

BOROUGH OF TOTOWA

MINUTES OF THE MAYOR AND COUNCIL

September 13, 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: Announced that this Saturday we will be having the Community Health and Wellness Fair "Commit to be Fit" at the PAL from 10:00 a.m. to 1:00 p.m., with different health screenings, events for the kids, blood donation, emergency services demonstrations, etc.

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 August 23, 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. 2016-19 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>
9.13	88	104 Hickory Hill Blvd Young Sook Lee	Young Sook Lee Mail To: Simplicity Title 70 Grove Street Somerville, NJ 08876	\$2,974.05
81	14	60 Raphael Road Carmen Andiorio	Estate of Carmen Andiorio Mail To: Galante & Matthews 50 Galesi Drive Wayne, NJ 07470	\$2,268.56
13	14	96 Willard Ave. Steven Rodriguez	Steven Rodriguez	\$1,370.55

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 Application For Freeze Act Relief Pursuant To N.J.S.A. 54:3-26 Entitled Jo-EI Properties, LLC v. Borough Of Totowa, Based On The Passaic County Board Of Taxation Judgment For Block 127, Lot 11, Known As 7 Crescent Avenue 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. 126-2016

RESOLUTION OF THE MAYOR AND COUNCIL OF THE BOROUGH OF TOTOWA
AUTHORIZING SETTLEMENT OF THE APPLICATION FOR FREEZE ACT
RELIEF PURSUANT TO N.J.S.A. 54:3-26 ENTITLED JO-EL PROPERTIES, LLC V.
BOROUGH OF TOTOWA, BASED ON THE PASSAIC COUNTY
BOARD OF TAXATION JUDGMENT FOR BLOCK 127, LOT 11,
KNOWN AS 7 CRESCENT AVENUE IN THE
BOROUGH OF TOTOWA, PASSAIC COUNTY, NEW JERSEY

WHEREAS, the Passaic County Board of Taxation entered judgment on or about May 17, 2013 for appeal number 12-1306496L reducing the tax assessment for tax year 2013 on Block 127, Lot 11 from \$144,800 to \$75,000; and

WHEREAS, application for Freeze Act relief pursuant to N.J.S.A. 54:3-26 of the aforementioned judgment has been filed by the Taxpayer, Jo-EI Properties, LLC; and

WHEREAS, the proposed Application for Judgment Pursuant to N.J.S.A. 54:3-26, 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 Mayor and Council of the Borough of Totowa, as follows:

1. Application of the Freeze Act, N.J.S.A. 54:3-26, based on the Passaic County Board of Taxation judgment for tax year 2013, to the tax assessments for tax years 2014-2015 is hereby authorized as follows:

7 Crescent Avenue
 Block 127, Lot 11
Years: 2014, 2015

	<u>Original Assessment</u>	<u>Freeze Act Assessment</u>
Land:	\$ 96,500	\$50,000
Imprvts:	\$ 48,300	\$25,000
Total:	\$144,800	\$75,000

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.

There was a motion by Councilman Picarelli, seconded by Councilman D'Angelo to adopt the following Resolution To Acknowledge Receipt Of And Accept The 2015 Audit Corrective Action Plan. On roll call vote, all members of the Council present voted in the affirmative.

RESOLUTION NO. 127-2016

RESOLUTION TO ACKNOWLEDGE RECEIPT OF AND ACCEPT THE 2015 AUDIT CORRECTIVE ACTION PLAN

WHEREAS, by Resolution No. 20-2016 dated January 1, 2016, the Mayor and Council of the Borough of Totowa authorized the firm of Lerch, Vinci & Higgins, LLP, 17-17 Route 208, Fair Lawn, New Jersey 07410, to serve as the Municipal Auditor for the Borough of Totowa; and

WHEREAS, the professional services to be provided by the Municipal Auditor include but are not limited to auditing the financial statements for the Borough of Totowa; preparing the unaudited annual financial statement; review and certification of the annual budget; and preparing the annual debt statement and performing all general auditing services as needed; and

WHEREAS, the Municipal Auditor has completed the Borough of Totowa, Passaic County, New Jersey Report of Audit Year Ended December 31, 2015; and

WHEREAS, the Municipal Clerk and Chief Financial Officer/Treasurer prepared the 2015 Audit Corrective Action Plan based on the recommendations listed in the Audit Report, a copy of which is on file in the office of the Borough of Totowa Municipal Clerk; and

WHEREAS, copies of the 2015 Audit Corrective Action Plan have been distributed to the Mayor and Council of the Borough of Totowa and the Recommendations and 2015 Audit Corrective Action Plan have been forwarded to all affected personnel.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Totowa do hereby acknowledge receipt of and accept the 2015 Audit Corrective Action Plan as prepared by the Municipal Clerk and Chief Financial Officer/Treasurer.

COMMITTEE ON PUBLIC SAFETY:

There was a motion by Councilman Puglise, seconded by Councilwoman Fontanella to approve payment of the annual contribution for 2016 to the Borough Of Totowa First Aid Squad, Inc. in the amount of \$15,000.00. On roll call vote, all members of the Council present voted in the affirmative.

A letter of resignation was received from School Crossing Guard Susan Grotz. There was a motion by Councilman Puglise, seconded by Councilwoman Fontanella 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.

Upon the recommendation of the Committee, there was a motion by Councilman Puglise, seconded by Councilwoman Fontanella to appoint Stefanie Masi as a School Crossing Guard. On roll call vote, all members of the Council present voted in the affirmative.

MAYOR'S APPOINTMENT

I, Mayor John Coiro, with the advice and consent of the Council do hereby appoint Stefanie Masi as a School Crossing Guard for an unexpired term ending December 31, 2016.

There was a motion by Councilman Puglise, seconded by Councilwoman Fontanella to confirm the appointment. On roll call vote, all members of the Council present voted in the affirmative.

A letter was received from DPW Laborer Richard Schopperth requesting a day off with pay on Friday, September 16, 2016 to attend the New Jersey State Firemen's Convention as alternate delegate for Fire Chief Vincent Marciano. There was a motion by Councilman Puglise, seconded by Councilwoman Fontanella to approve his request. On roll call vote, all members of the Council present voted in the affirmative.

A letter from residents Michael and Shannon Greco thanking Police Chief Robert Coyle and the Totowa Police Department for a job well done day in and day out was received and filed.

COMMITTEE ON PUBLIC WORKS:

There was no report.

COMMITTEE ON ENGINEERING & PUBLIC PROPERTY:

There was a motion by Councilwoman Fontanella, seconded by Councilwoman Andriani to adopt the following Resolution Authorizing Professional Engineering Services For The Riverview Drive Pump Station Improvements. On roll call vote, all members of the Council present voted in the affirmative.

RESOLUTION NO. 128-2016

RESOLUTION AUTHORIZING PROFESSIONAL ENGINEERING SERVICES FOR THE RIVERVIEW DRIVE PUMP STATION IMPROVEMENTS

WHEREAS, the Borough of Totowa Sewer Department Superintendent has advised the Mayor and Council of the Borough of Totowa that various repairs are needed at the Riverview Drive Pump Station; and

WHEREAS, the proposed repairs include but are not limited to installation of new wet well ventilation as well as the replacement of grating, side gates, valves, a door and the automatic transfer switch; and

WHEREAS, the Mayor and Council of the Borough of Totowa desire to retain the services of a professional engineering firm to provide design services, prepare construction plans, specifications and bid documents, assist in the bidding process and supervise construction of the Project; and

WHEREAS, Richard A. Alaimo Engineering Associates has submitted a proposal dated February 4, 2016 to provide the design, bid assistance and construction supervision services for the Pump Station repairs at a cost not to exceed \$47,180.00, a copy of which is on file in the office of the Borough of Totowa Municipal Clerk; and

WHEREAS, the proposal also includes a task to complete an assessment of the overall facility and preparation of a Capital Improvement Plan for the Riverview Drive Pump Station; and

WHEREAS, the Mayor and Council of the Borough of Totowa on September 13, 2016 did examine the proposal submitted by Richard A. Alaimo Engineering Associates; and

WHEREAS, pursuant to the applicable New Jersey State laws, these professional services may be awarded without public bidding.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Totowa do hereby accept the proposal submitted by Richard A. Alaimo Engineering Associates for professional engineering services for the Riverview Drive Pump Station Improvements in the amount of \$47,180.00.

BE IT FURTHER RESOLVED, that the Mayor and Council of the Borough of Totowa do hereby authorize Richard A. Alaimo Engineering Associates to perform the professional services as set forth in their proposal.

A letter was received from the Serra Club requesting permission to use the Municipal Parking Lot on Saturday, October 29, 2016 for a trip 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. Councilman D'Angelo abstained from the voting.

COMMITTEE ON LIAISON & INSPECTION:

There was a motion by Councilwoman Andriani, seconded by Councilman Bucher to approve the 2016 Open Space & Farmland Preservation Trust Fund Agreement between the Borough of Totowa and County of Passaic for Kennedy Park Playground Equipment. On roll call vote, all members of the Council present voted in the affirmative.

There was a motion by Councilwoman Andriani, seconded by Councilman Bucher to adopt the following Resolution Authorizing A Pool Refund. On roll call vote, all members of the Council present voted in the affirmative.

RESOLUTION NO. 129-2016

RESOLUTION AUTHORIZING A POOL REFUND

WHEREAS, the Mayor and Council of the Borough of Totowa pursuant to the Code of the Borough of Totowa, Chapter 367 entitled "Swimming Pools", Article I, "Municipal Pool" and any amendments thereto, are authorized to annually establish the "fees" for the Totowa Municipal Swimming Pool; and

WHEREAS, by Resolution No. 53-2016 dated April 12, 2016, the Mayor and Council of the Borough of Totowa, after conferring with the Board of Recreation, approved the 2016 Fee schedule for the Totowa Municipal Swimming Pool; and

WHEREAS, the Borough of Totowa Municipal Swimming Pool was open from Friday, June 17, 2014 through Monday, September 5, 2016; and

WHEREAS, William and Nadine Ormsby, 44 Hudson Avenue, Totowa, New Jersey 07512 have requested a refund for a partial season family pool membership in the amount of \$236.00; and

WHEREAS, the Mayor and Council desire to authorize the refund of the partial season family pool membership in the amount of \$236.00.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Totowa do hereby authorize the refund of \$236.00 to William and Nadine Ormsby for the partial season family pool membership paid to the Borough of Totowa.

BE IT FURTHER RESOLVED, that the Borough of Totowa Treasurer is hereby authorized to issue a check in the amount of \$236.00 to William and Nadine Ormsby, 44 Hudson Avenue, Totowa, New Jersey 07512.

A letter of resignation was received from Board of Health Commissioner Mary Corrado. There was a motion by Councilwoman Andriani, seconded by Councilman Bucher 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.

Upon the recommendation of the Committee, there was a motion by Councilwoman Andriani, seconded by Councilman Bucher to appoint Rosemarie Aulino as a Board of Health Commissioner. On roll call vote, all members of the Council present voted in the affirmative.

MAYOR'S APPOINTMENT

I, Mayor John Coiro, with the advice and consent of the Council do hereby appoint Rosemarie Aulino as a Board of Health Commissioner for an unexpired term ending December 31, 2016.

There was a motion by Councilwoman Andriani, seconded by Councilman Bucher to confirm the appointment. 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 adopt the following Proclamation In Honor And Recognition Of Father J. Patrick Ryan. On roll call vote, all members of the Council present voted in the affirmative.

PROCLAMATION IN HONOR AND RECOGNITION OF FATHER J. PATRICK RYAN

WHEREAS, J. Patrick Ryan was ordained in 1976 in Albany, New York and came to New Jersey in 1995; and

WHEREAS, Father Patrick served as the Pastor at Blessed Sacrament Church in Paterson, New Jersey for 8 years and in July of 2011, he was appointed as the Pastor of St. James of the Marches Church in Totowa, New Jersey; and

WHEREAS, Father Patrick is a Dean of the Clergy and serves as Chaplain to the Totowa Police Department, Passaic County Sheriff's Department and the Passaic County Police Academy; and

WHEREAS, Father Patrick is the son and grandson of New York City Police Officers and has two brothers-in-law who were members of the FDNY and for his efforts in supporting first responders at the site of 9/11, he was recognized by the City Council of New York for "giving hundreds of hours mentoring to those in recovery efforts and for being a source of support, inspiration, encouragement and strength to the survivors of the terrorist attack on the World Trade Center"; and

WHEREAS, Father Patrick holds four Master's Degrees including one in counseling and one in psychology and holds a doctorate as well; and

WHEREAS, Father Patrick also serves as a member of a number of boards in the area and he is honored to work with the Fire Fighters of Paterson; and

WHEREAS, on September 25, 2016, Father Patrick will celebrate his 40th anniversary of ordination to the priesthood; and

WHEREAS, the Mayor and Council of the Borough of Totowa wish to publicly honor Father J. Patrick Ryan on his 40th anniversary for his commitment and service to God as well as to the parishioners of St. James and the residents of Totowa.

NOW, THEREFORE, BE IT PROCLAIMED that the Mayor and Council of the Borough of Totowa, County of Passaic and State of New Jersey do hereby give special recognition to Father J. Patrick Ryan for his distinguished career and devoted service to our community.

BE IT FURTHER PROCLAIMED that this Proclamation be made a part of the permanent records of the Borough of Totowa and that a copy of said Proclamation be presented to Father J. Patrick Ryan.

There was a motion by Councilman Bucher, seconded by Councilman Picarelli to approve Raffle License Application Nos. 1951 & 1952 for Helpful Hands, Northeast Regional Early Intervention Collaborative, Inc. for a Casino Night and Off-Premise 50/50 to be held on November 5, 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. 1953 & 1954 for the Wayne Council of PTO's for an Arm Chair Race and On-Premise 50/50 to be held on October 21, 2016 at The Barnyard & Carriage House. 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. 1955 & 1956 for Little Falls School #2 PTA for a Tricky Tray and On-Premise 50/50 to be held on November 3, 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