

BOROUGH OF TOTOWA

MINUTES OF THE MAYOR AND COUNCIL

September 14, 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.

Councilman D'Angelo: 1) Thanked all our volunteers for all their support during Hurricane Ida and noted that lives were saved; 2) Said our 9-11 Ceremony was awesome and a great tribute to all who perished on that tragic day.

Councilwoman Andriani: Concurred with Councilman D'Angelo about our emergency responders and also thanked Library Director Anne Krautheim and her staff for contacting all our seniors to see if they needed help during and after the storm.

Mayor Coiro: Echoed all of the thanks and how everyone really came together to respond during what is being called a historic storm.

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 24, 2021. 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. 2021-19 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 To Acknowledge Receipt Of And Accept The 2020 Audit Corrective Action Plan. On roll call vote, all members of the Council present voted in the affirmative.

RESOLUTION NO. 94-2021

RESOLUTION TO ACKNOWLEDGE RECEIPT OF AND ACCEPT
THE 2020 AUDIT CORRECTIVE ACTION PLAN

WHEREAS, by Resolution No. 21-2021 dated January 1, 2021, the Mayor and Council of the Borough of Totowa authorized the firm of Lerch, Vinci & Higgins, LLP, 17-17 Route 208, Fair Lawn, New Jersey 07410, to serve as the Municipal Auditor for the Borough of Totowa; and

WHEREAS, the professional services to be provided by the Municipal Auditor include but are not limited to auditing the financial statements for the Borough of Totowa; preparing the unaudited annual financial statement; review and certification of the annual budget; and preparing the annual debt statement and performing all general auditing services as needed; and

WHEREAS, the Municipal Auditor has completed the Borough of Totowa, Passaic County, New Jersey Report of Audit Year Ended December 31, 2020; and

WHEREAS, the Municipal Clerk and Chief Financial Officer/Treasurer prepared the 2020 Audit Corrective Action Plan based on the recommendations listed in the Audit Report, a copy of which is on file in the office of the Borough of Totowa Municipal Clerk; and

WHEREAS, copies of the 2020 Audit Corrective Action Plan have been distributed to the Mayor and Council of the Borough of Totowa and the Recommendations and 2020 Audit Corrective Action Plan have been forwarded to all affected personnel.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Totowa do hereby acknowledge receipt of and accept the 2020 Audit Corrective Action Plan as prepared by the Municipal Clerk and Chief Financial Officer/Treasurer.

There was a motion by Councilman Picarelli, seconded by Councilman D'Angelo to adopt the following Resolution Authorizing An Amended 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. 95-2021

RESOLUTION AUTHORIZING AN AMENDED 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, by Resolution No. 90-2021 dated August 24, 2021, the Mayor and Council of the Borough of Totowa authorized a refund of the fees paid on May 7, 2021 in the amount of \$686.00; and

WHEREAS, at the time the refund was authorized, the Building Department had retained 20% of the fees paid by Mr. and Mrs. Moral in the amount of \$172.00 as permitted by law; and

WHEREAS, the Mayor had told Mr. and Mrs. Morel that they would get a full refund of their permit fees, less the State of New Jersey Department of Community Affairs fees in the amount of \$88.00, which are non-refundable; and

WHEREAS, the Mayor and Council of the Borough of Totowa desire to authorize an amended refund to Mr. and Mrs. Morel in the amount of \$858.00.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Totowa do hereby authorize an amended refund of \$858.00 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 \$858.00 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 approve a grade increase for Patrol Officer Matthew Cossari from Grade 6 to Grade 5. 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 adopt the following Resolution Authorizing Final Pay To Police Dispatcher Mary Picarelli. On roll call vote, all members of the Council present voted in the affirmative. Councilman Picarelli abstained from the voting.

RESOLUTION NO. 96-2021

RESOLUTION AUTHORIZING FINAL PAY
TO POLICE DISPATCHER MARY PICARELLI

WHEREAS, Mary Picarelli was appointed as a Part Time Civilian Dispatcher in the Borough of Totowa Police Department on August 24, 1999; and

WHEREAS, Mary Picarelli was then approved for an increase in hours to make her a Full Time Civilian Dispatcher in the Borough of Totowa Police Department with health benefits on January 28, 2003; and

WHEREAS, Mary Picarelli retired from the Borough of Totowa Police Department effective September 1, 2021; and

WHEREAS, Mary Picarelli is owed her final paycheck for regular salary in the amount of \$984.91; and

WHEREAS, Mary Picarelli was entitled to fifteen (15) pro-rated vacation days for 2021; and

WHEREAS, Mary Picarelli has advised the Borough Clerk that she was only able to use seven (7) vacation days prior to her retirement date and has requested to be paid for the eight (8) unused vacation days; and

WHEREAS, the Borough Clerk has calculated the eight (8) vacation days as \$214.88 per day for a total in the amount of \$1,719.04.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Totowa that Mary Picarelli is granted eight (8) days of unused vacation leave for \$1,719.04 along with her final paycheck of \$984.91 for a total amount of Two Thousand Seven Hundred Three and 95/100 Dollars (\$2,703.95). Said monies are given in full and final consideration of any and all claims that Mary Picarelli may have against the Borough of Totowa.

A letter from Fire Chief Rich Schopperth advising that he will be attending the New Jersey State Firemen's Convention from September 15 – 17, 2021 was received and filed.

A letter from the Totowa Fire Department Fund Drive Committee advising of their annual fund drive was received and filed.

COMMITTEE ON PUBLIC WORKS:

There was a motion by Councilman Bucher, seconded by Councilwoman Palazzo to adopt the following Resolution Authorizing Emergency Asphalt Paving On Riverview Drive Due To Water Main Break. On roll call vote, all members of the Council present voted in the affirmative.

RESOLUTION NO. 97-2021

RESOLUTION AUTHORIZING EMERGENCY ASPHALT PAVING ON RIVERVIEW DRIVE DUE TO WATER MAIN BEAK

WHEREAS, on August 22, 2021, the Borough of Totowa experienced a major water main break on Riverview Drive which impacted the flow of water to residents and businesses and also caused the roadway to be impassable; and

WHEREAS, the Borough of Totowa Department of Public Works ("DPW") after repairing the water main located under Riverview Drive with their equipment was unable to undertake the necessary repairs and restoration of the roadway in a timely manner; and

WHEREAS, the DPW Superintendent needed to quickly retain a contractor who had the required equipment and labor to saw cut a straight edge in the roadway from curb to curb at the location of the water main repair, excavate the asphalt roadway material from curb to curb, remove and dispose of the asphalt debris, grade and compact the area, and install the asphalt pavement; and

WHEREAS, F. Antonucci & Sons, Inc., 283 Edmund Avenue, Paterson, New Jersey 07502 was able to perform the emergency roadway restoration for the total sum on \$14,200.00; and

WHEREAS, the immediate water main repair and subsequent roadway restoration were needed to ensure residents would have access to water and further ensure vehicle access on Riverview Drive; and

WHEREAS, it was necessary to restore the roadway as quickly as possible for the public health, safety and welfare of the residents of the Borough of Totowa; and

WHEREAS, the Mayor and Council of the Borough of Totowa desire to authorize the emergency asphalt paving on Riverview Drive due to the water main break; and

WHEREAS, pursuant to the applicable New Jersey State laws, the authorization of these emergency repair services may be awarded without public bidding.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Totowa do hereby authorize payment to F. Antonucci & Sons, Inc. for the emergency asphalt paving on Riverview Drive due to the water main break in the amount of \$14,200.00.

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

There was a motion by Councilman Bucher, seconded by Councilwoman Palazzo to adopt the following Resolution Authorizing The Purchase And Delivery Of One 2021 Ford Explorer 4WD For The Superintendent Of The Department Of Public Works. On roll call vote, all members of the Council present voted in the affirmative.

RESOLUTION NO. 98-2021

RESOLUTION AUTHORIZING THE PURCHASE AND DELIVERY OF ONE 2021 FORD EXPLORER 4WD FOR THE SUPERINTENDENT OF THE DEPARTMENT OF PUBLIC WORKS

WHEREAS, the Borough of Totowa Department of Public Works (“DPW”) Superintendent has requested the purchase of one 2021 Ford Explorer 4WD to replace a 2012 Durango; 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 used by the DPW Superintendent and 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 2021 Ford Explorer 4WD; and

WHEREAS, Morris County Cooperative Pricing Council Contract No. MCCPC #15C-2 has been awarded to Route 23 Automall, 1301 Route 23 South, Butler, New Jersey 07405 for the purchase and delivery of one 2021 Ford Explorer 4WD and all related equipment; and

WHEREAS, Route 23 Automall has submitted a proposal for the purchase and delivery of one 2021 Ford Explorer 4WD in the amount of \$29,010.00, 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 2021 Ford Explorer 4WD in the amount of \$29,010.00.

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 Councilwoman Palazzo to adopt the following Resolution Approving Adjusted Water Balance Refund On 2020 Period 4 Billing For European Wax Center Located At 650 Union Boulevard Unit #14. On roll call vote, all members of the Council present voted in the affirmative.

RESOLUTION NO. 99-2021

RESOLUTION APPROVING ADJUSTED WATER BALANCE REFUND ON 2020 PERIOD 4 BILLING FOR EUROPEAN WAX CENTER LOCATED AT 650 UNION BOULEVARD UNIT #14

WHEREAS, the Borough of Totowa Water Department bills its customers based on three cycles, four times a year; and

WHEREAS, the April 1st 2021, Cycle 3, 2020 Period 4, billing for European Wax Center was billed \$2,331.88 for 251 thousand gallons due to a running toilet over a three month period; and

WHEREAS, the owner, Eileen Ford, had a discrepancy with the billing, since her business normally uses minimal amounts of water and is billed \$28.45 quarterly; and

WHEREAS, the owner, Eileen Ford has requested a reduction to the billing; and

WHEREAS, a balance adjustment was calculated on usage based on lowest tiered billing rate of \$6.54 per thousand gallons, which would have generated a bill in the amount of \$1,641.54; and

WHEREAS, European Wax Center has paid the \$1,641.54 towards the 2020 Period 4 bill; and

WHEREAS, the difference in the amount billed and the adjusted amount results in a balance of \$690.34; and

WHEREAS, the Water Registrar is now requesting permission to do a balance adjustment on the water account in the amount of \$690.34 and to waive off interest fees to date.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Totowa do hereby approve the request and authorize the Water Registrar to make the necessary adjustment to the account.

BE IT FURTHER RESOLVED, by the Mayor and Council of the Borough of Totowa that the Borough Clerk send a copy of this resolution to the Water Registrar.

COMMITTEE ON ENGINEERING & PUBLIC PROPERTY:

There was no report.

COMMITTEE ON LIAISON & INSPECTION:

There was a motion by Councilwoman Andriani, seconded by Councilman Bucher to approve Change Order No. 2 for a net increase of \$167.80 and Payment Estimate No. 4 in the amount of \$11,368.00 to Athletic Fields of America for the Synthetic Turf Fields at the PAL. On roll call vote, all members of the Council present voted in the affirmative.

There was a motion by Councilwoman Andriani, seconded by Councilman Bucher to approve Payment Estimate No. 5 (Final) in the amount of \$30,371.39 to Athletic Fields of America for the Synthetic Turf Fields at the PAL. On roll call vote, all members of the Council present voted in the affirmative.

COMMITTEE ON LEGISLATION & ORDINANCES:

There was a motion by Councilwoman Palazzo, seconded by Councilman Picarelli to adopt the following Resolution Approving A Person-To-Person And Place-To-Place Transfer Of Plenary Retail Distribution License No.1612-44-009-007 From Daystar Trading Company To Totowa Fine Wine & Spirits, LLC. On roll call vote, all members of the Council present voted in the affirmative.

RESOLUTION NO. 100-2021

RESOLUTION APPROVING A PERSON-TO-PERSON AND PLACE-TO-PLACE
TRANSFER OF PLENARY RETAIL DISTRIBUTION LICENSE
NO.1612-44-009-007 FROM DAYSTAR TRADING COMPANY
TO TOTOWA FINE WINE & SPIRITS, LLC

WHEREAS, an application has been filed for a person-to-person and place-to-place transfer of Plenary Retail Distribution License No. 1612-44-009-007, heretofore issued to Daystar Trading Company for premises located at 243 Union Boulevard, Totowa, NJ 07512; and

WHEREAS, the submitted application form is complete in all respects, the transfer fees have been paid, and the license has been properly renewed for the current license term; and

WHEREAS, the applicant is qualified to be licensed according to all standards established by Title 33 of the New Jersey Statutes, regulations promulgated thereunder, as well as pertinent local ordinances and conditions consistent with Title 33; and

WHEREAS, the applicant has disclosed and the issuing authority reviewed the source of all funds used in the purchase of the license and the licensed business and all additional financing obtained in connection with the licensed business.

NOW, THEREFORE, BE IT RESOLVED, that the Governing Body of the Borough of Totowa does hereby approve, effective September 30, 2021, the transfer of the aforesaid Plenary Retail Distribution License to Totowa Fine Wine & Spirits, LLC, from the former location at 243 Union Boulevard, Totowa, NJ 07512 to the new location at 465 US Highway 46, Totowa, NJ 07512, and does hereby direct the Municipal Clerk to endorse the license certificate to the new ownership as follows: "This license, subject to all its terms and conditions, is hereby transferred to Totowa Fine Wine & Spirits, LLC for premises located at 465 US Highway 46, Totowa, NJ 07512, effective September 30, 2021."

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 Totowa Borough Republican Club for Saturday, October 9, 2021 from 12:00 – 4:00 p.m. to be held at 515 Union Boulevard. On roll call vote, all members of the Council present voted in the affirmative.

Mayor Coiro welcomed back resident Mike Mahometa, 269 Lincoln Avenue to the Council Meeting.

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