

BOROUGH OF TOTOWA

MINUTES OF THE MAYOR AND COUNCIL

January 25, 2022

PRESENT: Mayor John Coiro, presiding, Councilwoman Debra Andriani, Councilman Anthony Picarelli, Councilman William Bucher, Councilman John Capo, Councilman Patrick Fierro, 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 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 Councilwoman Andriani, seconded by Councilman Picarelli to dispense with the regular order of business in order to hold a public hearing on Ordinance No. 01-2022 as advertised. On roll call vote, all members of the Council present voted in the affirmative.

Municipal Clerk Wassel announced that Ordinance No. 01-2022 has been advertised for public hearing for Tuesday, January 25, 2022.

Municipal Clerk Wassel read the legal notice and the title of Ordinance No. 01-2022.

There was a motion by Councilwoman Andriani, seconded by Councilman Picarelli 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. 01-2022.

CITIZENS HEARD:

There were no citizens who wished to be heard.

There was a motion by Councilwoman Andriani, seconded by Councilman Picarelli 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. 01-2022 by title:

ORDINANCE NO. 01-2022

**AN ORDINANCE FIXING THE ANNUAL SALARIES AND WAGES
OF THE OFFICIALS, EMPLOYEES AND THE APPOINTEES OF THE
BOROUGH OF TOTOWA, COUNTY OF PASSAIC, STATE OF NEW JERSEY**

There was a motion by Councilwoman Andriani, seconded by Councilman Picarelli to adopt Ordinance No. 01-2022 on second and final reading. On roll call vote, all members of the Council present voted in the affirmative.

There was a motion by Councilwoman Andriani, seconded by Councilman Picarelli 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: Announced that the Totowa Blood Drive sponsored by Senator Kristin Corrado and the Mayor and Council will be held on February 3rd, from 12:00 to 7:00 p.m. at the Barnyard & Carriage House, with online sign ups only and asked that it be placed on the marquee.

Mayor Coiro: Reported that the Paterson Rotary donated hand sanitizer – 22 pallets – for Totowa, Woodland Park and Little Falls and that he just received another message that they will also be donating N95 masks.

CITIZENS HEARD:

There were no citizens who wished to be heard.

There was a motion by Councilwoman Andriani, seconded by Councilman Picarelli to approve the Minutes of the Mayor and Council for the meeting of January 11, 2022. 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. 2022-03 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 approve payment of the 1st Quarter 2022 Budget Allotment to the Borough of Totowa Public Library in the amount of \$235,144. On roll call vote, all members of the Council present voted in the affirmative.

COMMITTEE ON PUBLIC SAFETY:

Upon the recommendation of the Committee, there was a motion by Councilman Capo, seconded by Councilman Bucher that Sergeant Daniel DiBlasio, Sergeant Jamie Titus and Sergeant Jeffery Pasquariello be promoted to the rank of Lieutenant. 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 promote Sergeant Daniel DiBlasio, Sergeant Jamie Titus and Sergeant Jeffery Pasquariello to the rank of Lieutenant in the Borough of Totowa Police Department, effective with their swearing in ceremony on February 8, 2022.

There was a motion by Councilman Capo, seconded by Councilman Bucher to confirm the promotions. 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 a grade increase for Patrol Officer Michael DeLuccia from Grade 8 to Grade 7. 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 Phase 1 Gear Replacement For The Fire Department. On roll call vote, all members of the Council present voted in the affirmative.

RESOLUTION NO. 26-2022

RESOLUTION AUTHORIZING THE PURCHASE AND DELIVERY OF PHASE 1 GEAR REPLACEMENT FOR THE FIRE DEPARTMENT

WHEREAS, the Borough of Totowa Fire Chief has requested the purchase and delivery of new Phase 1 gear for the members of the Borough of Totowa Fire Department; and

WHEREAS, the new gear will replace worn out protective clothing and equipment; and

WHEREAS, the Mayor and Council of the Borough of Totowa have determined that there is a need for this new protective clothing and equipment which will safeguard our volunteer firefighters as they respond to emergency calls; and

WHEREAS, the Mayor and Council of the Borough of Totowa desire to authorize the purchase and delivery of new Phase 1 gear for the Fire Department; and

WHEREAS, State of New Jersey Contract No. T-0790 has been awarded to New Jersey Fire Equipment Co., 119-31 Route 22 East, Green Brook, New Jersey 08812 for the purchase and delivery of new firefighter protective clothing and gear; 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 new Phase 1 gear for the Fire Department in the amount of \$70,499.00.

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.

COMMITTEE ON PUBLIC WORKS:

Upon the recommendation of DPW Superintendent Jim Niland, there was a motion by Councilman Bucher, seconded by Councilman Fierro to approve a promotion for DPW Laborer William Marmo from Grade 1-A to Equipment Operator. On roll call vote, all members of the Council present voted in the affirmative.

There was a motion by Councilman Bucher, seconded by Councilman Fierro to approve Change Order No. 2 for a net decrease of \$5,780.23 and Payment Estimate No. 3 (Final) in the amount of (\$379.71) from Mike Fitzpatrick & Son, Inc. for the Jefferson Place & Raphael Road Improvements. On roll call vote, all members of the Council present voted in the affirmative.

COMMITTEE ON ENGINEERING & PUBLIC PROPERTY:

A letter was received from the Friends of the Totowa Public Library requesting permission to use the Municipal Parking Lot for a Rummage Sale/Paper Shredding on April 23, 2022 and Town Wide Garage Sale/Paper Shredding on September 24 & 25, 2022. 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:

Upon the recommendation of the Committee, there was a motion by Councilwoman Andriani, seconded by Councilman Bucher to appoint Daniel Sagan as a Board of Adjustment Commissioner. 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 Daniel Sagan as a Board of Adjustment Commissioner for a term ending December 31, 2025.

There was a motion by Councilwoman Andriani, seconded by Councilman Bucher to confirm the appointment. 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 adopt the following Resolution Authorizing The Borough Of Totowa To Enter Into An Addendum To The Developer's Agreement Between The Borough Of Totowa And Digital Totowa, LLC. On roll call vote, all members of the Council present voted in the affirmative.

RESOLUTION NO. 27-2022

RESOLUTION AUTHORIZING THE BOROUGH OF TOTOWA TO ENTER INTO AN ADDENDUM TO THE DEVELOPER'S AGREEMENT BETWEEN THE BOROUGH OF TOTOWA AND DIGITAL TOTOWA, LLC

WHEREAS, Digital Totowa, LLC is the owner of real property commonly known and designated as Block 173, Lot 17 on the official Tax and Assessment Map of the Borough of Totowa and is located at 701 Union Boulevard in the I-3 Restricted Industry District; and

WHEREAS, Digital Totowa, LLC had filed an application for development with the Borough of Totowa Planning Board for preliminary and final site plan approval for the 701 Union Boulevard property; and

WHEREAS, the Borough of Totowa Planning Board at its public meetings held on April 11, 2013, April 25, 2013 and May 9, 2013 granted preliminary and final site plan approval for the application filed by Totowa Digital, LLC for the 701 Union Boulevard property, subject to certain conditions and restrictions; and

WHEREAS, Digital Totowa, LLC received approval to permit the construction of two data center buildings on the site inclusive of a substation with two electrical feeds in order to provide power to the proposed buildings on the site; and

WHEREAS, by Resolution No. 65-2013 dated May 14, 2013, the Mayor and Council of the Borough of Totowa authorized the Municipal Attorney of the Borough of Totowa to prepare the Developer's Agreement with Digital Totowa, LLC; and

WHEREAS, by Resolution NO. 76-2013 dated June 25, 2013, the Mayor and Council of the Borough of Totowa authorized the Borough of Totowa to enter into the Developer's Agreement; and

WHEREAS, Digital Totowa, LLC has now sought approval for modifications to one of the buildings on the site which is also referred to as Building B; and

WHEREAS, the Borough of Totowa Zoning Board at its public meetings held on November 4, 2020 and November 19, 2021 granted preliminary and final site plan approval for Building B; and

WHEREAS, one of the conditions of the approval granted by the Borough of Totowa Zoning Board was the requirement that Totowa Digital, LLC enter into an Addendum to the original Developer's Agreement with the Borough of Totowa.

WHEREAS, by Resolution No. 125-2021 dated December 14, 2021, the Mayor and Council of the Borough of Totowa authorized the Municipal Attorney to prepare an Addendum to the Developer's Agreement between the Borough of Totowa and Digital Totowa, LLC.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Totowa do hereby authorize the Addendum to the Developer's Agreement between the Borough of Totowa to enter into a with Digital Totowa, LLC.

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 Councilwoman Andriani, seconded by Councilman Bucher to adopt the following Resolution Authorizing The Municipal Attorney To Prepare A Developer's Agreement Between The Borough Of Totowa And 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. 28-2022

RESOLUTION AUTHORIZING THE MUNICIPAL ATTORNEY TO PREPARE
A DEVELOPER'S AGREEMENT BETWEEN THE BOROUGH OF TOTOWA
AND 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

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Totowa do hereby authorize the Borough of Totowa Municipal Attorney to prepare a Developer's Agreement between the Borough of Totowa and the Manzo-Doren Organization.

COMMITTEE ON LEGISLATION & ORDINANCES:

There was a motion by Councilman Fierro, seconded by Councilman Picarelli to approve the Application To Amend Raffle License Application No. 2246 for the Little Falls Education Foundation for an Off-Premise 50/50 from February 4, 2022 at The Grand to 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 Councilman Picarelli to approve Raffle License Application Nos. 2251 & 2252 for Our Lady of the Valley Roman Catholic Church for a Tricky Tray and On-Premise 50/50 to be held on March 13, 2022 at the Barnyard & Carriage House. 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 Councilwoman Andriani, seconded by Councilman Picarelli that the meeting be adjourned. On roll call vote, all members of the Council present voted in the affirmative.

Joseph Wassel, RMC
Municipal Clerk