

BOROUGH OF TOTOWA

MINUTES OF THE MAYOR AND COUNCIL

January 26, 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 No. 01-2016 as advertised. On roll call vote, all members of the Council present voted in the affirmative.

Municipal Clerk Wassel announced that Ordinance No. 01-2016 has been advertised for public hearing for Tuesday, January 26, 2016.

Municipal Clerk Wassel read the legal notice and the title of Ordinance No. 01-2016.

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. 01-2016.

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. 01-2016 by title:

ORDINANCE NO. 01-2016

**AN ORDINANCE FIXING THE ANNUAL SALARIES AND WAGES
OF THE OFFICIALS, EMPLOYEES AND THE APPOINTEES OF THE
BOROUGH OF TOTOWA, COUNTY OF PASSAIC, STATE OF NEW JERSEY**

There was a motion by Councilman Puglise, seconded by Councilman D'Angelo to adopt Ordinance No. 01-2016 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.

Councilman Puglise: 1) Commended the DPW, Police, First Aid Squad and the residents for doing a good job with the handling of the blizzard this past weekend; 2)

Said that yesterday we had a major house fire on his block and said the Fire Department and Police Officers on the scene did a great job and got the woman out of the house safely. Mayor Coiro: Concurred.

Councilwoman Andriani: Announced that the Board of Recreation is sponsoring a Snow Tubing trip at Mountain Creek on February 13, 2016 with registrations being held at the Library on January 28th and February 4th from 6:30 – 7:30 p.m.

CITIZENS HEARD:

Mike Mahometa, 269 Lincoln Avenue: 1) Agreed that the DPW did a great job with the snow storm; 2) Said that he is still concerned about some of the fire hydrants still being buried by the snow and asked if the Borough had an ordinance on requiring property owners to dig them out. Fire Marshall Allen Del Vecchio: Informed him that the Legislature is looking into adopting a law which would force property owners to dig out fire hydrants or pay a fine.

Joe Puglise, 229 Totowa Road: Said that he was at a meeting about a month ago to inquire about the fence on the corner of Totowa Road and Lewis Place and said that he still hasn't heard anything. Mayor Coiro: Advised him that our engineer did go there and speak to the homeowner and will prepare a report for the Council, at which point he will be informed.

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 January 12, 2016. 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. 2016-03 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
173	33.02	400 Route 46 Fairfield Dev c/o Auto Imports	The Irwin Law Firm Atty Trust Account F.B.O. Fairfield Dev. c/o 46 Auto Imports Mail To:	2012	3,056,000	2,856,000	\$4,120.00
173	33.02	same as above	The Irwin Law Firm	2013	3,056,000	2,606,000	\$9,463.50
173	33.02	same as above	80 Main St, Suite 410	2014	3,056,000	2,356,000	\$14,854.00
173	33.02	same as above	West Orange, NJ 07052	2015	3,056,000	2,279,000	\$17,746.68
						Total Check	\$46,184.18
173	33.03	370 Route 46	same as above	2012	495,800	394,000	\$2,097.08
173	33.03	same as above	same as above	2013	495,800	394,000	\$2,140.85
173	33.03	same as above	same as above	2014	495,800	394,000	\$2,160.20
173	33.03	same as above	same as above	2015	495,800	394,000	\$2,325.11
						Total Check	\$8,723.24

There was a motion by Councilman Picarelli, seconded by Councilman D'Angelo to adopt the following resolution to effectuate the redemption of Tax Sale Certificate #15-00001 for 69 Franklin Place, Block 25, Lot 20. On roll call vote, all members of the Council present voted in the affirmative.

RESOLUTION

Certificate of Sale #15-00001
Block 25, Lot 20

PROPERTY: 69 Franklin Place
Totowa, N.J. 07512
OWNER: Franca & Filippo Dilisio

WHEREAS, at the Municipal Tax Sale on October 22, 2015, a lien was sold on Block 25, Lot 20 also known as 69 Franklin Place in Totowa, for 2014 delinquent taxes; and

WHEREAS, this lien known as Tax Sale Certificate #15-00001, was sold to US Bank Cust BV001 Trst & Crdtrs, for 0% redemption fee and a \$24,100.00 premium; and

WHEREAS, Wells Fargo Home Mortgage now paying on behalf of their clients Franca & Filippo Dilisio, has effected redemption of Certificate #15-00001 in the total amount of \$16,499.52 as of 01/26/16.

NOW, THEREFORE, BE IT RESOLVED, that the Treasurer be authorized to issue a check in the amount of \$16,499.52 payable to "US Bank Cust BV001 Trst & Crdtrs", for the redemption of Tax Sale Certificate #15-00001.

BE IT FURTHER RESOLVED, that the Treasurer be authorized to issue a check in the amount of \$24,100.00 (premium) to the aforementioned Lien Holder.

There was a motion by Councilman Picarelli, seconded by Councilman D'Angelo to adopt the following Resolution Authorizing Emergency Temporary Appropriation. On roll call vote, all members of the Council present voted in the affirmative.

RESOLUTION NO. 30-2016

RESOLUTION AUTHORIZING EMERGENCY TEMPORARY APPROPRIATION

WHEREAS, an emergent condition has arisen with respect to current fund appropriations; and

WHEREAS, no adequate provision has been made in the 2016 temporary budget for the aforesaid purpose, and N.J.S.A. 40A:4-20 provides for the creation of an emergency temporary appropriation for the purpose above mentioned; and

WHEREAS, the total emergency temporary resolutions adopted in the year 2016 pursuant to the provisions of Chapter 96, P.L. 1951 (N.J.S.A. 40A:4-20) including this resolution total \$51,092.

NOW, THEREFORE, BE IT RESOLVED, by the Governing Body of the Borough of Totowa (not less than two-thirds of all members affirmatively concurring) that in accordance with the provisions of N.J.S.A. 40A:4-20 that emergency temporary appropriations be made and that said emergency temporary appropriations shall be provided for in full in the 2016 municipal budget so adopted:

OPERATIONS – EXCLUDED FROM "CAPS"	
Public and Private Programs Offset by Revenue	
Drunk Driving Enforcement Fund	<u>\$51,092</u>
	<u>\$51,092</u>

COMMITTEE ON PUBLIC SAFETY:

A retirement letter was received from Police Lieutenant Raymond Keeley, effective March 1, 2016. There was a motion by Councilman Puglise, seconded by Councilwoman Fontanella to accept his retirement. 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 Historical Fill Investigation Services For The CDBG-DR Program. On roll call vote, all members of the Council present voted in the affirmative.

RESOLUTION NO. 31-2016

RESOLUTION AUTHORIZING HISTORICAL FILL INVESTIGATION SERVICES
FOR THE CDBG-DR PROGRAM

WHEREAS, the Borough of Totowa has received a grant from Passaic County as a sub-grantee of the State of New Jersey from funding provided by the United States Department of Housing and Urban Development Hurricane Irene Disaster Recovery Program and a grant from the State of New Jersey Department of Environmental Protection Green Acres Program to implement the Community Development Block Grant – Disaster Recovery (“CDBG-DR”) Program; and

WHEREAS, more specifically, the Borough of Totowa will use the funds to acquire up to five (5) homes which were damaged by Hurricane Irene and will be demolished and converted to open space for community-wide use in perpetuity; and

WHEREAS, by Resolution No. 117-2015 dated September 22, 2015, the Mayor and Council of the Borough of Totowa awarded a contract to Sadat Associates, Inc., 1545 Lambertson Road, Trenton, New Jersey 08611 to provide Environmental Preliminary Assessments of the various properties in a manner consistent with all regulations; and

WHEREAS, Sadat Associates, Inc. has prepared an Environmental Preliminary Assessment for the property located at 23 Norwood Terrace, Totowa, New Jersey and identified as Block 122, Lot 7 on the official Tax Map of the Borough of Totowa; and

WHEREAS, the Assessment identified potential areas of concern and included a recommendation that a Historical Fill Investigation be performed at this site; and

WHEREAS, pursuant to Green Acres regulations, the Borough of Totowa must address the area of concern to the Department's satisfaction before Green Acres can disburse funding; and

WHEREAS, Tetra Tech, Inc., Project Manager for the Borough of Totowa, has solicited proposals from firms licensed to perform Historical Fill Investigations in the State of New Jersey; and

WHEREAS, the lowest proposal was submitted by T.Slack Environmental Services, Inc. ("TSES"), 180 Market Street, Kenilworth, New Jersey 07033 for the lump sum of \$1,500.00, a copy of which is on file in the office of the Borough of Totowa Municipal Clerk; 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 T.Slack Environmental Services, Inc. for Historical Fill Investigation Services for the CDBG-DR Program in the amount of \$1,500.00.

BE IT FURTHER RESOLVED, that the Mayor and Council of the Borough of Totowa do hereby authorize T.Slack Environmental Services, Inc. to perform the professional services as set forth in their proposal.

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:

There was a motion by Councilwoman Fontanella, seconded by Councilwoman Andriani to approve Payment Estimate No. 3 in the amount of \$84,601.44 to Envirocon, Inc. for the Municipal Complex Generator Project. On roll call vote, all members of the Council present voted in the affirmative.

There was a motion by Councilwoman Fontanella, seconded by Councilwoman Andriani to adopt the following Resolution Authorizing The Borough Clerk To Set Up A Public Sale/Auction Of Personal Property No Longer Needed For Public Use. On roll call vote, all members of the Council present voted in the affirmative.

RESOLUTION NO. 32-2016

RESOLUTION AUTHORIZING THE BOROUGH CLERK
TO SET UP A PUBLIC SALE/AUCTION OF PERSONAL PROPERTY
NO LONGER NEEDED FOR PUBLIC USE

WHEREAS, N.J.S.A. 40A:11-36 provides for the Manner and Method of Sale or Other Disposition of Personal Property; and

WHEREAS, the Mayor and Council of the Borough of Totowa may by resolution authorize the sale of its personal property not needed for public use; and

WHEREAS, the Mayor and Council of the Borough of Totowa have at this time determined that there are various vehicles and/or equipment of different make and model that are no longer needed for public use; and

WHEREAS, it is in the best interest of the taxpayers of the Borough of Totowa that the Mayor and Council dispose of these motor vehicles at public sale/auction to the highest bidder.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Totowa do hereby authorize the Borough Clerk to set up a public sale/auction for personal property no longer needed for public use.

COMMITTEE ON LIAISON & INSPECTION:

There was no report.

COMMITTEE ON LEGISLATION & ORDINANCES:

There was a motion by Councilman Bucher, seconded by Councilman Picarelli to approve Raffle License Application Nos. 1897 & 1898 for the Stephen J. Gerace Home and School Association for a Tricky Tray and On-Premise 50/50, respectively, to be held on March 4, 2016 at The Bethwood. 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. 1899 for the Totowa Parent Teacher Organization for a Tricky Tray, to be held on March 11, 2016 at the Totowa 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 Raffle License Application Nos. 1900 & 1901 for the BPOE #2111 Passaic Valley Elks for a Tricky Tray, to be held on March 19, 2016 and February 20, 2016, respectively. 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 Bingo License Application No. 1902 for the Mental Health Clinic of Passaic for a Bingo, to be held on April 3, 2016 at the Totowa PAL. 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