

BOROUGH OF TOTOWA

MINUTES OF THE MAYOR AND COUNCIL

October 25, 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.

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

Councilwoman Fontanella: Advised that this past Sunday, she along with Councilman Picarelli and Passaic County Clerk Kristin Corrado attended the pancake breakfast at Lincoln Fire House and said there was a good turnout and thanked them.

Councilman Picarelli: Remarked that also on this past Sunday, the Boy Scouts held a ceremony in front of the Police Department to honor and show support for our police officers and then placed blue ribbons on the old fashioned street lights along Totowa Road from the Municipal Complex to Union Boulevard.

Councilwoman Andriani: Announced that the Board of Recreation will sponsor a Trunk-or-Treat on Sunday, October 30th from 6:30 – 8:00 p.m. in the PAL parking lot.

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 October 11, 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. 2016-22 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>
111	6	52 Bogert Ave. Adolpho & Maria Grambone	"Michael A. Vespasiano, Attorney Trust Account Mail To: Michael A. Vespasiano 331 Main Street Chatham, N.J. 07928	2009 2010 2012 2013 2014	545,400 545,400 494,100 494,100 494,100	494,100 494,100 455,000 455,000 475,000	\$831.06 \$876.20 \$805.46 \$822.27 \$405.30

154	43	34 Rutherford Court Adolpho & Maria Grambone	Same as above	2009	551,100	490,200	\$986.58
				2010	551,000	490,200	\$1040.17
				2012	490,200	443,000	972.32
				2013	490,200	443,000	992.62
				2014	490,200	443,000	\$1001.58
				2015	490,200	443,000	\$1078.05
89	6	162 Mitchell Ave. Adolpho & Maria Grambone	Same as above	2009	568,900	501,800	\$1,087.02
				2010	568,900	501,800	\$1,146.07
				2012	501,800	455,000	\$964.08
				2013	501,800	455,000	\$984.20
				2014	501,800	475,000	\$568.70
				Total Check		\$14,561.68	
175	3.02	130 Furler St. Ullman Family Partnership	"Ullman Family Partnership" Mail To: McKirdy & Riskin, P.A. 136 South Street, PO Box 2379 Morristown, NJ 07962-2379	2014	1,313,300	1,275,000	812.73
				2015	1,313,300	1,200,000	\$2,587.77
				2016	1,313,300	1,150,000	\$3835.92
						Total Check	\$7,236.42
95	3	Rosengren Ave. Ferdinell, Inc.	"Ferdinell, Inc. Same as above	2014	1,354,200	1,300,000	\$1150.12
				2015	1,354,200	1,250,000	\$2,379.93
				2016	1,354,200	1,150,000	\$4,796.66
96	11	15 Masklee Court Ferdinell, Inc.	Same as above	2014	432,200	400,000	\$683.28
				2015	432,200	400,000	\$735.45
				2016	432,200	400,000	\$756.38
				Total check		\$10,501.82	
173	38	783 Riverview Drive Totowa Plaza Assoc. LLC	"Daniel G. Keough, Trustee" Mail To: Daniel Keough, etal. 783 Springfield Ave. Summit, NJ 07901-2332	2009	3,804,300	3,604,500	\$3,236.76
				2010	3,804,300	3,604,500	\$3,412.58
				2012	3,604,500	3,317,600	\$5,910.14
				2013	3,604,500	3,317,600	\$6,033.51
				2014	3,604,500	3,317,600	\$6,088.02
				2015	3,604,500	3,150,000	\$10,380.78
				Total check		\$35,061.79	
170.01	1	77 West End Road R-J Realty Co. L.P.	Same as above	2014	2,232,000	2,160,000	\$1,527.84
				2015	2,232,000	2,160,000	\$1,644.48
				Total check		\$3,172.32	
145	8.01	589 Union Blvd Joseph & Marie Corrado	Same as above	2014	1,000,000	869,900	\$2760.72
				2015	1,000,000	869,900	\$2971.48
				Total check		\$5,732.20	
175	4.01	80 Furler Street David Perelman/ Hemasco Realty,LLC	Hemasco Realty, LLC Mail To: Skoloff & Wolfe,P.C. 293 Eisenhower Pkwy Livingston, N.J. 07039	2009	2,090,100	1,900,000	\$3,079.62
				2010	2,090,100	1,900,000	\$3,246.91
				2011	1,936,700	1,850,000	\$1,703.66
				2012	1,936,700	1,850,000	\$1,786.02
				2013	1,936,700	1,850,000	\$1,823.30
				2014	1,936,700	1,850,000	\$1,839.77
				2015	1,936,700	1,850,000	\$1,980.23
				Total check		\$15,459.51	
145	12	547 Union Blvd Union Blvd Realty Corp c/o Silvano,D.	"Brach, Eichler, LLC & Union Blvd Realty Corp c/o Silvano, D."	2013	1,521,900	1,000,000	\$10,975.56
				2014	1,521,900	1,000,000	\$11,074.72
				2015	1,521,900	1,000,000	\$11,920.20
				2016	1,521,900	1,000,000	\$12,259.43
				Total check		\$46,229.91	

There was a motion by Councilman Picarelli, seconded by Councilman D'Angelo to acknowledge receipt of the Best Practices Worksheet CY 2016/SFY 2017. Municipal Clerk Wassel announced the following results for the Worksheet: 15 Yes; 7 No; 8 N/A; 30 Total Answered; 23 Score (Yes + N/A); 77% Score %. The Worksheet was certified by Chief Administrative Officer/Municipal Clerk Joseph Wassel (C-0791) and Chief Financial Officer Lisa Nash (N-931). 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 to reject the bids for the Purchase of an Electronic Ticket (E-Ticket) System. On roll call vote, all members of the Council present voted in the affirmative.

RESOLUTION NO. 135-2016

RESOLUTION REJECTING BIDS FOR THE PURCHASE OF AN ELECTRONIC (E-TICKET) SYSTEM

WHEREAS, the Borough of Totowa Police Chief has recommended the purchase of an Electronic (E-Ticket) system for the Borough of Totowa Police Department; and

WHEREAS, the E-Ticket system and related hardware shall be installed in Borough of Totowa Police Department vehicles; and

WHEREAS, the Mayor and Council of the Borough of Totowa recognize the need for this system; and

WHEREAS, the Mayor and Council of the Borough of Totowa did advertise for receipt of sealed bids for the purchase and installation of an E-Ticket System in accordance with the specifications entitled "Specifications and Proposal for the Purchase of an Electronic Ticketing System for the Borough of Totowa, County of Passaic, New Jersey 2016"; and

WHEREAS, the Borough of Totowa did receive bids at its Municipal Building on October 5, 2016; and

WHEREAS, the Mayor and Council of the Borough of Totowa on October 25, 2016 did examine all bids for materials and services called for; and

WHEREAS, one bid was submitted by Gold Type Business Machine, Inc. ("GTBM"), a New Jersey corporation with offices at 351 Paterson Avenue, East Rutherford, New Jersey 07073, a copy of which is on file in the office of the Borough of Totowa Municipal Clerk; and

WHEREAS, GTBM submitted a bid for the lease of E-Ticket system equipment and related software which did not comply with the specifications; and

WHEREAS, the specifications state that any conditions, limitations, provision, amendments or other changes attached or added by the bidder to any of the provisions of the bid specifications or any changes by the bidder on the proposal forms shall result in the rejection of the bid proposal by the Municipal Council of the Borough of Totowa; and

WHEREAS, the bid submitted by GTBM also failed to include the required Consent of Surety certificate from a surety company stating that said company will provide the bidder with a performance bond in accordance with N.J.S.A. 40:11-22; and

WHEREAS, the Mayor and Council desire to reject the bid received for the purchase of an Electronic Ticketing System for the Borough of Totowa for the aforementioned reasons.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Totowa do hereby reject the bid received for the purchase an Electronic Ticketing System for the Borough of Totowa.

There was a motion by Councilman Picarelli, seconded by Councilman D'Angelo to adopt the following resolution to award the contract for a lease agreement of an Electronic Ticket (E-Ticket) System. On roll call vote, all members of the Council present voted in the affirmative.

RESOLUTION NO. 136-2016

RESOLUTION AUTHORIZING AGREEMENT FOR AN
ELECTRONIC (E-TICKET) SYSTEM

WHEREAS, the Borough of Totowa Police Chief has recommended the purchase of an Electronic (E-Ticket) system for the Borough of Totowa Police Department; and

WHEREAS, the E-Ticket system and related hardware shall be installed in Borough of Totowa Police Department vehicles; and

WHEREAS, the Mayor and Council of the Borough of Totowa recognized the need for this system; and

WHEREAS, the Mayor and Council of the Borough of Totowa did advertise for receipt of sealed bids for the purchase and installation of an E-Ticket System in accordance with the specifications entitled "Specifications and Proposal for the Purchase of an Electronic Ticketing System for the Borough of Totowa, County of Passaic, New Jersey 2016"; and

WHEREAS, the Borough of Totowa did receive bids at its Municipal Building on October 5, 2016; and

WHEREAS, one bid was submitted by Gold Type Business Machine, Inc. ("GTBM"), 351 Paterson Avenue, East Rutherford, New Jersey 07073 for the lease of an E-Ticket system equipment and related software; and

WHEREAS, by Resolution No. 135-2016 dated October 25, 2016, the Mayor and Council of the Borough of Totowa rejected the bid submitted by GTBM for failing to comply with the specifications and failing to include the required Consent of Surety certificate from a surety company in accordance with N.J.S.A. 40:11-22; and

WHEREAS, after reviewing the bid submitted by GTBM, the Borough of Totowa Police Chief has recommended that the Borough of Totowa enter into a lease agreement with GTBM for the provision of an E-Ticket System; and

WHEREAS, GTBM has submitted a proposal and End-User Hardware, Set-up and Support Agreement for an Info-Cop E-Ticketing System for use by the Borough of Totowa Police Department, a copy of which is on file in the office of the Borough of Totowa Municipal Clerk; and

WHEREAS, GTBM warrants that the software used in the Info-Cop E-Ticketing System has been certified by the New Jersey Office of the Administrator of the Courts ("AOC") and shall remain compliant with the AOC standards throughout its use; and

WHEREAS, pursuant to the applicable New Jersey State laws, the contract for provision of an end-user license, hardware, set-up and support of an Info-Cop E-Ticketing System may be awarded without public bidding since it will not exceed the public bidding threshold.

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 GTBM for the provision of an end-user license, hardware, set-up and support of an Info-Cop E-Ticketing System for use by the Borough of Totowa Police Department.

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 Councilman Picarelli, seconded by Councilman D'Angelo to approve payment of the 4th Quarter 2016 Budget Allotment to the Borough of Totowa Public Library in the amount of \$185,675.00. 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 approve payment of the 2016 annual contribution to the Totowa Seniors and the Happy Seniors in the amount of \$2,000.00 each. On roll call vote, all members of the Council present voted in the affirmative.

COMMITTEE ON PUBLIC SAFETY:

There was no report.

COMMITTEE ON PUBLIC WORKS:

There was no report.

COMMITTEE ON ENGINEERING & PUBLIC PROPERTY:

There was no report.

COMMITTEE ON LIAISON & INSPECTION:

There was a motion by Councilwoman Andriani, seconded by Councilman Bucher to adopt the following Resolution Authorizing An Agreement Between The Borough Of Totowa And Joseph Funicelli To Encroach On A Water Utility Easement. On roll call vote, all members of the Council present voted in the affirmative.

RESOLUTION NO. 137-2016

RESOLUTION AUTHORIZING AN AGREEMENT BETWEEN
THE BOROUGH OF TOTOWA AND JOSEPH FUNICELLI TO ENCROACH
ON A WATER UTILITY EASEMENT

WHEREAS, Joseph Funicelli is the owner of real property commonly known as 42 Centennial Court and further identified as Block 9, Lot 34.14 on the official tax map of the Borough of Totowa, County of Passaic, State of New Jersey; and

WHEREAS, the Borough of Totowa retains a water utility easement on the aforementioned property; and

WHEREAS, Mr. Funicelli has requested permission from the Borough of Totowa to replace a fence with a wall in the rear of his yard and a portion of the wall will encroach on the Borough of Totowa's easement; and

WHEREAS, the Mayor and Council of the Borough of Totowa have consented to the request and will allow the wall to be constructed on a portion of the water utility easement with the conditions that access to the easement not be impeded and that the wall be removed upon written notification from the Borough of Totowa in the event that it becomes necessary to utilize the easement; and

WHEREAS, Mr. Funicelli shall be responsible for all engineering and legal costs and shall also indemnify and hold harmless the Borough of Totowa as long as the retaining wall remains on the Borough of Totowa's easement.

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 Joseph Funicelli to allow a retaining wall to be constructed and encroach and remain on the Borough of Totowa's water easement in accordance with the aforementioned terms and conditions.

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 LEGISLATION & ORDINANCES:

There was a motion by Councilman Bucher, seconded by Councilman Picarelli to approve Raffle License Application Nos. 1967 & 1968 for the Totowa United Methodist Church for a Tricky Tray and On-Premise 50/50 to be held on December 10, 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 Nos. 1969, 1970 & 1971 for the Diane D'Apollito-May "Beyond the Rainbow" Charitable Foundation for a Tricky Tray, On-Premise 50/50 and Off-Premise 50/50 to be held on March 25, 2017 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. 1972 for the BPOE #2111 Passaic Valley Elks for an Off-Premise 50/50 to be held on January 13, 2017. 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. 1973 for the Do Good Student Supports Group for a Casino Night to be held on November 18, 2016 at the Passaic Valley Elks. On roll call vote, all members of the Council present voted in the affirmative.

Mayor Coiro reminded everyone that due to Election Day, our next regularly scheduled Council Meeting will be held on November 15, 2016.

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