

BOROUGH OF TOTOWA

MINUTES OF THE MAYOR AND COUNCIL

March 22, 2022

PRESENT: Mayor John Coiro, presiding, Council President Lou D'Angelo, Councilman Anthony Picarelli, Councilman William Bucher, Councilman John Capo, Councilman Patrick Fierro, Municipal Clerk Joseph Wassel and Municipal Attorney Kristin Corrado.

ABSENT: Councilwoman Debra Andriani.

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.

Municipal Clerk Wassel 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.

There were no reports.

CITIZENS HEARD:

There were no citizens who wished to be heard.

There was a motion by Councilman D'Angelo, seconded by Councilman Picarelli to approve the Minutes of the Mayor and Council for the meeting of March 8, 2022. 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. 2022-07 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 approve Resolution No. 2022-08 Authorizing The Transfer Of 2021 Budget Appropriations. 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 Settlement Of The 2020 And 2021 Tax Appeals Entitled Totowa Plaza Route 46 V. Borough Of Totowa. On roll call vote, all members of the Council present voted in the affirmative.

RESOLUTION NO. 42-2022

RESOLUTION AUTHORIZING SETTLEMENT OF THE 2020 AND 2021 TAX APPEALS ENTITLED TOTOWA PLAZA ROUTE 46 V. BOROUGH OF TOTOWA

WHEREAS, there have been appeals of the real property tax assessments for the stated tax years; and

WHEREAS, each Block and Lot listed therein was assessed at the amount stated therein; 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 these matters on the attached list are in the best interest of the Borough of Totowa.

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

1. The Borough's Tax Appeal Attorney, Raymond B. Reddin, Esq. is authorized to execute the Stipulation of Settlement on behalf of the Borough of Totowa with respect to the tax appeals on the attached list which are currently pending in the Tax Court of New Jersey.
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 D'Angelo, seconded by Councilman Capo to approve a grade increase for Patrol Officer Meagan Akins from Grade 3 Patrol Officer to Grade 2 Patrol Officer. 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 Capo to approve Fire Department TSAP for 2021. 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 Capo to approve payment of an additional contribution to the Borough Of Totowa First Aid Squad, Inc. in the amount of \$11,173.00 for their 2021 TSAP. On roll call vote, all members of the Council present voted in the affirmative.

COMMITTEE ON PUBLIC WORKS:

There was a motion by Councilman Bucher, seconded by Councilman Fierro to adopt the following Resolution Granting To The County Of Passaic A Guarantee In Lieu Of Performance Bond For Work Performed On A Passaic County Highway. On roll call vote, all members of the Council present voted in the affirmative.

RESOLUTION NO. 43-2022

RESOLUTION GRANTING TO THE COUNTY OF PASSAIC A GUARANTEE
IN LIEU OF PERFORMANCE BOND FOR WORK PERFORMED ON
A PASSAIC COUNTY HIGHWAY

WHEREAS, the Passaic County Board of Chosen Freeholders have adopted a Resolution known as the Highway Opening and Use Resolution; and

WHEREAS, the aforementioned Resolution provides that whenever a Highway Opening and Use Permit is issued, a performance bond must be posted with the County of Passaic; and

WHEREAS, from time to time, the Borough of Totowa will require a Highway Opening and Use Permit by the County of Passaic in order to perform work in, on, under or over the public right-of-way of the County in connection with the operation of Borough utilities; and

WHEREAS, the Borough of Totowa wishes to file a Guarantee in lieu of a Performance Bond in the amount of \$30,000.00 which shall cover any and all Highway Opening and Use Permits by the County of Passaic to the Borough of Totowa for the purpose of work within the County right of way for a period of two (2) years from the date of acceptance of the final restoration by the County Supervisor of Roads for which the permit has been issued; and

WHEREAS, this Guarantee is only required to be posted once and it will cover all Highway Opening and Use Permits issued to the Borough of Totowa by the County during the year 2022.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Totowa do hereby authorize the posting of a Guarantee in Lieu of a Performance Bond in the amount of \$30,000.00 for work performed within the right of way of the County.

COMMITTEE ON ENGINEERING & PUBLIC PROPERTY:

There was a motion by Councilman Capo, seconded by Councilman D'Angelo to adopt the following Resolution authorizing the Mayor to execute the NJDEP TWA-1 and Statements of Consent—Form WQM-003 on behalf of the Borough of Totowa for the Riverview Drive Pump Station, Block 120, Lot 1. On roll call vote, all members of the Council present voted in the affirmative.

RESOLUTION NO. 44-2022

WHEREAS, the Mayor and Council of the Borough of Totowa has determined that the existing Riverview Drive Pump Station, 100 Riverview Drive, Totowa, New Jersey 07512, Block No. 120, Lot No. 1, is in need of an upgrade; and

WHEREAS, the proposed project will upgrade the existing pump station to meet present and future flow requirements and will include replacing four dry pit submersible pumps; repairing areas of the external building; cleaning and upgrading the wet well with new exhaust fan, wet well cover, wet well lining, slide gates and level instrumentation; electrical upgrades including new generator, automatic transfer switch, new control room and electrical service; installing new influent manhole and piping leading to the grit chamber; building HVAC upgrades; and new process valves, piping and instrumentation; and

WHEREAS, Borough of Totowa is required to apply to the New Jersey Department of Environmental Protection (NJDEP) for a Treatment Works Approval (TWA) for the proposed project; and

WHEREAS, the Treatment Works Approval (TWA) permit application has been reviewed and approved by the Borough Engineer.

NOW, THEREFORE, BE IT RESOLVED, by the Municipal Council of the Borough of Totowa, County of Passaic, State of New Jersey that the Mayor of the Borough of Totowa be and is hereby authorized to execute the NJDEP TWA-1 Form and Statements of Consent – Form WQM-003 on behalf of the Borough of Totowa.

COMMITTEE ON LIAISON & INSPECTION:

There was a motion by Councilman Bucher, seconded by Councilman Fierro to adopt the following Resolution Authorizing The Borough Of Totowa To Enter Into A Developer's Agreement With Totowa Investment Group, LLC. On roll call vote, all members of the Council present voted in the affirmative.

RESOLUTION NO. 45-2022

RESOLUTION AUTHORIZING THE BOROUGH OF TOTOWA TO ENTER INTO A DEVELOPER'S AGREEMENT TOTOWA INVESTMENT GROUP, LLC

WHEREAS, Totowa Investment Group, LLC, 2 Bonnieview Lane, Towaco, New Jersey 07082 (hereinafter the "Developer") is the owner of real property set forth and designated as Lot 1, Blocks 100 and 148 and Lot 23, Block 149 on the official Tax and Assessment Map of the Borough of Totowa and commonly known as 515 Union Boulevard, Totowa, New Jersey 07512; and

WHEREAS, the property is located in the B-4 Local Business Zone District; and

WHEREAS, the Developer filed an application with the Borough of Totowa Zoning Board of Adjustment for various land use approvals, preliminary site plan approval and final site plan approval for the Union Boulevard property; and

WHEREAS, the Borough of Totowa Zoning Board of Adjustment at its public meetings held on April 14, 2021, May 12, 2021 and June 9, 2021 granted the preliminary and final site plan approval for the application filed by the Developer for the Union Boulevard property, subject to certain conditions and restrictions; and

WHEREAS, the Borough of Totowa Zoning Board of Adjustment approved the application on May 12, 2021 and memorialized its decision in a Resolution adopted by the Zoning Board on June 9, 2021; and

WHEREAS, one of the conditions of the approval granted by the Borough of Totowa Zoning Board of Adjustment was the requirement that Totowa Investment Group, LLC enter into a Developer's Agreement with the Borough of Totowa; and

WHEREAS, by Resolution No. 28-2022 dated December March 8, 2022, the Mayor and Council of the Borough of Totowa authorized the Municipal Attorney to prepare the Developer's Agreement between the Borough of Totowa and Totowa Investment Group, LLC.

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 a Developer's Agreement between the Borough of Totowa and Totowa Investment Group, LLC.

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 Bucher, seconded by Councilman Fierro to carry the Resolution Authorizing The Appointment Of An Affordable Housing Administrative Agent For The Borough Of Totowa. On roll call vote, all members of the Council present voted in the affirmative.

There was a motion by Councilman Bucher, seconded by Councilman Fierro to adopt the following Resolution Authorizing Contract For Geese Control Services For 2022. On roll call vote, all members of the Council present voted in the affirmative.

RESOLUTION NO. 46-2022

RESOLUTION AUTHORIZING CONTRACT FOR
GEESE CONTROL SERVICES FOR 2022

WHEREAS, the Borough of Totowa Board of Recreation has recommended that the Borough of Totowa hire a qualified company to provide safe and effective geese clearing and control services at all of the Borough of Totowa recreational ball fields; and

WHEREAS, the Mayor and Council of the Borough of Totowa have also determined that there is a need to retain a company that can provide these services to ensure the health and well-being of the residents of the Borough of Totowa; and

WHEREAS, the Borough of Totowa has solicited quotes for the necessary geese clearing services for all of the Borough of Totowa recreational fields as well as Washington Park School and the Municipal Complex; and

WHEREAS, Geese Chasers North Jersey LLC, P.O. Box 282, Great Meadows, New Jersey 07838 submitted a proposal dated March 16, 2022 to clear and maintain a virtually geese-free environment with the use of working border collies, a copy of which is on file in the office of the Borough of Totowa Municipal Clerk; and

WHEREAS, Geese Chasers North Jersey LLC will provide these services to the Borough of Totowa on an as needed basis for a term not to exceed a period of one (1) year; and

WHEREAS, pursuant to the applicable New Jersey State laws, the contract for these services may be authorized without public bidding since the total contract price 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 a contract with Geese Chasers North Jersey LLC for all necessary geese control and clearing services in accordance with the fee schedule set forth in their proposal.

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 Councilman Bucher, seconded by Councilman Fierro to adopt the following Resolution Authorizing The Provision Of A Grant Pursuant To The Borough Of Totowa Affordability Assistance Program For The Tenant Of An Affordable Housing Unit Located At Sunset Ridge At Totowa, 617 Preakness Avenue, Apartment 110. On roll call vote, all members of the Council present voted in the affirmative.

RESOLUTION NO. 47-2022

RESOLUTION AUTHORIZING THE PROVISION OF A GRANT PURSUANT TO THE BOROUGH OF TOTOWA AFFORDABILITY ASSISTANCE PROGRAM FOR THE TENANT OF AN AFFORDABLE HOUSING UNIT LOCATED AT SUNSET RIDGE AT TOTOWA, 617 PREAKNESS AVENUE, APARTMENT 110

WHEREAS, Applicant, Tamika Myles and NaSear Greene (“Tenant”) will be renting Apartment 110, Sunset Ridge at Totowa, 617 Preakness Avenue, Totowa, New Jersey 07512 (“Unit”), a property governed by the statutes, ordinances, rules and regulations restricting occupancy and use of the property as an affordable housing unit; and

WHEREAS, the Tenant is eligible for an Affordability Assistance Grant through the Borough of Totowa’s Affordability Assistance Program to pay for four month’s rent for the Unit; and

WHEREAS, the Borough of Totowa’s Affordable Housing Administrative Agent, Community Grants, Planning & Housing, LLC, (“CGP&H”) has reviewed the Tenant’s application and qualified the Tenant for the requested assistance; and

WHEREAS, the amount of the requested grant for the four month’s rent will be paid directly to the Landlord, (\$5,780.00) by the Borough of Totowa; and

WHEREAS, the Borough of Totowa is willing, pursuant to the Affordability Assistance Program, to extend a grant in the amount of \$5,780.00; and

WHEREAS, the funding for the grant will be from the Borough of Totowa Affordable Housing Trust Fund.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Totowa does hereby authorize the following:

1. The Borough of Totowa is hereby authorized, pursuant to the Borough of Totowa’s Affordability Assistance Program, to provide the Tenant with a grant to be used to pay four month’s rent for the Unit.

2. The Mayor, Municipal Clerk, Borough Attorney, CFO and such other staff and officials as may be appropriate are authorized to take such steps as may reasonably be required to implement this resolution, including issuance of the grant amount.

There was a motion by Councilman Bucher, seconded by Councilman Fierro to adopt the following Resolution Authorizing The Provision Of A Grant Pursuant To The Borough Of Totowa Affordability Assistance Program For The Tenant Of An Affordable Housing Unit Located At Sunset Ridge At Totowa, 617 Preakness Avenue, Apartment 310. On roll call vote, all members of the Council present voted in the affirmative.

RESOLUTION NO. 48-2022

RESOLUTION AUTHORIZING THE PROVISION OF A GRANT PURSUANT TO THE BOROUGH OF TOTOWA AFFORDABILITY ASSISTANCE PROGRAM FOR THE TENANT OF AN AFFORDABLE HOUSING UNIT LOCATED AT SUNSET RIDGE AT TOTOWA, 617 PREAKNESS AVENUE, APARTMENT 310

WHEREAS, Applicant, Adel L. Barsoum and Salwa N. Botros (“Tenant”) will be renting Apartment 310, Sunset Ridge at Totowa, 617 Preakness Avenue, Totowa, New Jersey 07512 (“Unit”), a property governed by the statutes, ordinances, rules and regulations restricting occupancy and use of the property as an affordable housing unit; and

WHEREAS, the Tenant is eligible for an Affordability Assistance Grant through the Borough of Totowa’s Affordability Assistance Program to pay for four month’s rent for the Unit; and

WHEREAS, the Borough of Totowa’s Affordable Housing Administrative Agent, Community Grants, Planning & Housing, LLC, (“CGP&H”) has reviewed the Tenant’s application and qualified the Tenant for the requested assistance; and

WHEREAS, the amount of the requested grant for the four month’s rent will be paid directly to the Landlord, (\$2,232.00) by the Borough of Totowa; and

WHEREAS, the Borough of Totowa is willing, pursuant to the Affordability Assistance Program, to extend a grant in the amount of \$2,232.00; and

WHEREAS, the funding for the grant will be from the Borough of Totowa Affordable Housing Trust Fund.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Totowa does hereby authorize the following:

1. The Borough of Totowa is hereby authorized, pursuant to the Borough of Totowa's Affordability Assistance Program, to provide the Tenant with a grant to be used to pay four month's rent for the Unit.
2. The Mayor, Municipal Clerk, Borough Attorney, CFO and such other staff and officials as may be appropriate are authorized to take such steps as may reasonably be required to implement this resolution, including issuance of the grant amount.

There was a motion by Councilman Bucher, seconded by Councilman Fierro to adopt the following Resolution Authorizing The Provision Of A Grant Pursuant To The Borough Of Totowa Affordability Assistance Program For The Tenant Of An Affordable Housing Unit Located At Sunset Ridge At Totowa, 617 Preakness Avenue, Apartment 410. On roll call vote, all members of the Council present voted in the affirmative.

RESOLUTION NO. 49-2022

RESOLUTION AUTHORIZING THE PROVISION OF A GRANT PURSUANT TO THE BOROUGH OF TOTOWA AFFORDABILITY ASSISTANCE PROGRAM FOR THE TENANT OF AN AFFORDABLE HOUSING UNIT LOCATED AT SUNSET RIDGE AT TOTOWA, 617 PREAKNESS AVENUE, APARTMENT 410

WHEREAS, Applicant, Joselyn Basauri ("Tenant") will be renting Apartment 410, Sunset Ridge at Totowa, 617 Preakness Avenue, Totowa, New Jersey 07512 ("Unit"), a property governed by the statutes, ordinances, rules and regulations restricting occupancy and use of the property as an affordable housing unit; and

WHEREAS, the Tenant is eligible for an Affordability Assistance Grant through the Borough of Totowa's Affordability Assistance Program to pay for four month's rent for the Unit; and

WHEREAS, the Borough of Totowa's Affordable Housing Administrative Agent, Community Grants, Planning & Housing, LLC, ("CGP&H") has reviewed the Tenant's application and qualified the Tenant for the requested assistance; and

WHEREAS, the amount of the requested grant for the four month's rent will be paid directly to the Landlord, (\$4,108.00) by the Borough of Totowa; and

WHEREAS, the Borough of Totowa is willing, pursuant to the Affordability Assistance Program, to extend a grant in the amount of \$4,108.00; and

WHEREAS, the funding for the grant will be from the Borough of Totowa Affordable Housing Trust Fund.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Totowa does hereby authorize the following:

1. The Borough of Totowa is hereby authorized, pursuant to the Borough of Totowa's Affordability Assistance Program, to provide the Tenant with a grant to be used to pay four month's rent for the Unit.
2. The Mayor, Municipal Clerk, Borough Attorney, CFO and such other staff and officials as may be appropriate are authorized to take such steps as may reasonably be required to implement this resolution, including issuance of the grant amount.

A letter from the Board of Health advising that the Annual Rabies Clinic will be held on Tuesday, May 3, 2022 from 7:00 – 8:00 p.m. at the DPW Garage was received and filed.

A letter from the Totowa PAL inviting the Mayor and Council to their Baseball & Softball Opening Day Ceremonies on Saturday, April 23, 2022 at 10:00 a.m. was received and filed.

COMMITTEE ON LEGISLATION & ORDINANCES:

There was a motion by Councilman Fierro, seconded by Councilman Picarelli to approve Raffle License Application Nos. 2260 & 2261 for The Diane D'Apolito-May "Beyond the Rainbow" Charitable Foundation for a Tricky Tray and Off-Premise 50/50 to be held on June 26, 2022 at The Barnyard. On roll call vote, all members of the Council present voted in the affirmative.

There was a motion by Councilman Fierro, seconded by Councilman Picarelli to approve Raffle License Application Nos. 2262 & 2263 for St. Joseph's Home for the Elderly of the Little Sisters of the Poor for a Tricky Tray and On-Premise 50/50 to be held on May 21, 2022. 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 D'Angelo, seconded by Councilman Picarelli that the meeting be adjourned. On roll call vote, all members of the Council present voted in the affirmative.

Joseph Wassel, RMC
Municipal Clerk