

BOROUGH OF TOTOWA

MINUTES OF THE MAYOR AND COUNCIL

August 24, 2021

PRESENT: Mayor John Coiro, presiding, Council President Lou D'Angelo, Councilwoman Debra Andriani, Councilman Anthony Picarelli, Councilman William Bucher, Councilman John Capo, Councilwoman Lisa Palazzo, 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 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.

Mayor Coiro: Thanked all the Department Heads and their staff for dealing with the storms over the weekend and working as a team.

Councilman D'Angelo: Said that we just received our new OEM truck and it was put to work over the weekend with the storms. Stated that our Fire Department also helped out the D'Agostino family over the weekend.

Councilwoman Andriani: Reminded everyone about tomorrow night's summer concert at the Municipal Complex – featuring Me & The Other 3. Announced that we had a successful Yankees game bus trip. Commented that Labor Day will be the last day at the pool.

Mayor Coiro asked if any citizens wished to be heard.

CITIZENS HEARD:

There were no citizens who wished to be heard.

There was a motion by Councilman D'Angelo, seconded by Councilwoman Andriani to approve the Minutes of the Mayor and Council for the meeting of August 10, 2021. On roll call vote, all members of the Council present voted in the affirmative. Councilman Bucher and Councilwoman Palazzo abstained from the voting.

COMMITTEE ON FINANCE:

There was a motion by Councilman Picarelli, seconded by Councilman D'Angelo to approve Resolution No. 2021-18 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. 86-2021

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 2020 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.

There was a motion by Councilman Picarelli, seconded by Councilman D'Angelo to adopt the following Resolution Authorizing The Borough Of Totowa To Enter Into A Cooperative Pricing Agreement. On roll call vote, all members of the Council present voted in the affirmative.

RESOLUTION NO. 87-2021

RESOLUTION AUTHORIZING THE BOROUGH OF TOTOWA TO ENTER INTO A COOPERATIVE PRICING AGREEMENT

WHEREAS, N.J.S.A. 40A:11-11(5) authorizes contracting units to establish a Cooperative Pricing System and to enter into Cooperative Pricing Agreements for its administration; and

WHEREAS, the County of Passaic, hereinafter referred to as the "Lead Agency " has offered voluntary participation in a Cooperative Pricing System for the purchase of goods and services; and

WHEREAS, on August 24, 2021, the governing body of the Borough of Totowa, County of Passaic, State of New Jersey duly considered participation in a Cooperative Pricing System for the provision and performance of goods and services.

NOW, THEREFORE, BE IT RESOLVED as follows:

TITLE

This RESOLUTION shall be known and may be cited as the Cooperative Pricing Resolution of the Borough of Totowa.

AUTHORITY

Pursuant to the provisions of *N.J.S.A. 40A:11-11(5)*, the Mayor of the Borough of Totowa is hereby authorized to enter into a Cooperative Pricing Agreement with the Lead Agency.

CONTRACTING UNIT

The Lead Agency shall be responsible for complying with the provisions of the *Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.)* and all other provisions of the revised statutes of the State of New Jersey.

EFFECTIVE DATE

This Resolution shall take effect immediately upon passage.

There was a motion by Councilman Picarelli, seconded by Councilman D'Angelo to adopt the following Resolution Authorizing The Purchase And Delivery Of Multifunction Copying Machines For Various Municipal Departments. On roll call vote, all members of the Council present voted in the affirmative.

RESOLUTION NO. 88-2021

RESOLUTION AUTHORIZING THE PURCHASE AND DELIVERY
OF MULTIFUNCTION COPYING MACHINES FOR
VARIOUS MUNICIPAL DEPARTMENTS

WHEREAS, the Borough of Totowa Municipal Clerk has requested that new multifunction copying machines be purchased for use by various municipal departments including the Borough of Totowa Municipal Clerk's Office, Tax Office, Health Department, Court, Department of Public Works and Community Center; and

WHEREAS, the Mayor and Council of the Borough of Totowa have determined that there is a need for this equipment to be used by the various municipal departments; and

WHEREAS, the Mayor and Council of the Borough of Totowa desire to authorize the purchase of these multifunction copying machines; and

WHEREAS, State of New Jersey Contract No. G40467 has been awarded to Atlantic Tomorrows Office, 134 West 26th Street, 3rd Floor, New York, New York 10001 for the purchase of multifunction copying machines and all related equipment in the amount of \$15,108.00; 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 multifunction copying machines from Atlantic Tomorrows Office in the amount of \$15,108.00.

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

There was a motion by Councilman Picarelli, seconded by Councilman D'Angelo to adopt the following Resolution Authorizing Refund Of Uniform Construction Code Permit No. 20-00296 Fees To Jean B. Russell Family Trust. On roll call vote, all members of the Council present voted in the affirmative.

RESOLUTION NO. 89-2021

RESOLUTION AUTHORIZING REFUND OF UNIFORM CONSTRUCTION CODE
PERMIT NUMBER 20-00296 FEES TO JEAN B. RUSSELL FAMILY TRUST

WHEREAS, the Jean B. Russell Family Trust is the owner of the property located at 73 Winifred Drive, Totowa, New Jersey 07512; and

WHEREAS, on August 17, 2020, the Jean B. Russell Family Trust applied to the Borough of Totowa Building Department for a permit on behalf of Jean B. Russell to install a generator to ensure a constant source of power for the home and paid the required fees in the amount of \$256.00; and

WHEREAS, on September 4, 2020, the Borough of Totowa Building Department issued Uniform Construction Code ("UCC") Permit Number 20-00296 for the installation of a generator at the premises; and

WHEREAS, shortly after the generator was delivered, Mrs. Russell was hospitalized and permanently relocated to an assisted living facility; and

WHEREAS, accordingly there was no longer a need to install the generator and the Jean B. Russell Family Trust has now requested a refund of the fees paid on August 17, 2020 in the amount of \$192.00; and

WHEREAS, the Mayor and Council of the Borough of Totowa desire to authorize a refund to the Jean B. Russell Family Trust in the amount of \$192.00.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Totowa do hereby authorize the refund of \$192.00 to the Jean B. Russell Family Trust, 73 Winifred Drive, Totowa, New Jersey 07512 for UCC Permit Number 20-00296 fees paid to the Borough of Totowa Building Department.

BE IT FURTHER RESOLVED, that the Borough of Totowa Municipal Clerk is hereby authorized to issue a check in the amount of \$192.00 to the Jean B. Russell Family Trust, 73 Winifred Drive, Totowa, New Jersey 07512.

There was a motion by Councilman Picarelli, seconded by Councilman D'Angelo to adopt the following Resolution Authorizing Refund Of Uniform Construction Code Permit No. 21-00181 Fees To Jose A. And Stephanie Morel. On roll call vote, all members of the Council present voted in the affirmative.

RESOLUTION NO. 90-2021

RESOLUTION AUTHORIZING REFUND OF UNIFORM CONSTRUCTION CODE PERMIT NUMBER 21-00181 FEES TO JOSE A. AND STEPHANIE MOREL

WHEREAS, Jose A. and Stephanie Morel are the owners of the property located at 150 Stewart Terrace, Totowa, New Jersey 07512; and

WHEREAS, on May 7, 2021, Mr. and Mrs. Morel applied to the Borough of Totowa Building Department for a permit to install an in-ground pool and paid the required fees in the amount of \$946.00; and

WHEREAS, on May 10, 2021, the Borough of Totowa Building Department issued Uniform Construction Code ("UCC") Permit Number 21-00181 for the installation of an in-ground pool at the premises; and

WHEREAS, shortly after the permit was issued, the contractor notified Mr. and Mrs. Morel that they would be unable to install the pool this year due to the Covid-related delays of the necessary materials from the manufacturing company; and

WHEREAS, Mr. and Mrs. Morel have now requested a refund of the fees paid on May 7, 2021 in the amount of \$686.00; and

WHEREAS, the Mayor and Council of the Borough of Totowa desire to authorize a refund to Mr. and Mrs. Morel in the amount of \$686.00.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Totowa do hereby authorize the refund of \$686.00 to Jose A. and Stephanie Morel, 150 Stewart Terrace Drive, Totowa, New Jersey 07512 for UCC Permit Number 21-00181 fees paid to the Borough of Totowa Building Department.

BE IT FURTHER RESOLVED, that the Borough of Totowa Municipal Clerk is hereby authorized to issue a check in the amount of \$686.00 to Jose A. and Stephanie Morel, 150 Stewart Terrace Drive, Totowa, New Jersey 07512.

COMMITTEE ON PUBLIC SAFETY:

There was a motion by Councilman D'Angelo, seconded by Councilman Capo to adopt the following Resolution Approving Agreement Between The Borough Of Totowa And PBA Local No. 80 Of The Borough Of Totowa Police Department January 1, 2021 Through December 31, 2024. On roll call vote, all members of the Council present voted in the affirmative.

RESOLUTION NO. 91-2021

RESOLUTION APPROVING AGREEMENT BETWEEN THE BOROUGH OF TOTOWA AND PBA LOCAL NO. 80 OF THE BOROUGH OF TOTOWA POLICE DEPARTMENT JANUARY 1, 2021 THROUGH DECEMBER 31, 2024

WHEREAS, the Mayor and Council of the Borough of Totowa recognize, pursuant to the provisions of the Employee-Employer Relations Act, (N.J.S.A. 34:13A-1.1 et seq.), PBA Local No. 80 of the Borough of Totowa Police Department ("PBA") as the exclusive majority representative for the purposes of collective negotiations of all sworn, regular, full time police officers of the Borough Police Department; and

WHEREAS, negotiations over wages, hours and other terms and conditions of employment were conducted by the Public Safety Committee and the duly appointed Police Salary Committee as designated by the PBA; and

WHEREAS, an understanding concerning the terms and conditions of employment between the Borough of Totowa and the PBA has been reached; and

WHEREAS, the contract shall be known and classified as a four (4) year contract commencing effective January 1, 2021 and terminating on December 31, 2024; and

WHEREAS, the Mayor and Council of the Borough of Totowa desire to memorialize the terms and conditions of said agreement in a written contract.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Totowa do hereby approve an agreement between the Borough of Totowa and PBA Local No. 80 of the Borough of Totowa Police Department for the years 2021 through 2024.

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 D'Angelo, seconded by Councilman Capo to approve a grade increase for Patrol Officer James Jurewicz from Grade 6 to Grade 5. 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 D'Angelo, seconded by Councilman Capo to appoint Chase Schaffer as a Police Dispatcher. 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 Chase Schaffer as a Police Dispatcher for a term of one year ending December 31, 2021.

There was a motion by Councilman D'Angelo, seconded by Councilwoman Andriani to confirm the appointment. 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 the annual contribution for 2021 to the Borough Of Totowa First Aid Squad, Inc. 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 Councilwoman Palazzo to adopt the following Resolution Authorizing The Purchase And Delivery Of One Ford F-550 Rack Body 4X4 Truck With Plow And Salt Spreader For The Department Of Public Works. On roll call vote, all members of the Council present voted in the affirmative.

RESOLUTION NO. 92-2021

RESOLUTION AUTHORIZING THE PURCHASE AND DELIVERY OF ONE
FORD F-550 RACK BODY 4X4 TRUCK WITH PLOW AND SALT SPREADER
FOR THE DEPARTMENT OF PUBLIC WORKS FLEET

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

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

WHEREAS, Route 23 Automall has submitted a proposal for the purchase and delivery of one Ford F-550 Rack Body 4x4 Truck with Plow and Salt Spreader in the amount of \$74,782.00, 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 Ford F-550 Rack Body 4x4 Truck with Plow and Salt Spreader from Route 23 Automall in the amount of \$74,782.00.

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.

COMMITTEE ON ENGINEERING & PUBLIC PROPERTY:

A letter was received from Library Director Anne Krautheim requesting permission to use the Community Center as a temporary library during their renovation project. There was a motion by Councilman Capo, seconded by Councilwoman Andriani to grant permission. On roll call vote, all members of the Council present voted in the affirmative.

A letter was received from the Friends of the Totowa Public Library requesting permission to use the Municipal Parking Lot on Tuesday, October 19, 2021 for a bus trip to Wind Creek Casino in Bethlehem, PA. There was a motion by Councilman Capo, seconded by Councilwoman Andriani 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 Councilwoman Andriani, seconded by Councilman Bucher to adopt the following Resolution Providing For The Insertion Of A Special Item Of Revenue In The Budget Pursuant To N.J.S.A. 40A:4-87 (Ch. 159, P.L. 1948) – Public And Private Revenues Offset By Appropriations – Passaic County Historic Trust Regrant Program. On roll call vote, all members of the Council present voted in the affirmative.

RESOLUTION NO. 93-2021

Resolution Providing For The Insertion Of A Special Item Of Revenue
In The Budget Pursuant To N.J.S.A. 40A:4-87 (Ch. 159, P.L. 1948) – Public
And Private Revenues Offset By Appropriations – Passaic County
Historic Trust Regrant Program

WHEREAS, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget; and

WHEREAS, said Director may also approve the insertion of an item of appropriation of equal amount; and

WHEREAS, the Borough of Totowa has been awarded funds in the amount of \$31,400 from the Passaic County Historic Trust Regrant Program for the Van Allen House conditions assessment and wishes to amend its 2021 Budget to include this amount as an item of revenue.

NOW, THEREFORE, BE IT RESOLVED, that the by the Governing Body of the Borough of Totowa that the Mayor and Council hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the Budget of 2021 in the sum of \$31,400 which is now available as a revenue item from:

Miscellaneous Revenues

Special Items of General Revenue Anticipated with Prior Written Consent of the Director of Local Government Services:

Public and Private Revenues Offset with Appropriations:

Passaic County Historic Trust Regrant Program \$31,400

BE IT FURTHER RESOLVED, that a like sum of \$31,400 be and the same is hereby, appropriated under the caption:

General Appropriations

(A) Operations - Excluded from CAPS

Public and Private Programs Offset by Revenues

Passaic County Historic Trust Regrant Program \$31,400

BE IT FURTHER RESOLVED, that the Borough Clerk is hereby directed to forward two (2) copies of this Resolution to the Director of Local Government Services.

COMMITTEE ON LEGISLATION & ORDINANCES:

There was a motion by Councilwoman Palazzo, 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 September 26, 2021 from 12:00 p.m. – 10:00 p.m. On roll call vote, all members of the Council present voted in the affirmative.

There was a motion by Councilwoman Palazzo, seconded by Councilman Picarelli to approve Raffle License Application No. 2234 for Totowa Volunteer Fire Company No. 1 for an Off-Premise Draw Raffle to be held on May 7, 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 Councilwoman Andriani that the meeting be adjourned. On roll call vote, all members of the Council present voted in the affirmative.

Joseph Wassel, RMC
Municipal Clerk