

BOROUGH OF TOTOWA

MINUTES OF THE MAYOR AND COUNCIL

August 13, 2024

PRESENT: Mayor John Coiro, presiding, 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: Council President Lou D'Angelo.

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.

Mayor Coiro asked if any members of the Council, the Municipal Clerk or the Municipal Attorney wished to address the Council.

Councilman Reynoso: 1) Reminded everyone about the Memories of Elvis Summer Concert tomorrow; 2) Advised that there will be a historical bike tour on August 25th.

Councilman Picarelli: Extended his condolences to Councilman Reynoso and his family on the recent passing of his Mom.

Councilman Reynoso: Thanked the Mayor and Council and our residents for helping him through this difficult time.

Mayor Coiro: Thanked Superintendent Jim Niland and the DPW, along with the Fire Department and Police Department for their handling of the storms and deluges last week.

CITIZENS HEARD:

There were no citizens who wished to be heard.

There was a motion by Councilman Picarelli, seconded by Councilman Bucher to approve the Minutes of the Mayor and Council for the meeting of July 23, 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 Capo to approve Resolution No. 2024-17 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 Capo to adopt the following resolution authorizing the Treasurer to adjust the taxes for 2024 for Joseph White, 116 Totowa Road, Block 15, Lot 13 due to a 100% Exemption for a 100% permanent and total disability. On roll call vote, all members of the Council present voted in the affirmative.

RESOLUTION

WHEREAS, Joseph White, 116 Totowa Road, Block 15, Lot 13 has applied for a 100% exemption for a 100% permanent and total disability; and

WHEREAS, he meets all the requirements for the exemption; and

WHEREAS, the 100% disability became effective on June 16, 2023, and he applied for exemption on July 3, 2024.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Totowa that the Tax Collector is authorized to adjust off the remainder of real estate taxes for 2024 and the property will be exempted from future tax payments.

There was a motion by Councilman Picarelli, seconded by Councilman Capo to adopt the following Resolution Authorizing Extension Of Grace Period For Payment Of 3rd Quarter 2024 Taxes. On roll call vote, all members of the Council present voted in the affirmative.

RESOLUTION NO. 106-2024

RESOLUTION AUTHORIZING EXTENSION OF GRACE PERIOD FOR
PAYMENT OF 3RD QUARTER 2024 TAXES

WHEREAS, the 3rd Quarter tax payment is normally due on August 1st, with a 10 day grace period; and

WHEREAS, the Borough of Totowa will not be able to print and mail out the 2024 Final/2025 Preliminary Tax Bills on time because of a delay; and

WHEREAS, the Borough of Totowa by law must allow the taxpayers a period of 25 days from the date of the mailing of the tax bill to make payment.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Totowa do hereby extend the grace period for the 3rd Quarter taxes to September 18, 2024.

BE IT FURTHER RESOLVED, that tax payments received after the extended grace period of September 18, 2024 will be charged interest back to the original due date of August 1, 2024 as required by law.

There was a motion by Councilman Picarelli, seconded by Councilman Capo to authorize the Borough Clerk and Borough Attorney to prepare the bid package and advertise for the receipt of bids for the Collection and Transportation of Recyclable Materials and Solid Waste Disposal Services. 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 Picarelli, seconded by Councilman Capo to appoint Raymond B. Reddin as Substitute Public Defender. 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 Raymond B. Reddin as Substitute Public Defender for a one year term ending December 31, 2024.

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

COMMITTEE ON PUBLIC SAFETY:

A retirement letter was received from Lieutenant Jamie Titus effective November 1, 2024. There was a motion by Councilman Capo, seconded by Councilman Bucher to accept his retirement with regrets. On roll call vote, all members of the Council present voted in the affirmative.

There was a motion by Councilman Capo, seconded by Councilman Bucher to adopt the following Resolution Authorizing The Purchase And Delivery Of One 2024 Chevrolet Silverado 2500HD 4WD Crew Cab Work Truck For The Fire Department. On roll call vote, all members of the Council present voted in the affirmative.

RESOLUTION NO. 107-2024

RESOLUTION AUTHORIZING THE PURCHASE AND DELIVERY OF ONE 2024 CHEVROLET SILVERADO 2500HD 4WD CREW CAB WORK TRUCK FOR THE FIRE DEPARTMENT

WHEREAS, the Borough of Totowa Fire Chief has requested that one new work truck be purchased and added to the Borough of Totowa fleet; and

WHEREAS, more specifically, the Fire Chief has requested the purchase of one 2024 Chevrolet Silverado 2500HD 4WD Crew Cab Work Truck; and

WHEREAS, the Mayor and Council of the Borough of Totowa have determined that there is a need for this new vehicle in order to maintain and keep the fleet updated; and

WHEREAS, the Mayor and Council of the Borough of Totowa desire to authorize the purchase of the vehicle for the Fire Department; and

WHEREAS, State of New Jersey Contract No. 21-Fleet-01485 has been awarded to Gentilini Motors, 2703 Fire Road, Egg Harbor Township, New Jersey 08234 for the purchase and delivery of Chevrolet trucks and all related equipment; and

WHEREAS, pursuant to the applicable New Jersey State laws, the purchase of the vehicle 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 of one 2024 Chevrolet Silverado 2500HD 4WD Crew Cab Work Truck from Gentilini Motors in the amount of \$69,048.81.

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 Capo, seconded by Councilman Bucher to approve payment of the annual contribution for 2024 to the Borough Of Totowa First Aid Squad, Inc. On roll call vote, all members of the Council present voted in the affirmative.

There was a motion by Councilman Capo, seconded by Councilman Bucher to approve the fireman's application, the purchase of fireman's equipment and authorize a fireman's physical for Pedro Antonio Ortiz for Lincoln Fire Company. On roll call vote, all members of the Council present voted in the affirmative.

A letter was received from Volunteer Fire Company No. 1 requesting permission to attend a Wetdown in Bloomingdale on August 16, 2024. There was a motion by Councilman Capo, seconded by Councilman Bucher to grant permission. 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 Authorizing The Purchase And Delivery Of One 2024 Ford F-550 4X4 Crew Cab Truck With Spreader And Plow For The Department Of Public Works. On roll call vote, all members of the Council present voted in the affirmative.

RESOLUTION NO. 108-2024

RESOLUTION AUTHORIZING THE PURCHASE AND DELIVERY OF
ONE 2024 FORD F-550 4X4 CREW CAB TRUCK WITH SPREADER AND PLOW
FOR THE DEPARTMENT OF PUBLIC WORKS

WHEREAS, the Borough of Totowa Department of Public Works (“DPW”) Superintendent has requested the purchase of one 2024 Ford F-550 4x4 Crew Cab Truck with Spreader and Plow; and

WHEREAS, the Mayor and Council of the Borough of Totowa have determined that there is a need for this multi-function vehicle to be added to the DPW fleet; and

WHEREAS, the Mayor and Council of the Borough of Totowa desire to authorize the purchase and delivery of the 2024 Ford F-550 4x4 Crew Cab Truck with Spreader and Plow; and

WHEREAS, New Jersey State Contract No. 17-FLEET-00241 has been awarded to Route 23 Auto Mall, 1301 Route 23, Butler, New Jersey 07405 for the purchase and delivery of Ford F-550 4x4 Trucks and all related equipment; and

WHEREAS, Route 23 Auto Mall has submitted a proposal dated July 5, 2024 for the purchase and delivery of one 2024 Ford F-550 4x4 Crew Cab Truck with Spreader and Plow in the amount of \$100,705.00, a copy of which is on file in the office of the Borough of Totowa Municipal Clerk; and

WHEREAS, pursuant to the applicable New Jersey State laws, the purchase of this vehicle 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 one 2024 Ford F-550 4x4 Crew Cab Truck with Spreader and Plow from Route 23 Auto Mall in the amount of \$100,705.00.

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

There was a motion by Councilman Bucher, seconded by Councilman Fierro to acknowledge receipt of the following bids for the FY2024 NJDOT Municipal Aid & 2024 Road Program. On roll call vote, all members of the Council present voted in the affirmative.

<u>Company</u>	<u>Total Amount Bid</u>
AJM Contractors, Inc. Clifton, NJ 07011	\$484,130.50
DLS Contracting, Inc. Fairfield, NJ 07004	\$493,485.50
D&L Paving Contractors Nutley, NJ 07110	\$496,004.39
Tilcon New York, Inc. Parsippany, NJ 07054	\$596,782.50

Upon the recommendation of the Engineer, there was a motion by Councilman Bucher, seconded by Councilman Fierro to adopt the following resolution to award the contract to AJM Contractors, the lowest responsible bidder for the FY2024 NJDOT Municipal Aid & 2024 Road Program. On roll call vote, all members of the Council present voted in the affirmative.

RESOLUTION NO. 109-2024

RESOLUTION AWARDING CONTRACT FOR THE FY2024 NEW JERSEY
DEPARTMENT OF TRANSPORTATION MUNICIPAL AID AND
2024 ROAD PROGRAM

WHEREAS, the Municipal Engineer for the Borough of Totowa has recommended improvements to streets throughout the municipality including sections of Battle Ridge Trail, Columbus Avenue, Vita Road and Willow Court as part of the FY2024 New Jersey Department of Transportation ("NJDOT") Municipal Aid Road Program and 2024 Road Program; and

WHEREAS, the project will consist of roadway subbase repair, the milling and resurfacing of the roadways, the installation of ADA compliant curb ramps, the installation of Stop Signs and Stop bars and replacing pavement markings; and

WHEREAS, by Resolution No. 60-2024 dated April 23, 2024, the Mayor and Council of the Borough of Totowa authorized the Borough of Totowa Municipal Engineer, Richard A. Alaimo Engineering Associates, to provide design services, prepare bid documents, assist in the bidding process and supervise construction of the FY2024 NJDOT Municipal Aid and 2024 Road Program; and

WHEREAS, the Borough of Totowa did receive sealed bids at its Municipal Building on August 13, 2024; and

WHEREAS, the apparent low bid was submitted by AJM Contractors, Inc., 300 Kuller Road, Clifton, New Jersey 07011 in the amount of \$484,130.50, a copy of which is on file in the office of the Borough of Totowa Municipal Clerk; and

WHEREAS, the Municipal Engineer has reviewed the bids submitted and advised that the contractor is capable of completing the project; and

WHEREAS, the Mayor and Council of the Borough of Totowa have determined that the bid submitted by AJM Contractors, Inc. be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Totowa do hereby accept the bid of AJM Contractors, Inc. for the FY2024 NJDOT Municipal Aid and 2024 Road Program as the lowest responsible bid for the total sum of \$484,130.50.

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.

BE IT FURTHER RESOLVED, that the award of this contract is subject to the approval of the New Jersey Department of Transportation.

COMMITTEE ON ENGINEERING & PUBLIC PROPERTY:

There was a motion by Councilman Capo, seconded by Councilman Reynoso to acknowledge receipt of the following bids for the Sale of Property Identified as Lot 2, Block 170.02. On roll call vote, all members of the Council present voted in the affirmative.

<u>Company</u>	<u>Amount Bid</u>
Canoe Brook Development Roseland, NJ 07068	\$10,500,000.

Upon the recommendation of the Committee, there was a motion by Councilman Capo, seconded by Councilman Reynoso to adopt the following resolution to reject the bids for the Sale of Property Identified as Lot 2, Block 170.02. On roll call vote, all members of the Council present voted in the affirmative.

RESOLUTION NO. 110-2024

RESOLUTION REJECTING BIDS RECEIVED FOR THE SALE OF PROPERTY IDENTIFIED AS BLOCK 170.02, LOT 2

WHEREAS, the Borough of Totowa owns property identified as Block 170.02, Lot 2 on the official Tax Map of the Borough of Totowa and located at 200 West End Road (the "Property"); and

WHEREAS, the Property measures approximately 389,426 square feet (8.94 acres) in total land area and is located in the 1-3 Restricted Industry Zone; and

WHEREAS, by Resolution No. 28-2024 dated January 9, 2024, the Mayor and Council of the Borough of Totowa authorized the sale of the Property pursuant to the provisions of N.J.S.A. 40A:12-13(a); and

WHEREAS, the Mayor and Council of the Borough of Totowa also established a minimum sales price of \$10,500,000.00 for the Property; and

WHEREAS, the Borough of Totowa did solicit bids in accordance with the specifications entitled "Specifications and Proposal for The Sale of Property Identified as Lot 2, Block 170.02 In the Borough of Totowa, County of Passaic, State Of New Jersey 2024" and

WHEREAS, the Borough of Totowa did receive sealed bids at its Municipal Building on August 8, 2024; and

WHEREAS, the lone bid received was from Canoe Brook Development, 5 Eisenhower Parkway #180, Roseland, New Jersey 07068 with a proposed offer letter for the development of 300 multi-family units, a copy of which is on file in the office of the Borough of Totowa Municipal Clerk; and

WHEREAS, the specification required that all bids submitted shall be accompanied by a deposit in the form of a certified check or bank check in the amount of 10% of the bid; and

WHEREAS, Canoe Brook Development failed to provide the required deposit with their offer; and

WHEREAS, the bid submitted by Canoe Brook Development also contained numerous conditions to the sale of the Property which are not accepted by the Governing Body.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Totowa do hereby reject the sole bid submitted by Canoe Brook Development for the sale of the property identified as Block 170.02, Lot 2 on the official Tax Map of the Borough of Totowa and located at 200 West End Road for being non-responsive for the aforementioned reasons.

BE IT FURTHER RESOLVED, that the Mayor and Council of the Borough of Totowa reserve the right to re-advertise for the public sale of this Property at a later date.

A letter was received from residents of Raphael Road requesting permission to have a block party on August 31, 2024 from 3:00 – 10:00 p.m. between Rosengren Avenue and Mitchell Avenue. 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.

A letter was received from the St. James Italian Society requesting permission to use the Municipal Parking Lot on the following dates: Thursday, August 15, 2024 and Saturday, September 21, 2024 for trips to Atlantic City for the Feast of the Wedding of the Sea and Padre Pio Shrine in Pennsylvania. 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 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. 13-2024

**AN ORDINANCE TO AMEND THE CODE OF THE BOROUGH OF TOTOWA
CHAPTER 398 ENTITLED “VEHICLES AND TRAFFIC”, ARTICLE II, “PARKING”,
SECTION 12, “MUNICIPAL PARKING LOTS”**

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. 14-2024

**AN ORDINANCE OF THE BOROUGH OF TOTOWA AUTHORIZING THE PUBLIC
SALE OF MUNICIPAL OWNED PROPERTY LOCATED AT 86 LINCOLN AVENUE
AND FURTHER IDENTIFIED AS BLOCK 23, LOT 1 ON THE OFFICIAL TAX MAP OF
THE BOROUGH OF TOTOWA, PURSUANT TO N.J.S.A. 40A:12-13(B)**

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 Macedonian Orthodox Church “St. Nikola” to be held on September 7, 2024 from 12:00 p.m. – 9:00 p.m. & September 8, 2024 from 12:00 p.m. – 8:00 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 No. 2388 for BPOE #2111 Passaic Valley Elks for an On-Premise 50-50 to be held on October 5, 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 approve Raffle License Application No. 2389 for the Friends of the Totowa Library for an On-Premise 50-50 to be held on October 1, 2024 at the American Legion. 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 Picarelli, seconded by Councilman Bucher that the meeting be adjourned. On roll call vote, all members of the Council present voted in the affirmative.

Joseph Wassel, RMC
Municipal Clerk