

## **BOROUGH OF TOTOWA**

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

**July 14, 2015**

**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 enable the Mayor and Council to present Sports Award Certificates to the 2015 Passaic Valley Baseball League Farm Division Champion Totowa Orioles players and coaches and to hold a public hearing on Ordinance No. 14-2015 as advertised. On roll call vote, all members of the Council present voted in the affirmative.

Mayor Coiro went to the front of the dais and asked Councilman "Coach" Bucher to join him. Mayor Coiro announced that it is always nice when one of our Totowa teams defeats another town's team and that we really enjoy when we can have our youth

teams here at a meeting and present them with certificates for winning their league championship. Mayor Coiro remarked that there will be something new this year because in addition to the Sports Award Certificates, the coaches will also hand out their league trophies. Mayor Coiro began by calling up each coach and presenting them with a Sports Award Certificate. Mayor Coiro then asked one of the coaches to give a synopsis of the season. Coach Billy Bucher gave a synopsis of the season and then thanked all the parents for signing up their children and keeping them active in sports. Mayor Coiro continued by calling up each player and presenting them with a Sports Award Certificate, while Coach Bucher handed out the trophies. Mayor Coiro then commented on behalf of the Mayor and Council he congratulated them all and said that he hopes to see them back again next year. Mayor Coiro announced that there would be a short recess. Pictures were taken.

Municipal Clerk Wassel announced that Ordinance No. 14-2015 has been advertised for public hearing for Tuesday, July 14, 2015.

Municipal Clerk Wassel read the legal notice and the title of Ordinance No. 14-2015.

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. 14-2015.

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. 14-2015 by title:

**ORDINANCE NO. 14-2015**

**AN ORDINANCE TO AMEND THE CODE OF THE BOROUGH OF TOTOWA  
CHAPTER 415 ENTITLED "ZONING AND LAND USE", PART 4, "ZONING",  
ARTICLE XV, "ESTABLISHMENT OF DISTRICTS", SECTION 121,  
"ZONING MAP AND SCHEDULES"**

There was a motion by Councilman Puglise, seconded by Councilman D'Angelo to adopt Ordinance No. 14-2015 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:**

There were no citizens who wished to be heard.

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 June 23, 2015. On roll call vote, all members of the Council present voted in the affirmative. Councilman Bucher abstained from the voting.

**COMMITTEE ON FINANCE:**

There was a motion by Councilman Picarelli, seconded by Councilman D'Angelo to approve Resolution No. 2015-15 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.

<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>
177	3	75 Route 46 NDK Realty, Inc.	NDK Realty, Inc. Mail to: Zipp & Tannenbaum, L.L.C. 280 Raritan Center Parkway Edison, New Jersey 08837	2012	287,200	73,000	\$4,412.52
177	3	75 Route 46 NDK Realty, Inc.		2013	287,200	73,000	\$4,504.63
177	3	75 Route 46 NDK Realty, Inc.		2014	287,200	73,000	\$4,545.32
						Total Check	\$13,462.47

There was a motion by Councilman Picarelli, seconded by Councilman D'Angelo to approve payment of the 3<sup>rd</sup> Quarter 2015 Budget Allotment to the Borough of Totowa Public Library in the amount of \$179,030.00. 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 acknowledge receipt of the Report of Audit for the year ended December 31, 2014 and that the recommendations will be reviewed by the Governing Body. 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 authorize the Borough Attorney and Borough Clerk to prepare the specifications and advertise for the receipt of bids for Solid Waste, Recycling and Vegetative Waste Recycling. On roll call vote, all members of the Council present voted in the affirmative.

COMMITTEE ON PUBLIC SAFETY:

There was a motion by Councilman Puglise, seconded by Councilwoman Fontanella to approve payment of the annual garage rent for 2015 in the amount of \$7,000.00 to Volunteer Fire Company No. 1 and \$6,000.00 to Riverview Park Fire Company, Inc. 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 The Purchase Of Various Equipment For The Emergency Repair Of The Shepherds Lane Pump Station. On roll call vote, all members of the Council present voted in the affirmative.

RESOLUTION NO. 87-2015

RESOLUTION AUTHORIZING THE PURCHASE OF VARIOUS EQUIPMENT FOR  
THE EMERGENCY REPAIR OF THE SHEPHERDS LANE PUMP STATION

WHEREAS, the Superintendent of the Borough of Totowa Department of Public Works ("DPW") has advised the Mayor and Council of the Borough of Totowa that some of the equipment at the Shepherds Lane Pump Station is no longer working satisfactorily and needs to be repaired and/or replaced; and

WHEREAS, the necessary repairs at the Shepherds Lane Pump Station include the rebuilding of a split case pump and electric motor as well as the replacement of a new variable frequency drive (VFD) for Pump No. 1; and

WHEREAS, the Shepherds Lane Pump Station services the residents of the Borough of Totowa by pumping and distributing water to its homes and businesses; and

WHEREAS, the Borough of Totowa DPW Superintendent has recommended that the Borough of Totowa purchase equipment and parts that are compatible with the existing Pump Station equipment; and

WHEREAS, Frontline Industries, Inc., 990 Chancellor Avenue, Irvington, New Jersey 07111 has submitted a proposal to provide the necessary labor and materials to repair the Peerless 4AE12 Water Pump in the amount of \$5,545.00, a copy of which is on file in the office of the Municipal Clerk of the Borough of Totowa; and

WHEREAS, Rapid Pump & Meter Service Co., Inc., 285 Straight Street, Paterson, New Jersey 07508 has submitted a proposal to provide the necessary labor and materials to repair the 150 Horse Power Electric Motor in the amount of \$6,356.00, a copy of which is on file in the office of the Municipal Clerk of the Borough of Totowa; and

WHEREAS, Electronic Drives and Controls, 17 Eastman Road, Parsippany, New Jersey 07054, has submitted a proposal for the purchase and installation of one (1) new VFD for Pump No. 1 in the amount of \$12,300.00, 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 desire to authorize these necessary repairs as well as the purchase and installation of the new equipment for the Shepherds Lane Pump Station for the general health, safety and well-being of the residents of the Borough of Totowa; and

WHEREAS, pursuant to N.J.S.A. 40A:11-5(1)(i), the repairs and replacement equipment constitutes extraordinary, unspecifiable services that may be authorized by the Borough of Totowa without public bidding.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Totowa do hereby accept the three (3) proposals for the various equipment needed for the Shepherds Lane Pump Station emergency repairs submitted respectively by Frontline Industries, Inc. to repair the Peerless 4AE12 Water Pump in the amount of \$5,545.00, Rapid Pump & Meter Service Co. to repair the 150 Horse Power Electric Motor in the amount of \$6,356.00 and Electronic Drives and Controls for the purchase and installation of one (1) new VFD in the amount of \$12,300.00.

BE IT FURTHER RESOLVED, that the Mayor and Council of the Borough of Totowa do hereby authorize the above referenced vendors to provide the labor and materials for the repairs to the split case pump and electric motor as well as the replacement of a Pump VFD as set forth in their proposals.

There was a motion by Councilman D'Angelo, seconded by Councilman Puglise to authorize the Borough Attorney and Borough Clerk to prepare the specifications and advertise for the receipt of bids for a SCADA System. On roll call vote, all members of the Council present voted in the affirmative.

There was a motion by Councilman D'Angelo, seconded by Councilman Puglise to adopt the following Resolution Authorizing An Amendment To The Agreement Between The Borough Of Totowa And Preferred Environmental Services, LLC For LSRP Services. On roll call vote, all members of the Council present voted in the affirmative.

RESOLUTION NO. 88-2015

RESOLUTION AUTHORIZING AN AMENDMENT TO THE AGREEMENT  
BETWEEN THE BOROUGH OF TOTOWA AND  
PREFERRED ENVIRONMENTAL SERVICES, LLC FOR LSRP SERVICES

WHEREAS, in 2001, the Mayor and Council of the Borough of Totowa authorized the removal of various storage tanks located within the Borough of Totowa and installation of new tanks at these same locations; and

WHEREAS, the Mayor and Council of the Borough of Totowa also required the services of a Licensed Site Remediation Professional (“LSRP”) to ensure compliance with the removal and installation of these tanks in accordance with the regulations promulgated under New Jersey Department of Environmental Protection (“NJDEP”) Site Remediation Program; and

WHEREAS, Preferred Environmental Services, LLC, 177 Sargeant Avenue, Clifton, New Jersey 07013 submitted a proposal dated January 21, 2013 for the LSRP services which recommended that the Project be conducted in Phases; and

WHEREAS, by Resolution No. 38-2013 dated February 26, 2013, the Mayor and Council of the Borough of Totowa authorized Preferred Environmental Services, LLC, to provide the necessary professional services; and

WHEREAS, the Borough of Totowa and Preferred Environmental Services, LLC entered into a contract dated March 26, 2013 which incorporated the terms of the January 21, 2013 proposal; and

WHEREAS, Phases 1 and 2 of the Project have been completed and Preferred Environmental Services, LLC is ready to undertake Phase 3 of the Project which includes but is not limited to the oversight of the Wet Well Installation, Ground Water Sampling and Laboratory Analysis; and

WHEREAS, the contract language inadvertently contained a provision wherein the term of the contract ended on December 31, 2013; and

WHEREAS, Preferred Environmental Services, LLC has continued to perform the required services under the remaining terms of the contract; and

WHEREAS, the Mayor and Council of the Borough of Totowa desire to extend the term of the contract to allow Preferred Environmental Services, LLC to complete Phase 3 of this Project; and

WHEREAS, the cost for Phase 3 shall be in accordance with the original fees set forth in the January 21, 2013 proposal.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Totowa do hereby authorize an amendment to the contract between the Borough of Totowa and Preferred Environmental Services, LLC to serve as a Licensed Site Remediation Professional for the Borough of Totowa and extend the term to include the completion of Phase 3.

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 accept the following bids for the Removal and Installation of Roof at the Municipal Complex. On roll call vote, all members of the Council present voted in the affirmative.

<u>Company</u>	<u>Bid Amount</u>
Integrity Roofing, Inc. Rahway, NJ 07065	\$ 95,340.00
Laurant Construction Co., Inc. Pennington, NJ 08534	\$ 99,590.00
VMG Group Roselle, NJ 07203	\$103,000.00
TNT Construction Group, LLC Garfield, NJ 07026	\$112,000.00
P. Cipollini, Inc. Dover, NJ 07801	\$119,000.00

There was a motion by Councilwoman Fontanella, seconded by Councilwoman Andriani to adopt the following resolution to reject the bids for the Removal and Installation of Roof at the Municipal Complex. On roll call vote, all members of the Council present voted in the affirmative.

RESOLUTION NO. 89-2015

RESOLUTION REJECTING BIDS FOR THE REMOVAL OF EXISTING ROOF AND  
INSTALLATION OF ROOF AT THE BOROUGH OF TOTOWA MUNICIPAL COMPLEX

WHEREAS, the Superintendent for the Borough of Totowa Department of Public Works ("DPW") has recommended the existing roof at the Borough of Totowa Municipal Complex be removed and replaced; and

WHEREAS, the Mayor and Council of the Borough of Totowa desire to install a new roofing system at the Borough of Totowa Municipal Complex; and

WHEREAS, the Mayor and Council of the Borough of Totowa did advertise for receipt of sealed bids for the removal of the existing roof and installation of a new roofing system in accordance with the specifications entitled "Specifications and Proposal for the Removal of Existing Roof and Installation of New Roof at the Borough of Totowa Municipal Complex, Borough of Totowa, Passaic County, New Jersey"; and

WHEREAS, the cost estimate for this Improvement Project was \$65,000.00; and

WHEREAS, the Borough of Totowa did receive bids at its Municipal Building on July 9, 2015; and

WHEREAS, the Mayor and Council of the Borough of Totowa on July 14, 2015 did examine all bids for materials and services called for; and

WHEREAS, five (5) bids were received with the apparent low bid submitted by Integrity Roofing, Inc., 1385 Witherspoon Street, Rahway, New Jersey 08360 with a base bid amount of \$95,340.00, a copy of which is on file in the office of the Borough of Totowa Municipal Clerk; and

WHEREAS, the Superintendent for the Borough of Totowa DPW has advised that the prices bid by all of the contractors for the removal of the existing roof and installation of a new roofing system at the Borough of Totowa Municipal Complex are significantly higher than the funds allocated for this Improvement Project; and

WHEREAS, the Superintendent for the Borough of Totowa DPW has further advised the low bid exceeded the Project cost estimate by \$30,000.00; and

WHEREAS, the Mayor and Council desire to reject all of the bids received for the removal of the existing roof and installation of a new roofing system at the Borough of Totowa Municipal Complex for the aforementioned reason and authorize the public rebidding of this Improvement Project.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Totowa do hereby reject the bids received for the removal of the existing roof and installation of a new roofing system at the Borough of Totowa Municipal Complex and authorizes the public rebidding of this Improvement Project for the Borough of Totowa.

A letter was received from the Totowa Deborah Hospital Chapter requesting permission to use the Municipal Parking Lot on Sunday, October 25, 2015 for their bus trip to Atlantic City. There was a motion by Councilwoman Fontanella, seconded by Councilwoman Andriani to grant permission. On roll call vote, all members of the Council present voted in the affirmative.

COMMITTEE ON LIAISON & INSPECTION:

A retirement letter was received from Administrative Clerk Norma Fitzgerald, effective September 1, 2015. There was a motion by Councilwoman Andriani, seconded by Councilman Bucher to accept her retirement and send her 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. 15-2015**

**A CAPITAL ORDINANCE APPROPRIATING THE SUM OF \$600,000 FOR VARIOUS IMPROVEMENTS TO BE UNDERTAKEN BY THE BOROUGH OF TOTOWA AND TO APPROPRIATE \$514,000 FROM THE CAPITAL IMPROVEMENT FUND AND \$86,000 FROM THE RESERVE FOR SEWER JET**

There was a motion by Councilman Bucher, seconded by Councilman Picarelli to approve Ice Cream Vendors License Applications for Julie Trauerts as Owner/Operator and Stephanie Mancuso as Operator, trading as Mainland. 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