

BOROUGH OF TOTOWA

MINUTES OF THE MAYOR AND COUNCIL

January 11, 2011

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

ABSENT: None.

Mayor 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 Waryas to dispense with the regular order of business in order to enable the Mayor and Council to present Sports Award Certificates to the 2010 Totowa "B" Squad Cheerleading Competition Team Cheer And Pom Champions, the Commissioners, Advisors and Coaches. On roll call vote, all members of the Council present voted in the affirmative.

Mayor Coiro announced that it gives us great pleasure to have you here tonight, we congratulate you on winning your competition and we would like to present you with Sports Award Certificates. Mayor Coiro began the presentation by calling up the Commissioners, then the Advisors and then the Coaches and presented each with a Sports Award Certificate. One of the Advisors gave the Council a little background on

the team and then congratulated the girls on winning and for all the hard work and long hours they put in going back to August. She said that there were seven teams in the competition and that our performance was great. Mayor Coiro proceeded to call up the Cheerleaders and presented each with a Sports Award Certificate. Mayor Coiro declared on behalf of the Council and town, we congratulate you all on your championship and thank you for representing our town well. Mayor Coiro stated that we would have a short recess to allow the parents to take some pictures.

There was a motion by Councilman Puglise, seconded by Councilman Waryas 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 Waryas: 1) Thanked the County Road Department for filling pot holes along Union Boulevard; 2) Thanked the Fire Department for their mutual aid call to Paterson for two fires; and 3) Announced that the Library Board of Trustees selected Comerro Coppa as the architect for the new addition.

Councilman D'Angelo: Congratulated Councilman Waryas on becoming a trustee at St. James Church.

CITIZENS HEARD:

There were no citizens who wished to be heard.

There was a motion by Councilman Puglise, seconded by Councilman Waryas to approve the Minutes of the Mayor and Council for the meeting of December 28, 2010. On roll call vote, all members of the Council present voted in the affirmative.

There was a motion by Councilman Puglise, seconded by Councilman Waryas to approve the Minutes of the Mayor and Council for the Reorganization Meeting of January 1, 2011. 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. 2011-02 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 these amounts:

Block/Lot	Property	Owner	Payable To	Year	From	To	Amount
95/4	22 Masklee Court	Sweeney Melendez	William S. Winters, Esq. 199 Rt. 18 S. E. Brunswick, NJ 08816	2009	\$428,300	\$415,000	\$215.46
95/4	22 Masklee Court	Sweeney Melendez	William S. Winters, Esq.	2010	\$428,300	\$415,00	\$227.16
						Total Check	\$442.62

There was a motion by Councilman Waryas, seconded by Councilman D'Angelo to adopt the following resolution authorizing the Treasurer to issue \$250.00 Senior Citizen Deduction refunds to various property owners for 2010. On roll call vote, all members of the Council present voted in the affirmative.

RESOLUTION

WHEREAS, the following taxpayer is entitled to a \$250.00 Senior Citizen Deduction for the year 2010.

NOW, THEREFORE, BE IT RESOLVED, that the Treasurer of the Borough of Totowa is authorized to refund this amount.

Senior Citizen To Receive Deduction Of \$250.00 For 2010:

Block 66 Lot 3 Josephine Del Vecchio 127 Sutton Avenue

There was a motion by Councilman Waryas, seconded by Councilman D'Angelo to adopt the following resolution authorizing the Tax Collector to waive and eliminate any account credits or balances under \$5.00 for the year 2010. On roll call vote, all members of the Council present voted in the affirmative.

RESOLUTION

WHEREAS, there are taxpayers who have minor credits or balances (under \$5.00) on their accounts regarding property taxes for the year 2010; and

WHEREAS, the Borough is permitted to waive payment of these small credits or balances.

NOW, THEREFORE, BE IT RESOLVED, that the Tax Collector is hereby authorized to waive and eliminate any credits or balances for any account under \$5.00 for the year 2010.

There was a motion by Councilman Waryas, seconded by Councilman D'Angelo to approve payment of the 1st Quarter 2011 Budget Allotment to the Dwight D. Eisenhower Library in the amount of \$208,753.25. On roll call vote, all members of the Council present voted in the affirmative.

A letter was received from the employees in the Municipal Complex requesting permission to exchange the following holiday: Election Day, Tuesday, November 8, 2011 for the day after Thanksgiving, Friday, November 25, 2011. There was a motion by Councilman Waryas, seconded by Councilman D'Angelo to grant permission. On roll call vote, all members of the Council present voted in the affirmative.

COMMITTEE ON PUBLIC SAFETY:

There was a motion by Councilman Niland, seconded by Councilman Puglise to adopt the following Resolution Of The Borough Of Totowa Authorizing The Payment Of Terminal Leave Benefits To David DeFeo. On roll call vote, all members of the Council present voted in the affirmative.

RESOLUTION NO. 26-2011

RESOLUTION OF THE BOROUGH OF TOTOWA AUTHORIZING THE
PAYMENT FOR TERMINAL LEAVE BENEFITS TO DAVID DeFEO

WHEREAS, David DeFeo began his employment with the Borough of Totowa as a Patrolman in the Police Department on March 21, 1978; and

WHEREAS, David DeFeo retired from the Borough of Totowa Police Department as a Captain effective January 1, 2011; and

WHEREAS, the policy of the Borough of Totowa is that employees with twenty-five (25) years of service are entitled to a maximum of one hundred thirty (130) days of Terminal Leave to be paid upon retirement; and

WHEREAS, the Terminal Leave amount is calculated at the amount of sick day benefits, not to exceed one hundred thirty (130) days or eighty-seven (87) days for those employees under the Pitman/12 Hour Shift Schedule, at the daily rate of pay of the last twelve (12) months of service upon retirement; and

WHEREAS, David DeFeo has accumulated eight-five (85) unused sick days and has completed more than twenty-five (25) years of service as an employee of the Borough of Totowa; and

WHEREAS, David DeFeo does hereby waive any other claim and/or claims for any salary, benefits and/or other compensation.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Totowa that David DeFeo is granted eighty-five (85) days of accumulated sick leave (Terminal Leave) for a total amount of Sixty-Three Thousand Nine Hundred Twenty-Two and 52/100 (\$63,922.52). Said monies are given in full and final consideration of any and all claims that David DeFeo may have against the Borough of Totowa.

COMMITTEE ON PUBLIC WORKS:

A letter from a resident thanking the Mayor and Council—the DPW, staff in the Borough Hall, the Fire and Police Departments—for the low taxes and high services was received and filed.

COMMITTEE ON ENGINEERING & PUBLIC PROPERTY:

There was no report.

COMMITTEE ON LIAISON & INSPECTION:

There was no report.

COMMITTEE ON LEGISLATION & ORDINANCES:

There was a motion by Councilwoman Fontanella, seconded by Councilwoman Festa 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. 01-2011

**AN ORDINANCE TO AMEND THE CODE OF THE BOROUGH OF TOTOWA
CHAPTER 415 ENTITLED “ZONING AND LAND USE”, ARTICLE XXIV,
“CONDITIONAL USES”, SECTION 187, “FILLING STATIONS AND GARAGES”**

There was a motion by Councilwoman Fontanella, seconded by Councilwoman Festa to approve Raffle License Application No. 1565 for Passaic Valley Elks #2111 for their annual Instant Pull Tabs Raffle for 2011. 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