

BOROUGH OF TOTOWA

MINUTES OF THE MAYOR AND COUNCIL

June 25, 2024

PRESENT: Mayor John Coiro, presiding, Council President Lou D'Angelo, Councilman Anthony Picarelli, Councilman William Bucher, Councilman John Capo, Councilman Sanders Reynoso, Deputy Municipal Clerk Kathryn Wasilewski and Municipal Attorney Kristin Corrado.

ABSENT: Councilman Patrick Fierro and Municipal Clerk Joseph Wassel.

Mayor John Coiro called the meeting to order and asked the Deputy Municipal Clerk to call the roll.

Deputy Municipal Clerk Wasilewski recited the Prayer of the Meeting followed with the Pledge of Allegiance to the Flag with the public participating.

Mayor Coiro asked the Deputy Municipal Clerk to read the statement of the meeting.

Deputy Municipal Clerk Wasilewski 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 Deputy Municipal Clerk or the Municipal Attorney wished to address the Council.

Happy Birthday greetings were extended to Kristin Corrado.

Councilman Reynoso: Announced the following: 1) That the Pool and Camp are running okay; 2) That the playground at the Pool looks nice; 3) The Yankees game was a success with 52 attendees; 4) The Mets game is set for June 30th; 5) That the concert scheduled for tomorrow night is being cancelled due to the storms coming.

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 June 11, 2024. On roll call vote, all members of the Council present voted in the affirmative. Councilman Capo abstained from the voting.

COMMITTEE ON FINANCE:

There was a motion by Councilman Picarelli, seconded by Councilman D'Angelo to approve Resolution No. 2024-14 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 Confirming Cases For Special Tax Appeals. On roll call vote, all members of the Council present voted in the affirmative.

RESOLUTION NO. 89-2024

RESOLUTION CONFIRMING CASES FOR SPECIAL TAX APPEALS

WHEREAS, by Resolution No. 42-2024 dated February 27, 2024, the Mayor and Council of the Borough of Totowa authorized Charles E. Blau, Esq., Blau & Blau, Attorneys at Law, to serve as the Borough of Totowa Special Tax Appeal Counsel and provide professional legal services for the Borough of Totowa; and

WHEREAS, the professional services to be provided by Special Tax Appeal Counsel include but are not limited to reviewing all property classes, making appeal recommendations for properties that are substantially under-assessed, and performing all professional services necessary for filing reverse tax appeals which are designed to accurately and equitably apportion the real estate tax burden among the existing properties within the Borough of Totowa; and

WHEREAS, Blau & Blau have filed such appeals for 2024; and

WHEREAS, the appeals that have been filed have been specifically authorized by a Resolution of the Governing Body of the Borough of Totowa; and

WHEREAS, the Mayor and Council of the Borough of Totowa desire to ratify the actions taken by Blau & Blau as Special Tax Appeal Counsel on behalf of the Borough of Totowa.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Totowa do hereby authorize the filing of appeals to increase the assessments on the properties listed on Schedule A which is attached hereto and incorporated by reference.

COMMITTEE ON PUBLIC SAFETY:

There was a motion by Councilman D'Angelo, seconded by Councilman Capo to adopt the following Resolution Authorizing The Purchase And Delivery Of Phase 3 Gear Replacement For The Fire Department. On roll call vote, all members of the Council present voted in the affirmative.

RESOLUTION NO. 90-2024

RESOLUTION AUTHORIZING THE PURCHASE AND DELIVERY OF
PHASE 3 GEAR REPLACEMENT FOR THE FIRE DEPARTMENT

WHEREAS, the Borough of Totowa Fire Chief has requested the purchase and delivery of new Phase 3 gear for the members of the Borough of Totowa Fire Department; and

WHEREAS, the new gear will replace worn out protective clothing and equipment; and

WHEREAS, the Mayor and Council of the Borough of Totowa have determined that there is a need for this new protective clothing and equipment which will safeguard our volunteer firefighters as they respond to emergency calls; and

WHEREAS, the Mayor and Council of the Borough of Totowa desire to authorize the purchase and delivery of new Phase 3 gear for the Fire Department; and

WHEREAS, State of New Jersey Contract No. T-0790 has been awarded to New Jersey Fire Equipment Co., 119-131 Route 22 East, Green Brook, New Jersey 08812 for the purchase and delivery of new firefighter protective clothing and gear; and

WHEREAS, pursuant to the applicable New Jersey State laws, the purchase of this equipment may be authorized without public bidding.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Totowa do hereby authorize the purchase and delivery of new Phase 3 gear for the Fire Department in the amount of \$99,150.15.

BE IT FURTHER RESOLVED, that the Mayor and Municipal Council of the Borough of Totowa do hereby authorize the Municipal Clerk and Fire Chief to execute any and all instruments relating thereto.

There was a motion by Councilman D'Angelo, seconded by Councilman Capo to approve Fireman's applications, the purchase of fireman's equipment and authorize fireman's physicals for Sean P. Puglise and Taras John Dalgakiran for Volunteer Company No. 1, Osvaldo R. Perez Gomez and Gabriel Andres Santiago for Lincoln Fire Company and Ryan M. DeNunzio for Fire Rescue. 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 Junior Firefighter application for Kenneth R. Van Winkle for Fire Rescue. On roll call vote, all members of the Council present voted in the affirmative.

A letter of resignation was received from School Crossing Guard Roy Wells. There was a motion by Councilman D'Angelo, seconded by Councilman Capo to accept his resignation. 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 D'Angelo to adopt the following Resolution To Submit A Grant Application And Execute A Grant Agreement With The New Jersey Department Of Transportation For The 2025 Municipal Aid Application For The Sandra Drive, Duffus Avenue And Mair Avenue Improvement Project. On roll call vote, all members of the Council present voted in the affirmative.

RESOLUTION NO. 91-2024

RESOLUTION TO SUBMIT A GRANT APPLICATION AND EXECUTE
A GRANT AGREEMENT WITH THE NEW JERSEY DEPARTMENT OF
TRANSPORTATION FOR THE 2025 MUNICIPAL AID APPLICATION FOR THE
SANDRA DRIVE, DUFFUS AVENUE AND MAIR AVENUE IMPROVEMENT PROJECT

WHEREAS, the Borough of Totowa continues to develop projects that will improve access and maintenance on public roads; and

WHEREAS, the Borough of Totowa's Engineer has provided plans specifically designed to address and improve traffic flow/safety issues and maintenance on our roads; and

WHEREAS, the Borough of Totowa has submitted plans to the State of New Jersey, Department of Transportation for Municipal Aid in the past and will continue to do so in the future; and

WHEREAS, the Borough of Totowa has identified Sandra Drive, Duffus Avenue and Mair Avenue to be in desperate need of repair.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Totowa, in the County of Passaic, State of New Jersey formally approve the grant application for the Sandra Drive, Duffus Avenue and Mair Avenue Improvement Project.

BE IT FURTHER RESOLVED, that the Mayor and Municipal Clerk are hereby authorized to submit an electronic grant application identified as "MA-2025-Totowa Borough-Sandra Drive, Duffus Avenue and Mair Avenue Improvement Project-00429" to the New Jersey Department of Transportation on behalf of the Borough of Totowa.

BE IT FURTHER RESOLVED, that the Mayor and Municipal Clerk are hereby authorized to sign the grant agreement on behalf of the Borough of Totowa and that their signatures constitute acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

COMMITTEE ON ENGINEERING & PUBLIC PROPERTY:

There was a motion by Councilman Capo, seconded by Councilman Reynoso to adopt the following Resolution Authorizing Emergency Sanitary Sewer Repairs Near 465 Route 46. On roll call vote, all members of the Council present voted in the affirmative.

RESOLUTION NO. 92-2024

RESOLUTION AUTHORIZING EMERGENCY SANITARY SEWER
REPAIRS NEAR 465 ROUTE 46

WHEREAS, the Superintendent of the Borough of Totowa Department of Public Works (“DPW”) has advised the Mayor and Council of the Borough of Totowa that the sanitary sewer line located near 465 Route 46 was leaking and needed to be repaired and/or replaced as soon as possible; and

WHEREAS, the sewer leak was negatively impacting the nearby businesses located along Route 46; and

WHEREAS, the necessary repairs to the sanitary sewer line included but were not limited to saw-cutting and removing the existing asphalt, excavating the outside sanitary manhole to expose the leak, installing a shoring box during excavation, removing and disposing of the damaged piping; installing new 6” solid sleeves, repairing the manhole around the piping, backfilling and repaving the area; and

WHEREAS, the Borough of Totowa DPW Superintendent solicited quotes from companies experienced in sanitary sewer repairs; and

WHEREAS, FSC Leak Detection, 805 Preakness Avenue, Wayne, New Jersey 07470 submitted a proposal for the removal and replacement of the sanitary sewer line in the amount of \$14,171.78, 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 these necessary repairs as well as the installation of the new sanitary sewer line near 465 Route 46 for the general health, safety and well-being of the residents of the Borough of Totowa; and

WHEREAS, pursuant to N.J.S.A. 40A:11-6, the repairs and replacement of this sewer line constitutes an emergency service that 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 FSC Leak Detection for the removal and replacement of the sanitary sewer line near 465 Route 46 in the amount of \$14,171.78.

BE IT FURTHER RESOLVED, that the Mayor and Council of the Borough of Totowa do hereby authorize FSC Leak Detection to provide the labor and materials for the emergency repairs to the sanitary sewer line near 465 Route 46 as set forth in their proposal.

There was a motion by Councilman Capo, seconded by Councilman Reynoso to adopt the following Resolution Authorizing The Purchase And Installation Of Two Submersible Sewage Pumps For The South End Pump Station. On roll call vote, all members of the Council present voted in the affirmative.

RESOLUTION NO. 93-2024

RESOLUTION AUTHORIZING THE PURCHASE AND INSTALLATION OF TWO
SUBMERSIBLE SEWAGE PUMPS FOR THE SOUTH END 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 two submersible sewage pumps at the South End Pump Station are no longer working satisfactorily and must be replaced 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 Borough of Totowa remove the existing sewage pumps and replace them with two new submersible sewage pumps; and

WHEREAS, North Jersey Wastewater Cooperative Pricing System Contract No. B331-8 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

WHEREAS, Precision Electric Motor Works, Inc., has submitted a proposal dated July 5, 2023 for the purchase and installation of two Homa AMS444-300-34.5FUFM Dry Pit submersible sewage pumps in the amount of \$208,244.00, a copy of which is on file on the office of the Borough of Totowa Municipal Clerk; and

WHEREAS, the proposal includes shipping costs for the delivery of the new pumps as well as all related labor costs and materials needed for the installation of the pumps; and

WHEREAS, the Mayor and Council of the Borough of Totowa desire to authorize these necessary repairs for the South End 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 purchase and installation of these two sewage pumps 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 purchase and installation of two Homa AMS444-300-34.5FUFM Dry Pit submersible sewage pumps at the South End Pump Station in the amount of \$208,244.00.

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 installation of the two Homa AMS444-300-34.5FUFM Dry Pit submersible sewage pumps at the South End Pump Station as set forth in their proposal.

A letter was received from the Totowa Seniors requesting permission to use the Municipal Parking Lot on Monday, September 30, 2024 for a trip to Wind Creek Casino in Bethlehem, PA. There was a motion by Councilman Capo, seconded by Councilman Reynoso to grant permission. On roll call vote, all members of the Council present voted in the affirmative.

COMMITTEE ON LIAISON & INSPECTION:

There was a motion by Councilman Reynoso, seconded by Councilman Bucher to adopt the following Resolution Approving The Menu And Price List For 2024 For The Totowa Swimming Pool. On roll call vote, all members of the Council present voted in the affirmative.

RESOLUTION NO. 94-2024

RESOLUTION APPROVING THE MENU AND PRICE LIST FOR 2024 FOR THE TOTOWA SWIMMING POOL

WHEREAS, the Borough of Totowa Board of Recreation has requested permission to sell drinks and snacks from the Totowa Swimming Pool Concession stand for the 2024 Pool season; and

WHEREAS, the Mayor and Council of the Borough of Totowa after conferring with the Board of Recreation and for good cause shown has approved the following 2024 menu and Price List for the Totowa Swimming Pool:

2024 Menu and Price List

Chips/Snacks	\$1.25
Water	\$1.50
Soda	\$2.00
Ice Cream	\$3.00

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Totowa has adopted the aforementioned Menu and Price List for the Totowa Swimming Pool.

There was a motion by Councilman Reynoso, seconded by Councilman Bucher to adopt the following Resolution Authorizing The Borough Of Totowa To Enter Into An Agreement With Tilcon New York, Inc. And Passaic County. On roll call vote, all members of the Council present voted in the affirmative.

RESOLUTION NO. 95-2024

RESOLUTION AUTHORIZING THE BOROUGH OF TOTOWA TO ENTER INTO AN AGREEMENT WITH TILCON NEW YORK, INC. AND PASSAIC COUNTY

WHEREAS, Tilcon New York, Inc. ("Tilcon"), with corporate offices at 9 Entin Road, Parsippany, New Jersey 07054 is the owner of real property designated as Block 171, Lots 12, 12.01, 12.02 and 13 on the official tax map of the Borough of Totowa and commonly known as 859 Riverview Drive, Totowa, New Jersey 07512; and

WHEREAS, Tilcon operates an asphalt plant on the property, a portion of which also fronts Minnisink Road in the Borough of Totowa; and

WHEREAS, the property is located in the I-2 Restricted Industry Zone; and

WHEREAS, Tilcon filed an application with the Borough of Totowa Zoning Board of Adjustment for amended preliminary and final site plan approval with variances for approval of an existing non-conforming drum plant and rebuilding a previously existing non-conforming asphalt batch plant for the Riverview Drive property; and

WHEREAS, the Borough of Totowa Zoning Board of Adjustment approved the application on February 8, 2023 and memorialized its decision in a Resolution adopted by the Zoning Board on March 8, 2023; and

WHEREAS, Tilcon also submitted an application to the Passaic County Planning Board for site plan approval and the County Planning Board granted conditional approval on April 23, 2024 subject to certain terms and conditions; and

WHEREAS, Condition Number 5 requires Tilcon to enter into an “If and When” agreement to install a 5-foot-wide sidewalk and a 3-foot grass strip along Minnisink Road, at a later date, if and when requested by either the Borough of Totowa or Passaic County; and

WHEREAS, the Mayor and Council of the Borough of Totowa desire to memorialize the terms and conditions of the “If and When” agreement with Tilcon and Passaic County; and

WHEREAS, the Mayor and Council of the Borough of Totowa further also desire to enter in the aforesaid agreement with Tilcon and Passaic County.

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 an Agreement with Tilcon and Passaic County requiring Tilcon to install a 5-foot-wide sidewalk and a 3-foot grass strip along Minnisink Road, at a later date, if and when requested by either the Borough of Totowa or Passaic County.

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.

COMMITTEE ON LEGISLATION & ORDINANCES:

There was a motion by Councilman Picarelli, seconded by Councilman Reynoso to adopt the following Resolution Authorizing The Renewal Of Division Of Alcoholic Beverage Control Liquor Licenses For The 2024 – 2025 License Term. On roll call vote, all members of the Council present voted in the affirmative.

RESOLUTION NO. 96-2024

RESOLUTION AUTHORIZING THE RENEWAL OF
DIVISION OF ALCOHOLIC BEVERAGE CONTROL LIQUOR LICENSES
FOR THE 2024 – 2025 LICENSE TERM

WHEREAS, Division of Alcoholic Beverage Control (ABC) liquor licenses that have been issued by the Borough of Totowa during the 2023 – 2024 license term will expire on June 30th; and

WHEREAS, State and Municipal regulations require that ABC liquor licenses be renewed prior to July 1, 2024; and

WHEREAS, the Division of Alcoholic Beverage Control (ABC) has introduced POSSE ABC, an electronic web based licensing system; and

WHEREAS, licensees have filed their renewal applications online through POSSE ABC, have received their Alcoholic Beverage Retail Licensee Clearance Certificate and have paid their State and Municipal fees.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Totowa that the Municipal Clerk be authorized to issue an ABC License to the following licensed premises for the 2024 – 2025 license term.

1612-33-003-004 Anthony Murphy, Inc.
1612-31-012-001 Totowa Boro Memorial Post 227 The American Legion

There was a motion by Councilman Picarelli, seconded by Councilman Reynoso 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 July 6, 2024 from 12:00 p.m. – 10:00 p.m. 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.

Kathryn Wasilewski
Deputy Municipal Clerk