

BOROUGH OF TOTOWA

MINUTES OF THE MAYOR AND COUNCIL

July 13, 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.

There was a motion by Councilman D'Angelo, seconded by Councilwoman Andriani to dispense with the regular order of business in order to hold a public hearing on Ordinance No. 07-2021 as advertised. On roll call vote, all members of the Council present voted in the affirmative.

Municipal Clerk Wassel announced that Ordinance No. 07-2021 has been advertised for public hearing for Tuesday, July 13, 2021.

Municipal Clerk Wassel read the legal notice and the title of Ordinance No. 07-2021.

There was a motion by Councilman D'Angelo, seconded by Councilwoman Andriani to open the public hearing. On roll call vote, all members of the Council present voted in the affirmative.

Mayor Coiro asked if any citizens wished to be heard on Ordinance No. 07-2021.

CITIZENS HEARD:

There were no citizens who wished to be heard.

There was a motion by Councilman D'Angelo, seconded by Councilwoman Andriani to close the public hearing. On roll call vote, all members of the Council present voted in the affirmative.

Municipal Clerk Wassel read Ordinance No. 07-2021 by title:

ORDINANCE NO. 07-2021

**A CAPITAL ORDINANCE APPROPRIATING THE SUM OF \$1,823,600
FOR VARIOUS IMPROVEMENTS AND ACQUISITIONS TO BE
UNDERTAKEN BY THE BOROUGH OF TOTOWA**

There was a motion by Councilman D'Angelo, seconded by Councilwoman Andriani to adopt Ordinance No. 07-2021 on second and final reading. On roll call vote, all members of the Council present voted in the affirmative.

There was a motion by Councilman D'Angelo, seconded by Councilwoman Andriani 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.

Councilwoman Andriani: Reminded everyone that tomorrow night's summer concert is the Soul Cruisers at the Municipal Complex.

Mayor Coiro asked if any citizens wished to be heard.

CITIZENS HEARD:

Rocco Fava, 38 Frances Street: 1) Said he has a complaint about the house purchased at #46 Frances Street because it's a one family house with 6 or 7 different people living there, plus they rent the basement and they have truck that they park in front of his house. 2) Also said he called inspector John Waryas about the grass maintenance at #36 Frances Street. Mayor Coiro: Told him that he will speak to both our Construction Code Official Allan Burghardt and inspector John Waryas about both issues.

Diane Kettmann, 46 Acorn Street: 1) Complained about all the cars that park on her street because Frances Street is alternate side parking, but Acorn Street is parking on both sides and cars can't get through and cars are losing their mirrors. Asked that both Acorn Street and Garretson Avenue be changed to alternate side parking. Mayor Coiro: Requested that Fire Chief Rich Schopperth drive a fire truck down those streets at night to determine if the truck can get through. Ms. Kettmann: 2) Stated that a left turn signal is needed on the traffic light at the intersection of Union Boulevard and Bogert Street.

Annette Conti, 2 Garretson Avenue: 1) Said she can't get out of her driveway because all the workers and patrons from Made In Italy park their cars in front of her house. 2) Stated that there is no yellow paint by the fire hydrants and cars park in front of them all the time.

Two Residents from 58 Frances Street: Also complained about the parking in front of their house and that trucks always take out the fire hydrant when making the turn.

Mayor Coiro: Responded that we have all of your addresses and complaints and he will talk to the Building Department about #36 & #46 Frances Street and to the Police Department about the parking issues and speeding on Wilson Avenue.

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 June 29, 2021. On roll call vote, all members of the Council present voted in the affirmative. 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. 2021-15 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 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 – American Rescue Plan Act Of 2021. On roll call vote, all members of the Council present voted in the affirmative.

RESOLUTION NO. 73-2021

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 – AMERICAN RESCUE PLAN ACT OF 2021

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 \$501,000 from the American Rescue Plan Act of 2021 and wishes to amend its 2021 Budget to include this amount as an item of revenue.

NOW, THEREFORE, BE IT RESOLVED, that the Governing Body of the Borough of Totowa 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 \$501,000 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:

American Rescue Plan Act of 2021 \$501,000

BE IT FURTHER RESOLVED, that a like sum of \$501,000 be and the same is hereby, appropriated under the caption:

General Appropriations
(A) Capital Improvements - Excluded from CAPS
Public and Private Programs Offset by Revenues
Improvements to Riverview Pump Station (ARP) \$501,000

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.

There was a motion by Councilman Picarelli, seconded by Councilman D'Angelo to approve payment of the 3rd Quarter 2021 Budget Allotment to the Borough of Totowa Public Library in the amount of \$194,321. On roll call vote, all members of the Council present voted in the affirmative.

COMMITTEE ON PUBLIC SAFETY:

There was a motion by Councilman D'Angelo, seconded by Councilman Capo to adopt the following Resolution Approving Participation In The State Grant Program Under The SFY2021 Body-Worn Camera Grant Program Administered By The State Of New Jersey, Department Of Law And Public Safety, Office Of The Attorney General And To Accept The Grant Funding. On roll call vote, all members of the Council present voted in the affirmative.

RESOLUTION NO. 74-2021

RESOLUTION APPROVING PARTICIPATION IN THE STATE GRANT PROGRAM UNDER THE SFY2021 BODY-WORN CAMERA GRANT PROGRAM ADMINISTERED BY THE STATE OF NEW JERSEY, DEPARTMENT OF LAW AND PUBLIC SAFETY, OFFICE OF THE ATTORNEY GENERAL AND TO ACCEPT THE GRANT FUNDING

WHEREAS, the Mayor and Council of the Borough of Totowa wishes to apply for funding of approximately \$81,520 with a match of \$0 for an approximate project total cost of \$81,520 for a project under the State of New Jersey SFY2021 Body-Worn Camera Grant Program, Award Number: 21-BWC-434 for the Award Period of January 1, 2021 – December 31,2025; and

WHEREAS, the Mayor and Council of the Borough of Totowa has reviewed the accompanying application and has approved said request; and

WHEREAS, the project is a joint effort between the State of New Jersey, Department of Law and Public Safety, Office of the Attorney General and the Borough of Totowa, for the purpose described in the application.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Totowa that:

- 1) As a matter of public policy, the Mayor and Council of the Borough of Totowa wishes to participate to the fullest extent possible with the State of New Jersey, Department of Law and Public Safety, Office of the Attorney General and to accept the grant funding in the amount of \$81,520.
- 2) The State of New Jersey, Department of Law and Public Safety, Office of the Attorney General shall receive funds on behalf of the applicant.
- 3) The State of New Jersey, Department of Law and Public Safety, Office of the Attorney General shall be responsible for the receipt and review of the applications for said funds.
- 4) The State of New Jersey, Department of Law and Public Safety, Office of the Attorney General shall initiate allocations to the applicant as authorized by law.

There was a motion by Councilman D'Angelo, seconded by Councilman Capo to approve payment of the annual garage rent for 2021 to Volunteer Fire Company No. 1 and to Riverview Park Fire Company, 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 approve Change Order No. 1 for a net decrease of \$9,289.36 and Payment Estimate No. 2 (Final) in the amount of \$30,971.39 to American Asphalt & Milling Services, LLC for the New Jersey Department Of Transportation Fiscal Year 2020 Municipal Aid Program Improvements To Craig Court, Dey Hill Trail And Commerce Way. On roll call vote, all members of the Council present voted in the affirmative.

COMMITTEE ON ENGINEERING & PUBLIC PROPERTY:

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

RESOLUTION NO. 75-2021

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

WHEREAS, the Borough of Totowa owns and operates the Riverview Drive Pump Station which receives sewage flow from the various pump stations located throughout the Borough; and

WHEREAS, by Resolution No. 128-2016 dated September 13, 2016, the Mayor and Council of the Borough of Totowa authorized various repairs for the Riverview Drive Pump Station which included the 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, by Resolution No. 37-2019 dated February 12, 2019, the Borough of Totowa Sewer Department Superintendent had recommended that additional ventilation improvements be undertaken for the Riverview Drive Pump Station as well; and

WHEREAS, the Mayor and Council of the Borough of Totowa did advertise for receipt of sealed bids for the Riverview Drive Pump Station Improvements in accordance with the specifications entitled "Specifications, Proposal and Contract Documents for the Borough of Totowa Riverview Drive Pump Station Improvements, Passaic County, New Jersey, June 2019" and "Addendum No. 1 for the Borough of Totowa Riverview Drive Pump Station Improvements, Passaic County, New Jersey, August 29, 2019"; and

WHEREAS, the original cost estimate for this Project was \$862,305.00 and bids were received on September 11, 2019; and

WHEREAS, the Municipal Engineer for the Borough of Totowa advised that the prices bid for the Riverview Drive Pump Station Improvements were significantly higher than the funds allocated for this Project; and

WHEREAS, by Resolution No. 112-2019, dated September 24, 2019, the Mayor and Council rejected the bids received for the Riverview Drive Pump Station Improvements and authorized the public rebidding of this Project; and

WHEREAS, by Resolution No. 50-2020 dated April 14, 2020, the Mayor and Council of the Borough of Totowa also requested that the Municipal Engineer review the potential impact of several new developments connecting to the Borough's sanitary sewer systems to determine if the resulting flows may exceed the permitted allowable capacity of the Riverview Drive Pump Station; and

WHEREAS, the Municipal Engineer was directed to develop base plans; review the existing conditions, the permitted flows, the anticipated flows and operational issues of the sewer operator; prepare a report addressing the critical and recommended upgrades to the Riverview Drive Pump Station; and

WHEREAS, the reports have been completed and the scope of work now includes additional repairs including the replacement of 4 dry-pit submersible pumps, 2 comminutors, various internal and external building repairs, cleaning and upgrading the wet well, electrical upgrades, building HVAC upgrades and modifications to the influent piping upstream of the grit chamber; 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 for the rebidding of the Project; and

WHEREAS, Richard A. Alaimo Engineering Associates has submitted a proposal dated June 2, 2021 to provide the design services for the Pump Station repairs at a cost not to exceed \$501,000.00, a copy of which is on file in the office of the Borough of Totowa Municipal Clerk; and

WHEREAS, the Mayor and Council of the Borough of Totowa on July 13, 2021 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 design services for the upgrades to the Riverview Drive Pump Station in the amount of \$501,000.00.

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.

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

A letter was received from the Friends of the Totowa Public Library requesting permission to use the Municipal Parking Lot on Tuesday, August 10, 2021 for a bus trip to Resorts Casino in Atlantic City. 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 no report.

COMMITTEE ON LEGISLATION & ORDINANCES:

There was a motion by Councilwoman Palazzo, seconded by Councilman Picarelli to adopt the following Resolution Authorizing Massage Establishment License For JGN Massage, LLC Doing Business As Elements Therapeutic Massage. On roll call vote, all members of the Council present voted in the affirmative.

RESOLUTION NO. 76-2021

RESOLUTION AUTHORIZING MASSAGE ESTABLISHMENT LICENSE FOR JGN MASSAGE, LLC DOING BUSINESS AS ELEMENTS THERAPEUTIC MASSAGE

WHEREAS, JGN Massage, LLC doing business as Elements Therapeutic Massage (“Elements Therapeutic Massage”) has approval to operate a massage establishment in a portion of the premises located at 650 Union Boulevard, Totowa, New Jersey; and

WHEREAS, in accordance with the requirements set forth in Chapter 250 entitled “Massage Establishments” in the Borough of Totowa Code Book, Elements Therapeutic Massage has submitted an application to the Borough of Totowa for a Massage Establishment License; and

WHEREAS, the Borough of Totowa Police Department has conducted a thorough investigation of the applicant in accordance with Section 250-6 of the Borough of Totowa Code Book; and

WHEREAS, the Borough of Totowa Police Chief has cleared the license for approval; and

WHEREAS, after reviewing the application and report issued by the Borough of Totowa Police Department, the Mayor and Council of the Borough of Totowa have determined that the Elements Therapeutic Massage has complied with all the requirements for a Massage Establishment License in the Borough of Totowa.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Totowa do hereby approve the Massage Establishment License application for JGN Massage, LLC doing business as Elements Therapeutic Massage and authorize the Borough of Totowa Municipal Clerk to issue a Massage Establishment License effective July 13, 2021 through June 30, 2022.

BE IT FURTHER RESOLVED, that Elements Therapeutic Massage is required to continue to comply with all applicable laws, ordinances, rules and regulations and said license must be renewed annually on or before July 1st each year.

There was a motion by Councilwoman Palazzo, seconded by Councilman Picarelli to adopt the following Resolution Authorizing Massage Therapist Licenses for JGN Massage, LLC Doing Business As Elements Therapeutic Massage. On roll call vote, all members of the Council present voted in the affirmative.

RESOLUTION NO. 77-2021

RESOLUTION AUTHORIZING MASSAGE THERAPIST LICENSES FOR JGN MESSAGE, LLC DOING BUSINESS AS ELEMENTS THERAPEUTIC MESSAGE

WHEREAS, JGN Massage, LLC doing business as Elements Therapeutic Massage (“Elements Therapeutic Massage”) has approval to operate a massage establishment in a portion of the premises located at 650 Union Boulevard, Totowa, New Jersey; and

WHEREAS, the requirements set forth in Chapter 250 entitled “Massage Establishments” in the Borough of Totowa Code Book include obtaining a Massage Establishment License for the business and Massage Therapist Licenses for employees to be issued by the Borough of Totowa Municipal Clerk; and

WHEREAS, by Resolution No. 76-2021 dated July 13, 2021, the Mayor and Council of the Borough of Totowa authorized the issuance of a Massage Establishment License application for Elements Therapeutic Massage effective July 13, 2021 through June 30, 2022; and

WHEREAS, the following individuals have submitted applications for a Massage Therapist License as employees of Elements Therapeutic Massage, 650 Union Boulevard, Totowa, New Jersey:

1. Ashley Cupolo, 63 Augustus Street, Bloomfield, New Jersey 07003
2. Donna Garrity, 3 Ridge Road, Wharton, New Jersey 07885
3. Francis Oloughlin, 89 Parkway, Little Falls, New Jersey 07424
4. Grisel Crespo, 32 Essex Street, Paterson, New Jersey 07503
5. Ingrid DeJesus, 1010 E. 25th Street, Paterson, New Jersey 07513
6. Jessica Gundlach, 30 Meriline Avenue, Woodland Park, New Jersey 07424
7. Karen Gutierrez, 350 Baldwin Avenue, Apt 5G, Parsippany, New Jersey 07054
8. Michelle Russell, 12 John Street, Lincoln Park, New Jersey 07035
9. Naomi Lovelace, 82 Avenue C, Haledon, New Jersey 07508
10. Robert Simmons, 854 South 17th Street, Newark, New Jersey 07103
11. Souzan Rammaha, 7016 Columbia Avenue, North Bergen, New Jersey 07047
12. Tiffany Pena, 87 Addison Place, Clifton, New Jersey 07012
13. Veronica Figueroa, 542 E. 24th Street, Paterson, New Jersey 07514

WHEREAS, the above named employees of Elements Therapeutic Massage have each submitted proof of their respective clinical training in compliance with Section 250-7 of the Borough of Totowa Code Book; and

WHEREAS, the Borough of Totowa Police Department has conducted a thorough investigation of the applicants in accordance with Section 250-6 of the Borough of Totowa Code Book; and

WHEREAS, the Borough of Totowa Police Chief has cleared the licenses; and

WHEREAS, after reviewing the application and report issued by the Borough of Totowa Police Department, the Mayor and Council of the Borough of Totowa have determined that the aforementioned applicants have complied with all the requirements for a Massage Therapist License in the Borough of Totowa.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Totowa do hereby approve the Massage Therapist License applications for Ashley Cupolo, Donna Garrity, Francis Oloughlin, Grisel Crespo, Ingrid DeJesus, Jessica Gundlach, Karen Gutierrez, Michelle Russell, Naomi Lovelace, Robert Simmons, Souzan Rammaha, Tiffany Pena and Veronica Figueroa as employees of JGN Massage, LLC doing business as Elements Therapeutic Massage and authorize the Borough of Totowa Municipal Clerk to issue Massage Therapist Licenses to each applicant effective July 13, 2021 through June 30, 2022.

BE IT FURTHER RESOLVED, that the above Massage Therapist License holders are required to comply with all applicable laws, ordinances, rules and regulations and said license must be renewed annually on or before July 1st each year.

There was a motion by Councilwoman Palazzo, seconded by Councilman Picarelli to approve Ice Cream Vendors License Application for Michael Panepinto as Owner/Operator and Marissa Romaniello as Operator, trading as Mainland Shave Ice. 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 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 August 13, 2021 from 6:00 p.m. – 1:00 a.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 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 August 14, 2021 from 6:00 p.m. – 1:00 a.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 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