

BOROUGH OF TOTOWA

MINUTES OF THE MAYOR AND COUNCIL

June 12, 2012

PRESENT: Mayor John Coiro, presiding, Council President Phil Puglise, Councilman John Waryas, Councilman Lou D'Angelo, Councilwoman Carolyn Fontanella, Councilwoman Debra Andriani, Municipal Clerk Joseph Wassel and Municipal Attorney Robert Corrado.

ABSENT: Councilman Jim Niland.

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: Said on behalf of her father and brother, thanked the Police Department who responded for her father who had taken a fall.

Councilman D'Angelo: Announced that he received a thank you note from his Youth Week counterpart and commented that it was a nice gesture.

Councilman Waryas: 1) Stated that the Library construction is moving along and it should be completed in about six weeks; 2) Also then commented that this Thursday, June 14th is Flag Day and there will be a ceremony at the American Legion.

Councilwoman Andriani: Reported that the Totowa Pool will open this Saturday, June 16th through September 3rd.

CITIZENS HEARD:

Donna & Joe Alvino, 19 Battle Ridge Trail: Thanked the Mayor and Council for their time and for making Totowa a great place to live. Said that now the house next door to his on the right is being rented and they have numerous parties with loud noise, dogs running free, nudes & prostitutes, constant traffic, outside drinking, littering, public urination and damage to his property and says that he is concerned for the safety of his family. Mayor Coiro: Asked the Chief about the status of this situation because we had officers going there to check on it. Police Chief Robert Coyle: Stated that we were up there and brought the guy in on outstanding summonses. A long conversation ensued. Construction Official Allan Burghardt: Said we issued three Notice of Violations. Mayor Coiro: Told the Chief to give summonses for any violations against the Code. Councilman Waryas: Inquired if anyone spoke to the owner of the house. Fire Marshal Allen Del Vecchio: Commented that if there are bouncers there and they are running a business, we can shut it down immediately. Mayor Coiro: Asked Borough Attorney Corrado and Councilwoman Fontanella to look into a restricted parking ordinance, asked Chief Coyle to contact the owner, Dr. Hogan and told the Alvino's that we will stay on top of this.

Joe Van Koppen: Handed the Mayor his retirement letter from the Building Department, effective July 1, 2012. Mayor Coiro read the letter aloud and then on behalf of the Council thanked him for his years of service.

Police Chief Coyle: Announced that the Passaic County Engineering Department will have the Hillery Street Bridge closed Thursday and Friday to complete the traffic signal work in Woodland Park.

There was a motion by Councilman Puglise, seconded by Councilman Waryas to approve the Minutes of the Mayor and Council for the Youth Week meeting of May 22, 2012. On roll call vote, all members of the Council present voted in the affirmative.

COMMITTEE ON FINANCE:

There was a motion by Councilman Waryas, seconded by Councilman D'Angelo to approve Resolution No. 2012-13 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 Waryas, 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 is authorized to refund this amount:

BLK	LOT	OWNER	YR.	FROM	TO	PAYABLE TO	AMT.
9.05	11	Kanani, M.N. & A.	2011	\$1,581,700	\$1,540,000	"Jacobus & Assoc., LLC, Trustee for Kanani, M.N. & A." 301 S. Livingston Ave Suite 105 Livingston, NJ 07039	\$ 819.40

PROPERTY: 40 Mountainwood Court

145	13	Margolis Enterprises	2009	\$ 981,300	\$ 895,900	"Michael I. Schneck, Trustee for Margolis Enterprises" Schneck Law Group, LLC 301 S. Livingston Ave Suite 105 Livingston, NJ 07039	\$ 1,383.48
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PROPERTY: 537 Union Boulevard

145	13	Margolis Enterprises	2010	\$ 981,300	\$ 895,900	" "	\$ 1,458.63
TOTAL CHECK							\$ 2,842.11

158	4	8 Vreeland Avenue	2010	\$11,799,500	\$10,370,000	"Michael I. Schneck, Trustee for 8 Vreeland Ave Associates, LLC"	\$24,415.86
PROPERTY: 8 Vreeland Avenue						Schneck Law Group, LLC 301 S. Livingston Ave Suite 105 Livingston, NJ 07039	
173	1.01	North Jersey Federal Credit Union	2009	\$5,237,600	\$4,797.000	"North Jersey Federal Credit Union Skoloff & Wolfe, P.C. 293 Eisenhower Pkwy Livingston, NJ 07039	\$ 7,137.72
PROPERTY: 711 Union Boulevard							
173	1.01	North Jersey Federal Credit Union	2010	\$5,237,600	\$4,797.000	" "	\$ 7,525.45
						TOTAL CHECK	\$14,663.17
175	4	D & R Associates, LLC	2010	\$3,989,400	\$3,625,000	"Michael I. Schneck, Trustee for D & R Associates, LLC"	\$ 6,223.95
PROPERTY: 50 Furler Street						Schneck Law Group, LLC 301 S. Livingston Ave Suite 105 Livingston, NJ 07039	
175	4	D & R Associates, LLC	2011	\$4,029,700	\$3,500,000	" "	\$10,408.61
						TOTAL CHECK	\$16,632.56
179	1	690 Union Boulevard Assoc., LLC	2010	\$15,187,600	\$12,192,000	"Louis LaMatina, Esq." South 105 Fairview Ave Paramus, NJ 07652	\$51,164.85
179	1	690 Union Boulevard Assoc., LLC	2011	\$14,223,700	\$11,904,000	" "	\$45,582.11
PROPERTY: 690 UNION BOULEVARD						TOTAL CHECK	\$96,746.96
179	3	Brogan Company	2009	\$14,530,400	\$13,800,000	"Waters, McPherson,	\$11,832.48

McNeill, P.C. attorneys for
Brogan Company”
Meadowlands Office
300 Lighting Way
PO Box 1560
Secaucus, NJ 07096

PROPERTY: 112 Route 46

179	3	Brogan Company	2010	\$14,530,400	\$13,172,300	“	“	\$23, 196.35	
								TOTAL CHECK	\$35,028.83

COMMITTEE ON PUBLIC SAFETY:

There was a motion by Councilman Puglise, seconded by Councilman Waryas to approve a fireman’s application, the purchase of fireman’s equipment and authorize a fireman’s physical for David Robinson for Volunteer Fire Company No. 1. On roll call vote, all members of the Council present voted in the affirmative.

A letter from resident Gilda Blair thanking the Mayor and Council, OEM Coordinator Allen Del Vecchio and Police Chief Robert Coyle for all the assistance during and after Hurricane Irene and for the gates on Norwood Terrace was received and filed with copies to be placed in their respective personnel jackets.

A letter from Clifton residents thanking Sergeant Frank DeCeglie for his assistance during their minor accident on May 25, 2012 was received and filed with a copy to be placed in his personnel jacket.

COMMITTEE ON PUBLIC WORKS:

A retirement letter was received from DPW Superintendent Doug Wright effective August 1, 2012. There was a motion by Councilman Puglise, seconded by Councilwoman Andriani to accept his letter of retirement and send him a letter of thanks. On roll call vote, all members of the Council present voted in the affirmative.

There was a motion by Councilman Puglise, seconded by Councilwoman Andriani to approve Change Order No. 1 for a net increase of \$731.10 and Payment Estimate No. 2 (Final) in the amount of \$10,954.51 to Crossroads Pavement Maintenance, LLC for the 2011 Road Program. On roll call vote, all members of the Council present voted in the affirmative.

A letter was received from the NJDOT advising that Totowa has been approved for \$175,000 from the FY2012 Municipal Aid Program for Lincoln Avenue Improvements. There was a motion by Councilman Puglise, seconded by Councilwoman Andriani to accept the funds. On roll call vote, all members of the Council present voted in the affirmative.

There was a motion by Councilman Puglise, seconded by Councilwoman Andriani to adopt the following Resolution To Authorize The County Of Passaic To Apply On Behalf Of The Borough Of Totowa For US Department Of Housing And Urban Development (USHUD) Disaster Relief Funding From The CDBG-DR Grant Funds Program To The NJ Department Of Community Affairs. On roll call vote, all members of the Council present voted in the affirmative.

RESOLUTION NO. 75-2012

RESOLUTION TO AUTHORIZE THE COUNTY OF PASSAIC
TO APPLY ON BEHALF OF THE BOROUGH OF TOTOWA
FOR US DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (USHUD)
DISASTER RELIEF FUNDING FROM THE CDBG-DR GRANT FUNDS PROGRAM TO
THE NJ DEPARTMENT OF COMMUNITY AFFAIRS

WHEREAS, the County of Passaic has been advised by the New Jersey Department of Community Affairs that the County is eligible to submit an application for USHUD Disaster CDBG-DR funds on behalf of those municipalities impacted by disasters during 2011; and

WHEREAS, the New Jersey Department of Community Affairs has advised the County of Passaic that it is eligible to submit an application for disaster funds not to exceed \$11,854,865; and

WHEREAS, the disaster municipalities have agreed to cooperate with one another and submit one consolidated application to the New Jersey Department of Community Affairs; and

WHEREAS, the Borough of Totowa is one of the impacted disaster municipalities eligible to participate in the County of Passaic's application to the New Jersey Department of Community Affairs; and

WHEREAS, the Borough of Totowa has agreed to participate in the consolidated application with the other impacted municipalities in the County of Passaic to the New Jersey Department of Community Affairs; and

WHEREAS, the objective of the County of Passaic's consolidated application is to rebuild safer and stronger communities and implement disaster related activities that address recovery efforts including, but not limited to, housing, economic development, infrastructure and prevention of further damage to affected areas.

NOW, THEREFORE, BE IT RESOLVED, by the Municipal Council of the Borough of Totowa that:

1. The Council authorizes the Mayor and Borough Clerk to act as the authorized representative of the Borough of Totowa and execute all necessary documents and certifications to participate in the County of Passaic's CDBG-DR Program application to the New Jersey Department of Community Affairs.
2. The Council authorizes the County of Passaic to submit a consolidated CDBG-DR application to the New Jersey Department of Community Affairs on behalf of the Borough of Totowa.

COMMITTEE ON ENGINEERING & PUBLIC PROPERTY:

There was a motion by Councilman D'Angelo, seconded by Councilwoman Fontanella to adopt the following Resolution Authorizing The Purchase And Installation Of Two Variable Frequency Drives (VFD's) For The West End Pump Station. On roll call vote, all members of the Council present voted in the affirmative.

RESOLUTION NO. 76-2012

RESOLUTION AUTHORIZING THE PURCHASE AND INSTALLATION OF TWO VARIABLE FREQUENCY DRIVES ("VFD's") FOR THE WEST END PUMP STATION

WHEREAS, the Borough of Totowa Sewer Department Superintendent has advised the Mayor and Council of the Borough of Totowa that two (2) Variable Frequency Drives ("VFD's") for the West End Pump Station are no longer working satisfactorily and must be replaced as soon as possible; and

WHEREAS, the Superintendent has further advised that the existing VFD's are over 25 years old and replacement parts for repairs are no longer available; and

WHEREAS, the Borough of Totowa Sewer Department Superintendent has also advised that six (6) indicators need to be replaced on drives at the West End Pump Station; and

WHEREAS, the West End Pump Station services the residents of the Borough of Totowa by collecting sanitary sewerage waste from individual users throughout the municipality where it is processed and conveyed to the Passaic Valley Sewerage Commissioners located in Newark, New Jersey for proper treatment and disposal; and

WHEREAS, the Borough of Totowa Sewer Department Superintendent has recommended that the Borough of Totowa purchase equipment and parts that are compatible with the existing pump station equipment; and

WHEREAS, Electronic Drives and Controls, 17 Eastmans Road, Parsippany, New Jersey 07054, has submitted proposals for the purchase and installation of two (2) Yaskawa P7 Drives, 460V, 76HP, 96A and related equipment in the amount of Eighteen Thousand Eight Hundred Thirty-Three and 00/100 Dollars (\$18,833.00), a copy of which is on file in the office of Borough of Totowa Municipal Clerk; and

WHEREAS, the Mayor and Council of the Borough of Totowa desire to authorize the purchase of this equipment for the West End 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), this replacement equipment constitutes an extraordinary, unspecifiable service and this service may be authorized and the related necessary equipment may be purchased 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 proposals submitted by Electronic Drives and Controls for the purchase and installation of two (2) Yaskawa P7 Drives and related equipment for the West End Pump Station in the total amount of Eighteen Thousand Eight Hundred Thirty-Three and 00/100 Dollars (\$18,833.00).

BE IT FURTHER RESOLVED, that the Mayor and Council of the Borough of Totowa do hereby authorize Electronic Drives and Controls to provide the materials and perform the services set forth in their proposal.

A letter from the Dwight D. Eisenhower Public Library thanking the Mayor and Council for allowing the use of Borough property for their first Circus fundraiser was received and filed.

COMMITTEE ON LIAISON & INSPECTION:

A letter of resignation was received from Board of Recreation Commissioner Michele Weir, effective August 1, 2012. There was a motion by Councilwoman Andriani, seconded by Councilman Waryas to accept the resignation 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 Councilwoman Fontanella, seconded by Councilwoman Andriani to adopt the following Resolution Authorizing A Gasoline Station License To Totowa Petroleum, LLC. On roll call vote, all members of the Council present voted in the affirmative.

RESOLUTION NO. 77-2012

RESOLUTION AUTHORIZING A GASOLINE STATION LICENSE TO
TOTOWA PETROLEUM, LLC

WHEREAS, Totowa Petroleum, LLC, has applied for a Gasoline Station License for the property located at 289 Union Boulevard, Totowa, New Jersey 07512; and

WHEREAS, Totowa Petroleum, LLC has agreed to fully comply with and abide by the rules and regulations of the Borough of Totowa as set forth in the Code Book of the Borough of Totowa, Chapter 202 entitled "Gasoline Stations and Sales"; and

WHEREAS, the Mayor and Council of the Borough of Totowa have determined that the issuance of the Gasoline Station License appears to be in order and desire to authorize the subject license.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Totowa do hereby authorize the issuance of a Gasoline Station License to Totowa Petroleum LLC in accordance with the provisions and requirements of the Borough of Totowa Code Book.

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 instruments relating thereto.

There was a motion by Councilwoman Fontanella, seconded by Councilwoman Andriani to approve Raffle License Application No. 1646 for St. Joseph's Home for the Elderly of the Little Sisters of the Poor for an On-Premise 50/50, to be held on June 28, 2012. 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 Waryas that the meeting be adjourned. On roll call vote, all members of the Council present voted in the affirmative.

Joseph Wassel, RMC
Municipal Clerk