

BOROUGH OF TOTOWA

MINUTES OF THE MAYOR AND COUNCIL

January 25, 2011

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

ABSENT: Council President Phil Puglise and Councilman Jim Niland.

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 Waryas, seconded by Councilwoman Festa to dispense with the regular order of business in order to hold a public hearing on Ordinance No. 01-2011 as advertised. On roll call vote, all members of the Council present voted in the affirmative.

Municipal Clerk Wassel announced that Ordinance No. 01-2011 has been advertised for public hearing for Tuesday, January 25, 2011.

Municipal Clerk Wassel read the legal notice and the title of Ordinance No. 01-2011.

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

CITIZENS HEARD:

There were no citizens who wished to be heard.

There was a motion by Councilman Waryas, seconded by Councilwoman Festa 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. 01-2011 by title:

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 Councilman Waryas, seconded by Councilwoman Festa to adopt Ordinance No. 01-2011 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 Waryas, seconded by Councilwoman Festa 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: Thanked all our volunteers and employees for all their hard work during this busy winter season dealing with fires, snowstorms and water breaks. Mayor Coiro: Echoed those sentiments.

CITIZENS HEARD:

There were no citizens who wished to be heard.

There was a motion by Councilman Waryas, seconded by Councilwoman Festa to approve the Minutes of the Mayor and Council for the meeting of January 11, 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. 2011-03 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
39 1	169 Union Blvd.	Rosemary Monteyne	"The Irwin Law Firm, P.A., as Attorneys for Rosemary Monteyne" 80 Main Street Suite 410 West Orange, NJ 07052	2010	2,306,900	1,900,000	\$6,949.85
175 2.01	140 Furler St.	Semeraro Bros.	Davenport & Spiotti	2009	1,688,200	1,450,000	\$3,858.84

175 2.01 140 Furler St. Semeraro Davenport & 2010 1,688,200 1,450,000 \$4,068.46
 Bros. Spiotti
 219 Changebridge Road
 Montville, NJ 07045

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 County Tax Court judgments. On roll call vote, all members of the Council present voted in the affirmative.

RESOLUTION

WHEREAS, there has been a County Tax Court judgment to reduce the evaluation on the following added assessment.

NOW, THEREFORE, BE IT RESOLVED, that the Treasurer is authorized to refund these amounts:

Block/Lot	Property	Owner	Payable To	Year	From	To	Amount
122 14	47 Norwood Terrace	Kenneth Lanza	Homeowner	2010	39,025	23,217	\$270.00

There was a motion by Councilman Waryas, seconded by Councilman D'Angelo to approve payment of the annual contribution to the Happy Seniors and the Totowa Seniors for 2010 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 a motion by Councilman Waryas, seconded by Councilwoman Festa to approve the Junior Firefighter application for Frank Gloor for Lincoln Fire Company. On roll call vote, all members of the Council present voted in the affirmative.

COMMITTEE ON PUBLIC WORKS:

A letter was received from Water Registrar Carol Potoczak advising that she will need some time off under the Family Leave Act to care for a family member. There was a motion by Councilwoman Festa, seconded by Councilman Waryas to approve the time off under the Family Leave Act. On roll call vote, all members of the Council present voted in the affirmative.

COMMITTEE ON ENGINEERING & PUBLIC PROPERTY:

There was no report.

COMMITTEE ON LIAISON & INSPECTION:

A letter of resignation was received from Shade Tree Commissioner Julie Peters. There was a motion by Councilwoman Festa, seconded by Councilman Waryas to accept her resignation and send her a letter of thanks for her years of service. 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 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. 02-2011

**AN ORDINANCE TO AMEND THE CODE OF THE BOROUGH OF TOTOWA
CHAPTER 6 ENTITLED "BOARDS, COMMITTEES AND COMMISSIONS"**

There was a motion by Councilwoman Fontanella, seconded by Councilwoman Festa to adopt the following Resolution Endorsing NEA's Read Across America And Read Across America—NJ. On roll call vote, all members of the Council present voted in the affirmative.

RESOLUTION NO. 27-2011

WHEREAS, the citizens of the Borough of Totowa stand firmly committed to promoting reading as the catalyst for our students' future academic success, their preparation for America's jobs of the future, and their ability to compete in a global economy; and

WHEREAS, the Borough of Totowa has provided significant leadership in the area of community involvement in the education of our youth, grounded in the principle that educational investment is the key to the community's well-being and long-term quality of life; and

WHEREAS, NEA's Read Across America, a national celebration of reading, will be conducted on March 2, 2011, which would have been the 107th birthday of Theodor Seuss Geisel, better known as Dr. Seuss; and

WHEREAS, Read Across America-NJ is being conducted statewide by the New Jersey Education Association, in partnership with the New Jersey State League of Municipalities, the New Jersey Library Association, and their local affiliates across the state to promote reading and adult involvement in the education of our community's students.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Totowa calls on the citizens of Totowa to assure that every child is in a safe place reading together with a caring adult on March 2, 2011.

BE IT FURTHER RESOLVED that the Mayor and Council of the Borough of Totowa enthusiastically endorses NEA's Read Across America and Read Across America-NJ, and recommits our community to engage in programs and activities to make America's children the best readers in the world.

There was a motion by Councilwoman Fontanella, seconded by Councilwoman Festa to approve Raffle License Application No. 1566 for Passaic County CASA, Inc. for an On-Premise 50/50 to be held on February 3, 2011 at The Barnyard And Carriage House. 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 Waryas, seconded by Councilwoman Festa that the meeting be adjourned. On roll call vote, all members of the Council present voted in the affirmative.

Joseph Wassel, RMC
Municipal Clerk