

## BOROUGH OF TOTOWA

### MINUTES OF THE MAYOR AND COUNCIL

**February 22, 2022**

**PRESENT:** Mayor John Coiro, presiding, Council President Lou D'Angelo, Councilwoman Debra Andriani, Councilman John Capo, Councilman Patrick Fierro, Municipal Clerk Joseph Wassel and Municipal Attorney Kristin Corrado.

**ABSENT:** Councilman Anthony Picarelli and Councilman William Bucher.

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.

There were no reports.

#### CITIZENS HEARD:

Ralph Marana, 131 Greene Avenue: Asked about the Veteran's Housing Program.  
Mayor Coiro: Responded that we purchased three homes with two of them being in pretty good shape and then explained the process on how the program works.

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 February 8, 2022. On roll call vote, all members of the Council present voted in the affirmative.

#### COMMITTEE ON FINANCE:

There was a motion by Councilman D'Angelo, seconded by Councilman Capo to approve Resolution No. 2022-05 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 D'Angelo, seconded by Councilman Capo to adopt the following resolution authorizing the Treasurer to issue refunds to various property owners due to overpayment of 1<sup>st</sup> Quarter 2022 taxes. On roll call vote, all members of the Council present voted in the affirmative.

#### RESOLUTION

WHEREAS, there has been an overpayment of 1st quarter 2022 taxes on the property listed below; and

WHEREAS, the taxpayer is entitled to a refund; and

WHEREAS, the chart sets forth the refund as follows:

Block	Lot	Property Owner	Payable To:	Overpayment
23	12	111 Boyle Ave. Tina Gallipoli	Corelogic PO Box 9202 Coppell, TX 75019-9760	\$1,715.26
112	60	225 Grant Ave. Yarah Mejia & Eddie Olivo	Corelogic Attn:Refund Dept. PO Box 9202 Coppell, TX 75019-9760	\$1,814.25
139	21	54 Frances St. Jwel Khalique & A Shrmin	Corelogic Attn:Refund Dept. PO Box 9202 Coppell, TX 75019-9760	\$1,000.00

NOW, THEREFORE, BE IT RESOLVED, that the overpayment shall be refunded to the taxpayer, as stated above, and the Treasurer is authorized to issue separate checks for the refunds, which shall be paid to the stated property or taxing authority.

There was a motion by Councilman D'Angelo, seconded by Councilman Capo to adopt the following resolution to effectuate the redemption of Tax Sale Certificate Number 20-00004 for 199 Union Boulevard, Block 41, Lot 1. On roll call vote, all members of the Council present voted in the affirmative.

#### RESOLUTION

Tax Sale Certificate Number 20-00004  
Block 41, Lot 1  
Property: 199 Union Boulevard, Totowa, New Jersey 07512  
Owner: Mike Falzon

WHEREAS, at the Municipal Tax Sale on October 21, 2021, a lien was sold on Block 41, Lot 1; and

WHEREAS, this lien known as Tax Sale Certificate Number 20-00004, was sold to MGRP TL Capital LLC for an 18% redemption fee and a premium of \$0.00; and

WHEREAS, Mike Falzon, the owner of the property, has effected redemption of Tax Sale Certificate Number 20-00004 in the amount of \$11,079.53 as of February 22, 2022.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Totowa do hereby authorize the Treasurer to issue a check in the amount of \$11,079.53 payable to MGRP TL Capital LLC for the redemption of Tax Sale Certificate Number 20-00004.

There was a motion by Councilman D'Angelo, seconded by Councilman Capo to adopt the following Resolution Authorizing The Purchase And Delivery Of One New Postage Mailing Machine. On roll call vote, all members of the Council present voted in the affirmative.

#### RESOLUTION NO. 31-2022

#### RESOLUTION AUTHORIZING THE PURCHASE AND DELIVERY OF ONE NEW POSTAGE MAILING MACHINE

WHEREAS, the Borough of Totowa is in need of a new postage mailing machine that will be used by various municipal departments including the Borough of Totowa Municipal Clerk's Office, Tax Office, Health Department, Building 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 this new postage mailing machine; and

WHEREAS, State of New Jersey Contract No. 16-X-24117-T-0200 has been awarded to Pitney Bowes, 27 Waterview Drive, Shelton, Connecticut 06484 for mailroom equipment and maintenance; and

WHEREAS, Pitney Bowes has submitted a proposal for the purchase and delivery of a new SenPro Auto-Postage Machine in the amount of \$3,121.08, a copy of which is on file in the office of the Borough of Totowa Municipal Clerk; and

WHEREAS, the proposal includes the purchase and delivery of the new postage mailing machine as well as an equipment and software maintenance agreement; and

WHEREAS, pursuant to the applicable New Jersey State laws, the purchase and delivery 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 a SenPro Auto-Postage Machine from Pitney-Bowes in the amount of \$3,121.08.

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 D'Angelo, seconded by Councilman Capo to authorize the Borough Attorney to prepare and the Borough Clerk to advertise for the RFP's for 2022 Professional Services for the Board of Health Attorney and the Affordable Housing Administrative Agent. 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 approve the firemen's application, the purchase of firemen's equipment and authorize a firemen's physical for Austin R. Romanelli and Christopher J. Paulison for Fire Rescue. On roll call vote, all members of the Council present voted in the affirmative.

COMMITTEE ON PUBLIC WORKS:

There was a motion by Councilman Fierro, seconded by Councilman D'Angelo to adopt the following Resolution Authorizing Professional Engineering Services For GIS Mapping Of Stormwater Outfalls. On roll call vote, all members of the Council present voted in the affirmative.

RESOLUTION NO. 32-2022

RESOLUTION AUTHORIZING PROFESSIONAL ENGINEERING SERVICES  
FOR GIS MAPPING OF STORMWATER OUTFALLS

WHEREAS, the Mayor and Council of the Borough of Totowa desire the development of Geographic Information Services ("GIS") mapping for the Borough of Totowa's stormwater outfalls; and

WHEREAS, more specifically, the Borough of Totowa is classified as a stormwater Tier A municipality and has an MS4 NJPDES stormwater permit from the New Jersey Department of Environmental Protection ("NJDEP"); and

WHEREAS, this permit requires Tier A municipalities to develop, update and maintain an outfall pipe map to catalogue all the Borough's stormwater outfalls; and

WHEREAS, the Mayor and Council of the Borough of Totowa desire to retain the services of a professional engineering firm to inventory all outfalls, survey the locations and prepare a GIS map for submission to the NJDEP; and

WHEREAS, Alaimo Group Consulting Engineers, 200 High Street, Mt. Holly, New Jersey 08060 has submitted a proposal dated February 17, 2022 to complete a topographic survey to determine the necessary elevations and surface features at the outfall as well as its coordinate location and develop GIS mapping for stormwater outfalls in an amount not to exceed \$24,800.00, 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 February 22, 2022 did examine the proposal submitted by Alaimo Group Consulting Engineers; 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 Alaimo Group Consulting Engineers for professional engineering services to develop GIS mapping for the Borough of Totowa stormwater outfalls in the amount of \$24,800.00.

BE IT FURTHER RESOLVED, that the Mayor and Council of the Borough of Totowa do hereby authorize Alaimo Group Consulting Engineers 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.

#### COMMITTEE ON ENGINEERING & PUBLIC PROPERTY:

A letter was received from Murph's Tavern inviting the Mayor and Council to attend their annual celebration in honor of St. Patrick's Day on Thursday, March 17, 2022 and requesting permission to have Rosengren Avenue closed from Totowa Road to Union Boulevard on Thursday, March 17, 2022 from 12:00 p.m. to 2:00 a.m. There was a motion by Councilman Capo, seconded by Councilwoman Andriani to approve the request. On roll call vote, all members of the Council present voted in the affirmative.

#### STREET CLOSING AUTHORIZED BY THE MAYOR

Under the authority vested in me as Mayor of the Borough of Totowa, County of Passaic, State of New Jersey, by virtue of N.J.S.A. 40:67-16.9 and the Code of the Borough of Totowa Chapter No. 398-42, I, Mayor John Coiro, do hereby order and direct that Rosengren Avenue between Totowa Road and Union Boulevard be closed to vehicular traffic from 12:00 p.m. to 2:00 a.m. on Thursday, March 17, 2022.

I further direct that proper signs and barriers be erected at the intersections of Rosengren Avenue and Totowa Road and Rosengren Avenue and Union Boulevard and that the Totowa Police Department control and regulate, as well as enforce, this regulation.

There was a motion by Councilman Capo, seconded by Councilwoman Andriani to adopt the following Resolution Authorizing The Removal And Replacement Of The Electrical Service At The Lackawanna Sewer Pump Station. On roll call vote, all members of the Council present voted in the affirmative.

RESOLUTION NO. 33-2022

RESOLUTION AUTHORIZING THE REMOVAL AND REPLACEMENT OF THE ELECTRICAL SERVICE AT THE LACKAWANNA SEWER PUMP STATION

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 electrical service at the Lackawanna Sewer Pump Station is no longer working satisfactorily and needs to be replaced; and

WHEREAS, the necessary repairs at the Lackawanna Sewer Pump Station include removing and disconnecting the underground service and installing a new overhead service; and

WHEREAS, the Borough of Totowa DPW Superintendent solicited proposals from licensed professional electrical contractors for the necessary electrical repairs at the Pump Station; and

WHEREAS, K. Hanrahan Enterprises, Inc., 20-21 Wagaraw Road, Bldg. 36, Fair Lawn, New Jersey 07410 has submitted a proposal dated February 16, 2022 for the removal and replacement of the electrical service at the Lackawanna Sewer Pump Station in the amount of \$14,977.81, 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 for the Lackawanna Sewer 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 removal and replacement of the electrical service 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 K. Hanrahan Enterprises, Inc. for the removal and replacement of the electrical service at the Lackawanna Sewer Pump Station in the amount of \$14,977.81.

BE IT FURTHER RESOLVED, that the Mayor and Council of the Borough of Totowa do hereby authorize K. Hanrahan Enterprises, Inc. to provide the labor and materials for the removal and replacement of the electrical service at the Lackawanna Sewer Pump Station as set forth in their proposal.

A letter was received from the Passaic Valley Sewerage Commission along with a check in the amount of \$14,656.13 for the Municipal Rebate Incentive Program. There was a motion by Councilman Capo, seconded by Councilwoman Andriani to accept the funds. 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 Fierro to adopt the following Resolution Authorizing The Borough Of Totowa To Enter Into A Developer's Agreement With Manzo Doren Organization Of Totowa, LLC, A/K/A Manzo-Doren Organization Of Totowa, LLC. On roll call vote, all members of the Council present voted in the affirmative.

#### RESOLUTION NO. 34-2022

#### RESOLUTION AUTHORIZING THE BOROUGH OF TOTOWA TO ENTER INTO A DEVELOPER'S AGREEMENT WITH MANZO DOREN ORGANIZATION OF TOTOWA, LLC, A/K/A MANZO-DOREN ORGANIZATION OF TOTOWA, LLC

WHEREAS, Manzo Doren Organization of Totowa, LLC, a/k/a Manzo-Doren Organization of Totowa, LLC (hereinafter "Manzo-Doren Organization") is the owner of real property set forth and designated as Block 171, Lots 2.01, 19, 20, 21 and 22 on the official Tax and Assessment Map of the Borough of Totowa and commonly known as 809-813 North Riverview Drive and 423, 429 and 441 Minnisink Road, Totowa, New Jersey 07512; and

WHEREAS, the property is approximately 2.72 acres in area and is located in the B-2 Local Business Zone District; and

WHEREAS, the Manzo-Doren Organization filed an application with the Borough of Totowa Zoning Board of Adjustment for various land use approvals, preliminary major subdivision approval, preliminary major site plan approval, final major subdivision approval and final major site plan approval for the North Riverview Drive/Minnisink Road property; and



WHEREAS, the Borough of Totowa Zoning Board of Adjustment at its public meetings held on September 23, 2020, October 21, 2020 and November 19, 2020 granted the preliminary and final site plan approval for the application filed by Manzo-Doren Organization for the North Riverview Drive/Minnisink Road property, subject to certain conditions and restrictions; and

WHEREAS, the Borough of Totowa Zoning Board of Adjustment approved the application on November 19, 2020 and memorialized its decision in a Resolution adopted by the Zoning Board on March 10, 2021; and

WHEREAS, one of the conditions of the approval granted by the Borough of Totowa Zoning Board of Adjustment was the requirement that the Manzo-Doren Organization enter into a Developer's Agreement with the Borough of Totowa; and

WHEREAS, by Resolution No. 28-2022 dated December January 25, 2022, the Mayor and Council of the Borough of Totowa authorized the Municipal Attorney to prepare the Developer's Agreement between the Borough of Totowa and the Manzo-Doren Organization.

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 a Developer's Agreement between the Borough of Totowa and Manzo-Doren Organization.

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 Fierro, seconded by Councilwoman Andriani to adopt the following Resolution Urging The Swift Passage Of S-330 Which Restores Energy Tax Receipts. On roll call vote, all members of the Council present voted in the affirmative.

RESOLUTION NO. 35-2022

RESOLUTION URGING THE SWIFT PASSAGE OF S-330 WHICH  
RESTORES ENERGY TAX RECEIPTS

WHEREAS, taxes on gas and electric utilities were originally collected by the host municipalities to be used for local purposes and to compensate the public for the use of their rights of way; and

WHEREAS, when the State made itself the collection agent for these taxes, it promised to dedicate the proceeds to municipal property tax relief; since, just as municipalities collect property taxes for the benefit of school districts, counties, and other entities, the State is supposed to collect Energy Taxes for the benefit of municipal governments; and

WHEREAS, for years, though, State budget makers have diverted funding from Energy Taxes to fund State programs; and instead of being spent on local programs and services and used to offset property taxes, the money has been spent as successive Legislatures and Administrations have seen fit; and

WHEREAS, the diversion of dedicated energy tax receipts to the State's General Fund further jeopardizes this critical property tax relief funding in future years; and

WHEREAS, by reducing Consolidated Municipal Property Tax Relief Act (CMPTRA), which is also comprised of revenues that should be returned to municipalities, State Budget makers have been able to continue collecting Energy Taxes, while keeping additional revenue that should have been returned to provide property tax relief; and

WHEREAS, the cumulative impact of years of underfunding has left many municipalities with serious needs and burdensome property taxes; and

WHEREAS, local elected officials are in the best position to decide the best use of these resources, which were always intended to fund local programs and services; and

WHEREAS, Senator Singleton and Senate President Scutari have introduced legislation (S-330) that will restore, over a five-year period, Energy Tax Receipts to municipalities.

NOW, THEREFORE, BE IT RESOLVED, that the Governing Body of the Borough of Totowa, in the County of Passaic urges the Legislature to swiftly pass this legislation and Governor Murphy sign the legislation prior to passage of the FY2023 State budget.

BE IT FURTHER RESOLVED, that a copy of this Resolution is forwarded to Senator Kristin Corrado, Assemblyman Kevin Rooney, Assemblyman Christopher DePhillips, Senate President Scutari, Assembly Speaker Coughlin, Governor Murphy, and the League of Municipalities.

There was a motion by Councilwoman Andriani, seconded by Councilman D'Angelo to approve the Application For Extension of Premises Permit from the State Of New Jersey Division Of Alcoholic Beverage Control for Anthony Murphy, Inc. on Friday, March 11, 2022, Saturday, March 12, 2022 and Sunday, March 13, 2022. On roll call vote, all members of the Council present voted in the affirmative. Councilman Fierro abstained from the voting.

There was a motion by Councilwoman Andriani, seconded by Councilman D'Angelo to approve the Application For Extension of Premises Permit from the State Of New Jersey Division Of Alcoholic Beverage Control for Anthony Murphy, Inc. on Thursday, March 17, 2022 and Friday, March 18, 2022. On roll call vote, all members of the Council present voted in the affirmative. Councilman Fierro abstained from the voting.

There was a motion by Councilman Fierro, seconded by Councilwoman Andriani 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 March 26, 2022 from 1:00 p.m. – 11:00 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 Councilwoman Andriani to approve Raffle License Application No. 2255 for St. James Church for an Off-Premise 50/50 to be held on May 1, 2022. On roll call vote, all members of the Council present voted in the affirmative.

There was a motion by Councilman Fierro, seconded by Councilwoman Andriani to approve Raffle License Application No. 2256 for the Little Falls Education Foundation for a Casino Night to be held on March 25, 2022 at The Barnyard & Carriage House. On roll call vote, all members of the Council present voted in the affirmative.

There was a motion by Councilman Fierro, seconded by Councilwoman Andriani to approve Raffle License Application Nos. 2257 & 2258 for the Passaic Valley Elks BPOE #2111 for a Tricky Tray and On-Premise 50/50 to be held on March 26, 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.

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Joseph Wassel, RMC  
Municipal Clerk