

BOROUGH OF TOTOWA

MINUTES OF THE MAYOR AND COUNCIL

September 24, 2024

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

There was a motion by Councilman D'Angelo, seconded by Councilman Picarelli to dispense with the regular order of business in order to enable the Mayor and Council to present Sports Award Certificates to the 2024 Totowa 10U Travel Softball Team Bergen County Girls Softball League champions players and coaches. On roll call vote, all members of the Council present voted in the affirmative.

Mayor Coiro remarked that it is always a nice night for us to celebrate our youth, and we are proud and honored to do so tonight, especially when our team beats another town's team and congratulated all the softball players and coaches on winning the championship, then mentioned how it is great that they are involved in team sports as it teaches you about teamwork, hard work and dedication.

Mayor Coiro began by calling up Head Coach Vinny Varcadipane, Coach Darel Buffa, Coach Iram Granados and Coach Fernando Lamberty and presented each with a Sports Award Certificate. Head Coach Vinny Varcadipane thanked the Mayor and Council for honoring the team and gave a recap of their season and said they only lost one game during the season before winning it all after a stretch of 12 – 15 games over 8 days. Mayor Coiro then called up the players and presented each with a Sports Award Certificate.

Mayor Coiro announced that we would take a short recess so pictures could be taken of the team.

There was a motion by Councilman D'Angelo, seconded by Councilman Picarelli 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 Reynoso: 1) Announced that the Board of Recreation will be hosting its Trunk or Treat on October 24th and also its Howl-O-Ween Dog Parade on October 20th, both at the Peterson Road Municipal Parking Lot; 2) Thanked the Police Department and the Fire Department for participating in a drive by for a Passaic Valley High School student who was injured after taking a line drive to his head.

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 September 10, 2024. 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. 2024-20 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 Certifying That The Governing Body Has Complied With N.J.A.C. 5:30-6.5 Pertaining To The Annual Audit. On roll call vote, all members of the Council present voted in the affirmative.

RESOLUTION NO. 116-2024

RESOLUTION CERTIFYING THAT THE GOVERNING BODY HAS COMPLIED WITH N.J.A.C. 5:30-6.5 PERTAINING TO THE ANNUAL AUDIT

WHEREAS, N.J.S.A. 40A:5-4 requires the governing body of every local unit to have made an annual audit of its books, accounts and financial transactions; and

WHEREAS, the Annual Report of Audit for the year 2023 has been filed by a Registered Municipal Accountant with the Municipal Clerk pursuant to N.J.S.A. 40A:5-6, and a copy has been received by each member of the governing body; and

WHEREAS, R.S. 52:27BB-34 authorizes the Local Finance Board of the State of New Jersey to prescribe reports pertaining to the local fiscal affairs; and

WHEREAS, the Local Finance Board has promulgated N.J.A.C. 5:30-6.5, a regulation requiring that the governing body of each municipality shall by resolution certify to the Local Finance Board of the State of New Jersey that all members of the governing body have reviewed, as a minimum, the sections of the annual audit entitled "Comments and Recommendations"; and

WHEREAS, the members of the governing body have personally reviewed as a minimum the Annual Report of Audit, and specifically the sections of the Annual Audit entitled “Comments and Recommendations” as evidenced by the group affidavit form of the governing body attached hereto; and

WHEREAS, such resolution of certification shall be adopted by the governing body no later than forty-five days after the receipt of the annual audit, pursuant to N.J.A.C. 5:30-6.5; and

WHEREAS, all members of the governing body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board; and

WHEREAS, failure to comply with the regulations of the Local Finance Board of the State of New Jersey may subject the members of the local governing body to the penalty provisions of R.S. 52:27BB-52 – to wit:

R.S. 52:27BB-52 – “A local Officer or member of a local governing body who, after a date fixed for compliance, fails or refuses to obey an order of the director (Director of Local Government Services), under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than one thousand dollars (\$1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his office.”

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Totowa, hereby states that it has complied with N.J.A.C. 5:30-6.5 and does hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

COMMITTEE ON PUBLIC SAFETY:

A letter from Fire Chief Rich Schopperth advising of changes – the removal of four members due to lack of response – to the Fire Department roster was received and filed.

COMMITTEE ON PUBLIC WORKS:

There was no report.

COMMITTEE ON ENGINEERING & PUBLIC PROPERTY:

There was a motion by Councilman Capo, seconded by Councilman Reynoso to adopt the following Resolution Authorizing The Removal And Rebuilding Of A Motor At The Riverview Sewer Pump Station. On roll call vote, all members of the Council present voted in the affirmative.

RESOLUTION NO. 117-2024

RESOLUTION AUTHORIZING THE REMOVAL AND REBUILDING OF A
MOTOR AT THE RIVERVIEW SEWER PUMP STATION

WHEREAS, the Borough of Totowa Department of Public Works (“DPW”) Superintendent has advised the Mayor and Council of the Borough of Totowa that the 150 HP motor at the Riverview Sewer Pump Station is no longer working satisfactorily and must be repaired as soon as possible; and

WHEREAS, the 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 DPW Superintendent has recommended that the motor be removed and rebuilt; and

WHEREAS, North Jersey Wastewater Cooperative Pricing System Contract No. B414-6 has been awarded to Precision Electric Motor Works, Inc., 18 Sebago Street, Clifton, New Jersey 07013 for the repair, replacement and/or installation of pumps and motors; and

WHEREAS, Precision Electric Motor Works, Inc. has submitted a proposal dated September 4, 2024 for the removal and rebuilding of the motor in the amount of \$24,665.00 a copy of which is on file on the office of the Borough of Totowa Municipal Clerk; and

WHEREAS, the Mayor and Council of the Borough of Totowa desire to authorize the necessary repair of the 150 HP motor at the Riverview Sewer Pump Station for the general health, safety and well-being of the residents of the Borough of Totowa; and

WHEREAS, pursuant to Local Public Contracts Law, the removal and rebuilding of the 150 HP motor may be authorized 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 proposal submitted by Precision Electric Motor Works, Inc. for the removal and rebuilding of the 150 HP motor at the Riverview Sewer Pump Station in the amount of \$24,665.00.

BE IT FURTHER RESOLVED, that the Mayor and Council of the Borough of Totowa do hereby authorize Precision Electric Motor Works, Inc. to provide the labor and materials for the removal and replacement of the 150 HP motor at the Riverview Sewer Pump Station as set forth in their proposal.

There was a motion by Councilman Capo, seconded by Councilman Reynoso to adopt the following Resolution Authorizing Tree Removal And Tree Trimming At The PAL Recreational Fields By Hudson Avenue. On roll call vote, all members of the Council present voted in the affirmative.

RESOLUTION NO. 118-2024

RESOLUTION AUTHORIZING TREE REMOVAL AND TREE TRIMMING AT THE PAL RECREATIONAL FIELDS BY HUDSON AVENUE

WHEREAS, the Borough of Totowa Department of Public Works (“DPW”) Superintendent has recommended the removal and trimming of trees located within the municipal buffer at the PAL Recreational Fields by Hudson Avenue; and

WHEREAS, Morris County Cooperative Pricing Council Contract No. 18 has been awarded to Tree King, 12 Lenel Road, Landing, New Jersey 07850 for tree removal and tree trimming services; and

WHEREAS, Tree King has submitted a proposal dated August 27, 2024 for tree removal and tree trimming services at the PAL Recreational Fields in the amount of \$45,000.00 a copy of which is on file on the office of the Borough of Totowa Municipal Clerk; and

WHEREAS, the Mayor and Council of the Borough of Totowa desire to authorize the tree removal and tree trimming services at the PAL Recreational Fields by Hudson Avenue; and

WHEREAS, pursuant to Local Public Contracts Law, the tree removal and tree trimming services may be authorized 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 proposal submitted by Tree King for tree removal and tree trimming services at the PAL Recreational Fields by Hudson Avenue in the amount of \$45,000.00.

BE IT FURTHER RESOLVED, that the Mayor and Council of the Borough of Totowa do hereby authorize Tree King to provide the labor and materials for the tree removal and tree trimming services at the PAL Recreational Fields by Hudson Avenue as set forth in their proposal.

COMMITTEE ON LIAISON & INSPECTION:

There was no report.

COMMITTEE ON LEGISLATION & ORDINANCES:

There was a motion by Councilman Fierro, seconded by Councilman Picarelli 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. 15-2024

AN ORDINANCE TO AMEND THE ORDINANCE FIXING THE ANNUAL SALARIES AND WAGES OF THE OFFICIALS, EMPLOYEES AND THE APPOINTEES OF THE BOROUGH OF TOTOWA, COUNTY OF PASSAIC, STATE OF NEW JERSEY

There was a motion by Councilman Fierro, seconded by Councilman Picarelli 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. 16-2024

AN ORDINANCE TO AMEND THE CODE OF THE BOROUGH OF TOTOWA CHAPTER 115 ENTITLED "ANIMALS" TO CREATE A NEW SECTION TO BE KNOWN AS ARTICLE III TO BE ENTITLED "PET WASTE"

There was a motion by Councilman Fierro, seconded by Councilman Picarelli 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. 17-2024

**AN ORDINANCE TO AMEND THE CODE OF THE BOROUGH OF TOTOWA
CHAPTER 352 ENTITLED "STORMWATER CONTROL" TO CREATE
A NEW SECTION TO BE KNOWN AS ARTICLE II TO BE ENTITLED
"PRIVATELY-OWNED SALT STORAGE"**

There was a motion by Councilman Fierro, seconded by Councilman Picarelli 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. 18-2024

**AN ORDINANCE TO AMEND THE CODE OF THE BOROUGH OF TOTOWA
CHAPTER 415 ENTITLED "ZONING AND LAND USE", PART 1,
"GENERAL PROVISIONS", PART 3, "SUBDIVISION AND
SITE PLAN REVIEW", AND PART 4, "ZONING"**

There was a motion by Councilman Fierro, seconded by Councilman Picarelli to adopt the following Resolution Recognizing September 2024 As Ovarian Cancer Awareness Month In The Borough Of Totowa. On roll call vote, all members of the Council present voted in the affirmative.

RESOLUTION NO. 119-2024

**RESOLUTION RECOGNIZING SEPTEMBER 2024 AS OVARIAN CANCER
AWARENESS MONTH IN THE BOROUGH OF TOTOWA**

WHEREAS, Ovarian cancer is the 5th leading cause of death among women and the American Cancer Society estimates each year approximately 19,680 women will be diagnosed with ovarian cancer in 2024 and 12,740 individuals will die from the disease nationwide, including 590 new cases and 340 deaths in New Jersey; and

WHEREAS, in the United States, a woman's lifetime risk of being diagnosed with ovarian cancer is about 1 in 87; and

WHEREAS, due to vague symptoms and the lack of reliable early detection test most women are not diagnosed until Stage III or later, when the cancer has already begun to spread to the lymph nodes and outside of the pelvis; and

WHEREAS, although the five-year survival rate for Stage I ovarian cancer is over 90 percent, only 15 percent of ovarian cancers are diagnosed at this early stage, and the five-year survival rate for late-stage ovarian cancer is below 30 percent; and

WHEREAS, while a mammogram can detect breast cancer and a pap smear can detect cervical cancer, there is no reliable early detection test for ovarian cancer; and

WHEREAS, women's lives can be saved through increased public awareness of ovarian cancer and its risk factors, signs, and symptoms; and

WHEREAS, this month, the Borough of Totowa joins all those who are battling ovarian cancer, those who have lost their lives to the disease, their loved ones, and our state's many dedicated healthcare workers in spreading awareness, committing to public education, and embracing hope for better diagnoses, treatments and a cure.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Totowa, do hereby recognize September 2024 as Ovarian Cancer Awareness Month in the Borough of Totowa, County of Passaic, New Jersey.

BE IT FURTHER RESOLVED, that the Mayor and Council of the Borough of Totowa do hereby encourage all residents of the Borough to observe Ovarian Cancer Awareness Month and support the cause that so deeply impacts families in every community across our country.

There was a motion by Councilman Fierro, seconded by Councilman Picarelli to approve the Application For Social Affair Permit from the State Of New Jersey Division Of Alcoholic Beverage Control for the Passaic Valley Elks BPOE #2111 to be held on October 12, 2024 from 5:00 p.m. – 11:59 p.m. 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. 2394 & 2395 for the Zeta Phi Beta Sorority, Inc. for a Tricky Tray and On-Premise 50-50 to be held on November 7, 2024 at The Grand. 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. 2396 & 2397 for the North Jersey Elks Developmental Disabilities Agency for a Tricky Tray and On-Premise 50-50 to be held on October 17, 2024 at the Passaic Valley Elks Lodge. 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 No. 2398 for the Borough of Totowa First Aid Squad, Inc. for an Off-Premise 50/50 to be held on November 29, 2024. 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 carry the Resolution Authorizing The Renewal Of Division Of Alcoholic Beverage Control Liquor Licenses For The 2024 – 2025 License Term for further information. 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