

BOROUGH OF TOTOWA

MINUTES OF THE MAYOR AND COUNCIL

September 27, 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 Andriani: Wished Borough Attorney Corrado a Happy Birthday.

Mayor Coiro: Commented that we also had a successful Health Fair on September 17th. Councilwoman Andriani: Said yes it was a great day with very good attendance.

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 September 13, 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. 2016-20 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 due to overpayment of 3rd 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, for 3rd Quarter 2016; and

WHEREAS, the taxpayer is entitled to a refund; and

WHEREAS, the chart sets forth the refund as follows:

<u>BLOCK</u>	<u>LOT</u>	<u>PROPERTY/OWNER</u>	<u>PAYABLE TO:</u>	<u>OVERPAYMENT</u>
101	9	104 Bogert Street Sami & Gail Cicen	Sami & Gail Cicen Mail to: Larry Bruce Goodman, Esq. 10 Evans Place Pompton Plains, NJ 07444	\$1,667.13

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 Of The Mayor And Council Of The Borough Of Totowa Authorizing Settlement Of The 2012, 2013, 2014, 2015 And 2016 Tax Appeals Entitled Adam-King Properties LLC v. Borough Of Totowa, Docket Nos.: 004840-2012; 001570-2013; 001992-2014; 001962-2015; 001010-2016 Of The Tax Assessment Of Block 179.01, Lot 1, Known As 55 King Road In The Borough Of Totowa, Passaic County, New Jersey. On roll call vote, all members of the Council present voted in the affirmative.

RESOLUTION NO. 130-2016

RESOLUTION OF THE MAYOR AND COUNCIL OF THE BOROUGH OF TOTOWA
 AUTHORIZING SETTLEMENT OF THE 2012, 2013, 2014, 2015 AND 2016 TAX
 APPEALS ENTITLED ADAM-KING PROPERTIES LLC V. BOROUGH OF TOTOWA,
 DOCKET NOS.: 004840-2012; 001570-2013; 001992-2014; 001962-2015; 001010-
 2016 OF THE TAX ASSESSMENT OF BLOCK 179.01, LOT 1, KNOWN AS 55 KING
 ROAD IN THE BOROUGH OF TOTOWA, PASSAIC COUNTY, NEW JERSEY

WHEREAS, appeals of the real property tax assessments for tax years 2012, 2013, 2014, 2015 and 2016 on Block 179.01, Lot 1 have been filed by the Taxpayer, Adam-King Properties LLC; and

WHEREAS, the proposed Stipulation of Settlement, a copy of which is incorporated herein as if set forth at length, has been reviewed and recommended by the Borough Tax Assessor and Borough Tax Expert; and

WHEREAS, the settlement of said matter as more fully set forth below is in the best interest of the Borough of Totowa.

NOW, THEREFORE, BE IT RESOLVED, by the Borough of Totowa, New Jersey, as follows:

1. Settlement of the 2012-2016 tax appeals is hereby authorized as follows:

55 King Road
 Block 179.01, Lot 1
Years: 2012, 2013, 2014, 2015, 2016

	<u>Original Assessment</u>	<u>County Board Judgment</u>	<u>Settlement Amount</u>
Land:	\$1,800,000	N/A	\$1,800,000
Imprvts:	\$2,895,000	N/A	\$2,200,000

Total: \$4,695,000 N/A \$4,000,000

2. All municipal officials are hereby authorized to take whatever action may be necessary to implement the terms of this Resolution and authorizes the Special Tax Counsel to enter into the Stipulation of Settlement as provided by Taxpayer.

COMMITTEE ON PUBLIC SAFETY:

There was a motion by Councilman Puglise, seconded by Councilwoman Fontanella to approve a grade increase for Patrolman Sean Williams from Grade 5 to Grade 4, effective September 27, 2016. On roll call vote, all members of the Council present voted in the affirmative.

A letter of resignation was received from School Crossing Guard George Bruno. There was a motion by Councilman Puglise, seconded by Councilwoman Fontanella to accept his resignation and send him a letter of thanks for his years of service. On roll call vote, all members of the Council present voted in the affirmative.

A letter from AAA North Jersey inviting the Mayor and Police Chief to attend the 2016 AAA Community Traffic Safety Awards Luncheon on Wednesday, October 26, 2016 at 11:00 a.m. at The Brownstone was received and filed.

A letter from Matt Linda thanking Detective Sergeant Carmen Veneziano for the professional manner and courtesy shown during the difficult time of informing him of the passing of his son was received and filed with a copy to be placed in his personnel file.

COMMITTEE ON PUBLIC WORKS:

There was a motion by Councilman D'Angelo, seconded by Councilman Puglise to authorize the Borough Clerk and Borough Attorney to prepare the specs and advertise for the receipt of bids for the demolition of five homes for the CDBG-DR program. 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 accept the following bids for the Purchase and Delivery of Fire Hydrants. On roll call vote, all members of the Council present voted in the affirmative.

<u>Company</u>	<u>4'6" Bid</u>	<u>5'0" Bid</u>	<u>6'0" Bid</u>
Water Works Supply Co., Inc.	\$2,913.19	\$2,970.82	\$3,085.82

There was a motion by Councilman D'Angelo, seconded by Councilman Puglise to adopt the following resolution to award the contract for the Purchase and Delivery of Fire Hydrants to the lowest responsible bidder. On roll call vote, all members of the Council present voted in the affirmative.

RESOLUTION NO. 131-2016

RESOLUTION AUTHORIZING CONTRACT FOR THE PURCHASE
AND DELIVERY OF FIRE HYDRANTS

WHEREAS, the Borough of Totowa Department of Public Works ("DPW") Superintendent has recommended that fire hydrants be purchased as needed on an annual basis; and

WHEREAS, the Borough of Totowa DPW will be responsible for installing all new fire hydrants; and

WHEREAS, the Mayor and Council of the Borough of Totowa have determined that there is an on-going need for this equipment for the safety and well-being of the residents of the municipality; and

WHEREAS, the Mayor and Council of the Borough of Totowa did advertise for receipt of sealed bids in accordance with the specifications entitled "Specifications for the Purchase and Delivery of Fire Hydrants for the Borough of Totowa, County of Passaic, New Jersey, 2016"; and

WHEREAS, the Borough of Totowa did receive sealed bids at its Municipal Building on September 15, 2016; and

WHEREAS, the sole bid was submitted by Water Works Supply Co., Inc., 660 State Highway 23, Pompton Plains, New Jersey 07444 with a bid of \$2,913.19 for the 4'6" Mueller A-243 Super Centurion 250 Fire Hydrant, \$2,970.82 for the 5'0" Mueller A-243 Super Centurion 250 Fire Hydrant and \$3,085.82 for the 6'0" Mueller A-243 Super Centurion 250 Fire Hydrant, 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 have determined that the bid submitted by Water Works Supply Co., Inc. 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 Water Works Supply Co., Inc. for the purchase and delivery of fire hydrants for the Borough of Totowa as the lowest responsible bid.

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 D'Angelo, seconded by Councilman Puglise to adopt the following Resolution Authorizing The Purchase And Delivery Of One Toro Groundsmaster 360 4WD And Accessories. On roll call vote, all members of the Council present voted in the affirmative.

RESOLUTION NO. 132-2016

RESOLUTION AUTHORIZING CONTRACT FOR THE PURCHASE AND DELIVERY OF ONE TORO GROUNDSMASTER 360 4WD AND ACCESSORIES

WHEREAS, the Borough of Totowa Department of Public Works ("DPW") Superintendent has requested that a new Toro Groundsmaster 360 4WD and accessories be purchased for use by the DPW; and

WHEREAS, the Mayor and Council of the Borough of Totowa have determined that there is a need for this equipment which will be used to maintain the Municipal grounds, parks and recreational fields; and

WHEREAS, the Mayor and Council of the Borough of Totowa desire to authorize the purchase of the Toro Groundsmaster; and

WHEREAS, Bergen County Cooperative Contract No. CK04 has been awarded to Storr Tractor Company, 3191 Route 22, Somerville, New Jersey 08876 for the purchase of a Toro Groundsmaster 360 4WD and accessories; and

WHEREAS, pursuant to the applicable New Jersey State laws, the purchase of this Toro Groundsmaster 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 Toro Groundsmaster 360 4WD and accessories from Storr Tractor Company in the amount of \$27,963.40.

BE IT FURTHER RESOLVED, that the Mayor and Municipal Council of the Borough of Totowa do hereby authorize the Municipal Clerk and DPW Superintendent to execute any and all 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 Purchase and Delivery of Decorative Wreaths. On roll call vote, all members of the Council present voted in the affirmative.

<u>Company</u>	<u>Total Bid</u>
Rileighs Outdoor Décor	\$272.48

There was a motion by Councilwoman Fontanella, seconded by Councilwoman Andriani to adopt the following resolution to award the contract for the Purchase and Delivery of Decorative Wreaths to the lowest responsible bidder. On roll call vote, all members of the Council present voted in the affirmative.

RESOLUTION NO. 133-2016

RESOLUTION AUTHORIZING CONTRACT FOR THE PURCHASE
AND DELIVERY OF DECORATIVE WREATHS

WHEREAS, the Borough of Totowa Department of Public Works ("DPW") Superintendent has recommended that new decorative lamp post wreaths be purchased for the Borough of Totowa; and

WHEREAS, the Borough of Totowa DPW will be responsible for placing the wreaths on the lamp posts; and

WHEREAS, the Mayor and Council of the Borough of Totowa have determined that there is a need for these wreaths which will be placed on lamp posts throughout the municipality; and

WHEREAS, the Mayor and Council of the Borough of Totowa did advertise for receipt of sealed bids in accordance with the specifications entitled "Specifications for the Purchase and Delivery of Decorative Lamp Post Wreaths for the Borough of Totowa, County of Passaic, New Jersey, 2016"; and

WHEREAS, the Borough of Totowa did receive sealed bids at its Municipal Building on September 15, 2016; and

WHEREAS, the sole bid was submitted by John Thomas Design Inc. d/b/a Rileighs Outdoor Decor, 1035 North Plymouth Street, Allentown, Pennsylvania 18109 with a bid of \$272.48 per wreath for a 5' Decorative Lamp Post Wreath Model LP-320, 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 have determined that the bid submitted by Rileighs Outdoor Décor 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 Rileighs Outdoor Decor for the purchase and delivery of 5' decorative lamp post wreaths in the amount of \$272.48 per wreath for the Borough of Totowa as the lowest responsible bid.

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 the Totowa Deborah Chapter requesting permission to use the Municipal Parking Lot on Sunday, October 16, 2016 for a fundraiser 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:

There was a motion by Councilwoman Andriani, seconded by Councilman Bucher to authorize the Municipal Attorney to represent the Borough of Totowa and Richard Briigliodoro, Esq. to represent the Borough of Totowa Board of Recreation in the matter entitled WPSA vs. BOT, et al. 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. 16-2016

**AN ORDINANCE TO AMEND THE CODE OF THE BOROUGH OF TOTOWA
CHAPTER 398 ENTITLED "VEHICLES AND TRAFFIC"**

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 October 21, 2016 from 5:00 p.m. – 11:59 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 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 November 4, 2016 from 5:00 p.m. – 11:59 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 approve Raffle License Application No. 1957 for The Academy of St. Francis of Assisi for a Calendar Raffle to be held during November 2016, December 2016 & January 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 Nos. 1958 & 1959 for Angels of Animals, Inc. for a Tricky Tray and On-Premise 50/50 to be held on October 20, 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 Nos. 1960 & 1961 for the Passaic Valley Regional High School Education Foundation, Inc. for a Tricky Tray and On-Premise 50/50 to be held on November 17, 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