationary Patrol Officer in the Borough of Totowa Police Department. 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 Meagan Akins as a Probationary Patrol Officer in the Borough of Totowa Police Department with the swearing in ceremony to be held on Tuesday, March 8, 2016.

There was a motion by Councilman Puglise, 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 Puglise, seconded by Councilwoman Fontanella to approve the fireman's applications, the purchase of fireman's equipment and authorize fireman's physicals for Jarrett A. Lopez and Syed R. Sherazi for Riverview Park Fire Company No. 3. On roll call vote, all members of the Council present voted in the affirmative.

A letter was received from Fire Rescue Co. No. 4 requesting permission to take Engine 973, Truck 1 and Rescue 4 out of the Borough for a department drill to be held at the Bergenfield Fire Training Center on March 20, 2016. There was a motion by Councilman Puglise, seconded by Councilwoman Fontanella to approve the request. 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 Councilman Puglise to adopt the following Resolution Authorizing Professional Engineering Services For The Repair Of A Water Main. On roll call vote, all members of the Council present voted in the affirmative.

RESOLUTION NO. 36-2016

RESOLUTION AUTHORIZING PROFESSIONAL ENGINEERING SERVICES
FOR THE REPAIR OF A WATER MAIN

WHEREAS, the Borough of Totowa Department of Public Works Superintendent has advised the Mayor and Council of the Borough of Totowa that the water main crossing underneath the railroad adjacent to Riverview Drive is leaking and in need of repair; and

WHEREAS, the proposed repair includes the relining of approximately 225 linear feet of existing leaking water main and associated work; and

WHEREAS, the Mayor and Council of the Borough of Totowa desire to retain the services of a professional engineering firm to provide design services, prepare construction plans, specifications and bid documents, assist in the bidding process and supervise construction of the Project; and

WHEREAS, Richard A. Alaimo Engineering Associates has submitted a proposal dated January 7, 2016 to provide the design, bid assistance and construction supervision services for the water main repair at a cost not to exceed Twenty-Eight Thousand Two Hundred Twenty and 00/100 Dollars (\$28,220.00), 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 February 23, 2016 did examine the proposal submitted by Richard A. Alaimo Engineering Associates; 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 submitted by Richard A. Alaimo Engineering Associates for professional engineering services for the water main repair in the amount of Twenty-Eight Thousand Two Hundred Twenty and 00/100 Dollars (\$28,220.00).

BE IT FURTHER RESOLVED, that the Mayor and Council of the Borough of Totowa do hereby authorize Richard A. Alaimo Engineering Associates to perform the professional services as set forth in their proposal.

There was a motion by Councilman D'Angelo, seconded by Councilman Puglise to authorize the Borough Clerk and Borough Attorney to prepare the specifications and advertise for the receipt of bids for the demolition of 23 Norwood Terrace through the Passaic County CDBG-DR Program. On roll call vote, all members of the Council present voted in the affirmative.

COMMITTEE ON ENGINEERING & PUBLIC PROPERTY:

There was a motion by Councilwoman Fontanella, seconded by Councilwoman Andriani to accept the following bids for the Sanitary Sewer Main Rehabilitation – Phase IV. On roll call vote, all members of the Council present voted in the affirmative.

| <u>Company</u> | <u>Total Bid</u> |
|---|------------------|
| Aqua Infrastructure Rehabilitation Co., LLC Newark, DE 19702 | \$104,670.00 |
| Arold Construction Co., Inc. Kingston, NY 12401 | \$203,155.00 |
| Progressive Pipeline Management West Deptford, NJ 08066 | \$294,088.00 |
| National Water Main Cleaning, Co. Kearny, NJ 07032 | \$367,289.00 |

Upon the recommendation of the Engineer, there was a motion by Councilwoman Fontanella, seconded by Councilwoman Andriani to adopt the following resolution to award the contract to the lowest responsible bidder for the Sanitary Sewer Main Rehabilitation – Phase IV. On roll call vote, all members of the Council present voted in the affirmative.

RESOLUTION NO. 37-2016

RESOLUTION AUTHORIZING CONTRACT FOR SANITARY SEWER
MAIN REHABILITATION – PHASE 4

WHEREAS, in August of 2011, the Borough of Totowa suffered the devastating effects of Hurricane Irene which resulted in unprecedented flooding throughout the community; and

WHEREAS, the Borough of Totowa Municipal Engineer recommended the rehabilitation of portions of the sanitary sewer mains located on Jefferson Place, Dewey Avenue, and William Place; and

WHEREAS, the Borough of Totowa received a Block Grant from Passaic County through the Community Development Block Grant (“CDBG”) Program for the rehabilitation of sanitary sewer mains within portions of Jefferson Place, Dewey Avenue, and William Place; and

WHEREAS, by Resolution No. 102-2012 dated September 25, 2012, the Mayor and Council of the Borough of Totowa awarded a contract to Allstate Power Vac, Inc., 928 East Hazelwood Avenue, Rahway, New Jersey 07065 for the Borough of Totowa Jefferson Place Sewer Lining Project Phase I for the total sum of One Hundred Ninety-Eight Thousand Five Hundred Thirty-Nine and 00/100 Dollars (\$198,539.00); and

WHEREAS, the Borough of Totowa Municipal Engineer recommended some additional work be done including the rehabilitation of existing sanitary sewer manholes on Elizabeth Place and rehabilitation of sanitary sewer mains within Grant Avenue, at the intersection of Totowa Road, and William Place between Totowa Road and Jefferson Place; and

WHEREAS, the Borough of Totowa received additional funding from Passaic County through the CDBG Program for the supplementary rehabilitation work; and

WHEREAS, by Resolution No. 40-2014 dated March 28, 2014, the Mayor and Council of the Borough of Totowa awarded a contract to National Water Main Cleaning Co., 875 Summer Avenue, Newark, New Jersey 07104 for the Borough of Totowa Sanitary Sewer Main Rehabilitation, Phase 2 and Phase 3 for the total sum of Ninety-Seven Thousand Six Hundred Two and 25/100 Dollars (\$97,602.25); and

WHEREAS, the Mayor and Council of the Borough of Totowa did advertise for receipt of sealed bids for its on-going Sanitary Sewer Rehabilitation Project in accordance with its specifications entitled "Specifications, Proposal and Contract Documents for Borough of Totowa Sanitary Sewer Main Rehabilitation, Phase IV, Borough of Totowa, Passaic County, New Jersey, Contract No. 2015-3"; and

WHEREAS, the Borough of Totowa did receive bids at its Municipal Building on February 17, 2016; and

WHEREAS, the Mayor and Council of the Borough of Totowa on February 23, 2016 did examine all bids for materials and services called for; and

WHEREAS, the Mayor and Council of the Borough of Totowa have determined that the lowest responsible bid was submitted by Aqua Infrastructure Rehabilitation Co., Inc., 567 Walther Road, Newark, Delaware 19702 with a base bid in the amount of One Hundred Four Thousand Six Hundred Seventy and 00/100 Dollars (\$104,670.00), a copy of which is on file in the office of the Municipal Clerk; and

WHEREAS, the Mayor and Council of the Borough of Totowa have determined that the bid submitted by Aqua Infrastructure Rehabilitation Co. be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Totowa do hereby accept the bid of Aqua Infrastructure Rehabilitation Co. for the Borough of Totowa Sanitary Sewer Main Rehabilitation, Phase IV as the lowest responsible bid for the total sum of One Hundred Four Thousand Six Hundred Seventy and 00/100 Dollars (\$104,670.00).

BE IT FURTHER RESOLVED, that the award of this contract to Aqua Infrastructure Rehabilitation Co. for the Borough of Totowa Sanitary Sewer Main Rehabilitation Project, Phase IV, is subject to approval by the County of Passaic Department of Economic Development.

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.

There was a motion by Councilwoman Fontanella, seconded by Councilwoman Andriani to adopt the following Resolution Authorizing The Leasing Of Real Property And Amending The Reservation Of Rights For A Portion Of The Property Identified As Lot 2, Block 170.02 In The Borough Of Totowa. On roll call vote, all members of the Council present voted in the affirmative.

RESOLUTION NO. 38-2016

RESOLUTION AUTHORIZING THE LEASING OF REAL PROPERTY AND
AMENDING THE RESERVATION OF RIGHTS FOR A PORTION OF THE
PROPERTY IDENTIFIED AS LOT 2, BLOCK 170.02 IN THE BOROUGH OF TOTOWA

WHEREAS, the Borough of Totowa is the owner of real property located on Maltese Drive and identified as Lot 2, Block 170.02 on the official tax map of the Borough of Totowa; and

WHEREAS, the Mayor and Council of the Borough have determined that this property is not needed for public use; and

WHEREAS, the Mayor and Council of the Borough of Totowa desire to authorize the public leasing of a portion of the property located on Maltese Drive identified as Lot 2, Block 170.02 on the official tax map of the Borough of Totowa; and

WHEREAS, by Resolution No. 60-2010 dated June 15, 2010, the Mayor and Council of the Borough of Totowa authorized the leasing on two (2) parcels referred to as Parcel "A" and Parcel "B"; and

WHEREAS, by Resolution No. 78-2015 dated May 12, 2015, the Mayor and Council of the Borough of Totowa authorized lease rights on one (1) additional parcel hereinafter referred to as Parcel "C" and established a minimum rental fee of Fifteen Thousand and 00/100 Dollars (\$15,000.00) per month for Parcel "C"; and

WHEREAS, it was subsequently determined that the Borough of Totowa would need to reduce the size of proposed lease in order to ensure that there would be no impact to the Borough of Totowa's West End Pump Station which is also located on this site; and

WHEREAS, the Mayor and Council desire to reduce the minimum rental fee to the sum of Twelve Thousand and 00/100 Dollars (\$12,000.00) per month for Parcel "C"; and

WHEREAS, bids will be solicited for an annual leasehold with rent to be paid in equal monthly installments; and

WHEREAS, pursuant to the provisions of N.J.S.A 40:A12-14(a), the governing body may fix a minimum rental with the reservation of the right to reject all bids where the highest bid is not accepted; and

WHEREAS, N.J.S.A. 40A: 12-14(a) further provides that upon completion of the bidding the highest bid may be accepted or all of the bids may be rejected; and

WHEREAS, do hereby establish a minimum rental fee of Twelve Thousand and 00/100 Dollars (\$12,000.00) per month for Parcel "C".

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Totowa do hereby authorize the leasing of the property located on Maltese Drive identified as a portion of Lot 2, Block 170.02 on the official tax map of the Borough of Totowa.

BE IT FURTHER RESOLVED, that the Mayor and Council of the Borough of Totowa do hereby establish a minimum rental fee of Twelve Thousand and 00/100 Dollars (\$12,000.00) per month for Parcel "C".

BE IT FURTHER RESOLVED, that the Mayor and Council of the Borough of Totowa do hereby reserve the right to reject all bids where the highest bid is not accepted.

BE IT FURTHER RESOLVED, that the advertisement for the public bidding of this lease shall include notice of the minimum rent and the reservation of rights.

There was a motion by Councilwoman Fontanella, seconded by Councilwoman Andriani to adopt the following Resolution Authorizing The Borough Of Totowa To Enter Into An Interlocal Agreement With The Township Of Wayne For Property Located At 100 Bullens Avenue, Block 9, Lot 34.26 To Connect Into Wayne's Sanitary Sewer System. On roll call vote, all members of the Council present voted in the affirmative.

RESOLUTION NO. 39-2016

RESOLUTION AUTHORIZING THE BOROUGH OF TOTOWA TO ENTER INTO AN INTERLOCAL AGREEMENT WITH THE TOWNSHIP OF WAYNE FOR PROPERTY LOCATED AT 100 BULLENS AVENUE, BLOCK 9, LOT 34.26 TO CONNECT INTO WAYNE'S SANITARY SEWER SYSTEM

WHEREAS, Falcon Development, Inc., 97 Lackawanna Avenue, Totowa, New Jersey 07512 is the owner of property located at 100 Bullens Avenue and more commonly identified as Block 9, Lot 34.26 on the official Tax Map of the Borough of Totowa; and

WHEREAS, a portion of Bullens Avenue is located within the Borough of Totowa and a portion is located within the Township of Wayne; and

WHEREAS, the Township of Wayne provides sewer service to the homes on Bullens Avenue located within the Borough of Totowa; and

WHEREAS, Falcon Development, Inc. has received permission from the Township of Wayne to connect their property to the Township of Wayne's sanitary system; and

WHEREAS, it is the policy of the Township of Wayne that whenever a request is received to connect to the Township sewer for property located outside the Township that the Township enter into an Interlocal Agreement with the municipality where the property is located; and

WHEREAS, Falcon Development, Inc. has requested that the Borough of Totowa enter an Interlocal Agreement with the Township of Wayne for the connection into Wayne's sanitary sewer system; and

WHEREAS, the Mayor and Council of the Borough of Totowa desire to enter into the Interlocal Agreement subject to review and approval of the terms and conditions of the Agreement by the Municipal Engineer and Municipal Attorney.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Totowa authorize the Borough of Totowa to enter into an Interlocal Agreement with the Township of Wayne for the property at 100 Bullens Avenue, Block 9, Lot 34.26, to connect into Wayne's sanitary sewer system.

BE IT FURTHER RESOLVED, that the Mayor and Council of the Borough of Totowa hereby authorize the Municipal Engineer and Municipal Attorney to review and approve the terms of the Agreement.

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.

A letter was received from Murph's Tavern inviting the Mayor and Council to their annual celebration in honor of St. Patrick's Day on Friday, March 11, 2016, Saturday, March 12, 2016 and Sunday, March 13, 2016 (5:00 p.m.—1:00 a.m.) and Thursday, March 17, 2016 (3:00 p.m.—2:00 a.m.) and requesting permission to have Rosengren Avenue closed from Totowa Road to Union Boulevard on those dates and times. There was a motion by Councilwoman Fontanella, seconded by Councilwoman Andriani to approve the request. On roll call vote, all members of the Council present voted in the affirmative.

STREET CLOSING AUTHORIZED BY THE MAYOR

Under the authority vested in me as Mayor of the Borough of Totowa, County of Passaic, State of New Jersey, by virtue of N.J.S.A. 40:67-16.9 and the Code of the Borough of Totowa Chapter No. 398-42, I, Mayor John Coiro, do hereby order and direct that Rosengren Avenue between Totowa Road and Union Boulevard be closed to vehicular traffic from 5:00 p.m. to 1:00 a.m. on Friday, March 11, 2016, Saturday, March 12, 2016 and Sunday, March 13, 2016 and from 3:00 p.m. to 2:00 a.m. on Thursday, March 17, 2016. I further direct that proper signs and barriers be erected at the intersections of Rosengren Avenue and Totowa Road and Rosengren Avenue and Union Boulevard and that the Totowa Police Department control and regulate, as well as enforce, this regulation.

COMMITTEE ON LIAISON & INSPECTION:

There was a motion by Councilwoman Andriani, seconded by Councilman Bucher to adopt the following Resolution Authorizing The Municipal Planner To Conduct An Area In Need Of Rehabilitation Study For The Lower Borough And Prepare A Redevelopment Plan. On roll call vote, all members of the Council present voted in the affirmative.

RESOLUTION NO. 40-2016

RESOLUTION AUTHORIZING THE MUNICIPAL PLANNER TO CONDUCT AN AREA IN NEED OF REHABILITATION STUDY FOR THE LOWER BOROUGH AND PREPARE A REDEVELOPMENT PLAN

WHEREAS, the Local Redevelopment and Housing Law, N.J.S.A. 40A:12-1 et seq., (the "Redevelopment Law") authorizes municipalities to determine whether certain parcels of land in the municipality constitute an area in need of rehabilitation; and

WHEREAS, in accordance with the Redevelopment Law, the Mayor and Council of the Borough of Totowa desires to authorize the Municipal Planner to conduct an Area In Need of Rehabilitation Study for the property commonly referred to as the Lower Borough and subsequently prepare a Redevelopment Plan; and

WHEREAS, the Study Area will encompass the properties south of Elizabeth Place, west of Willard Avenue and north and east of Totowa Road in the Borough of Totowa; and

WHEREAS, Maser Consulting P.A., 53 Frontage Road, Suite 120, Clinton, New Jersey 08809, has submitted a proposal dated December 16, 2015 to provide the required planning services for a fee not to exceed the sum of Twenty Thousand Seven Hundred and 00/100 Dollars (\$20,700.00), a copy of which is on file in the office of the Borough of Totowa Municipal Clerk

WHEREAS, the Mayor and Council of the Borough of Totowa on February 23, 2016 did examine the proposal submitted by Maser Consulting P.A.; and

WHEREAS, pursuant to the applicable New Jersey State laws, these professional services may be authorized without public bidding.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Totowa do hereby accept the proposal submitted by Maser Consulting P.A. for professional planning services to conduct an Area In Need of Rehabilitation Study for the property commonly referred to as the Lower Borough and subsequently prepare a Redevelopment Plan for the Borough of Totowa in the amount of Twenty Thousand Seven Hundred and 00/100 Dollars (\$20,700.00).

BE IT FURTHER RESOLVED, that the Mayor and Council of the Borough of Totowa do hereby authorize Maser Consulting P.A. to perform the professional services as set forth in their proposal.

There was a motion by Councilwoman Andriani, seconded by Councilman Bucher to adopt the following Resolution Authorizing The Planning Board To Investigate Whether the Lower Borough Should Be Designated As An Area In Need Of Rehabilitation Pursuant To The Local Redevelopment And Housing Law N.J.S.A. 40A:12A-1 Et Seq. On roll call vote, all members of the Council present voted in the affirmative.

RESOLUTION NO. 41-2016

RESOLUTION AUTHORIZING THE PLANNING BOARD TO INVESTIGATE WHETHER THE LOWER BOROUGH SHOULD BE DESIGNATED AS AN AREA IN NEED OF REHABILITATION PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW, N.J.S.A. 40A:12A-1 ET SEQ.

WHEREAS, the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq., (the "Redevelopment Law") authorizes municipalities to determine whether certain parcels of land in the municipality constitute an Area in Need of Rehabilitation; and

WHEREAS, in accordance with the Redevelopment Law, the Municipal Council of the Borough of Totowa believe the property commonly referred to as the Lower Borough and encompassing the properties south of Elizabeth Place, west of Willard Avenue and north and east of Totowa Road in the Borough of Totowa (the "Property") should be designated as an Area in Need of Rehabilitation pursuant to Section 14 of the Redevelopment Law, N.J.S.A. 40A:12A-14 (the "Rehabilitation Area"); and

WHEREAS, the Borough of Totowa believes that within the Property more than half the housing stock is at least 50 years old or the water and sewer lines are at least 50 years old and are in need of substantial maintenance; and that a program of rehabilitation is expected to prevent further deterioration and to promote the overall development of the Borough of Totowa in accordance with the requirements of Section 14 of the Redevelopment Law, N.J.S.A. 40A:12A-14(a); and

WHEREAS, Section 14 of the Redevelopment Law, N.J.S.A.40A:12A-14(a), also provides that prior to the adoption of a resolution designating the Rehabilitation Area as an Area in Need of Rehabilitation, the Municipal Council must first submit a copy of the proposed resolution designating the Rehabilitation Area to the Borough of Totowa Planning Board for review.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough do hereby authorize the following:

1. The aforementioned recitals are incorporated herein as though fully set forth at length.
2. The Municipal Council hereby directs that the Municipal Clerk transmit a copy of this Resolution to the Borough of Totowa Planning Board for review and providing its recommendation to the Municipal Council within 45 days of receipt of this resolution pursuant to Section 14 of the Redevelopment Law, N.J.S.A. 40A:12A-14(a).

3. This resolution shall be effective immediately.

There was a motion by Councilwoman Andriani, seconded by Councilman Bucher to authorize the Borough Clerk and Borough Attorney to readvertise for RFP's for the Zoning Board of Adjustment Attorney. 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 approve the Petition To Extend Licensed Premises for Anthony Murphy, Inc. on Friday, March 11, 2016, Saturday, March 12, 2016 and Sunday, March 13, 2016. 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 Petition To Extend Licensed Premises for Anthony Murphy, Inc. on Thursday, March 17, 2016. 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 Raffle License Application No. 1913 for The Arc of Bergen & Passaic Counties, Inc. for a Tricky Tray to be held on April 1, 2016 at the Ruby Lounge. 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 Raffle License Application Nos. 1914 & 1915 for the FOWA Rescue, Inc. for a Tricky Tray and On-Premise 50/50, respectively, to be held on April 21, 2016 at The Bethwood. 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.

Joseph Wassel, RMC
Municipal Clerk