

BOROUGH OF TOTOWA

MINUTES OF THE MAYOR AND COUNCIL

July 9, 2024

PRESENT: Mayor John Coiro, presiding, Council President Lou D'Angelo, Councilman Anthony Picarelli, Councilman William Bucher, Councilman John Capo, Councilman Patrick Fierro, Municipal Clerk Joseph Wassel and Municipal Attorney Kristin Corrado.

ABSENT: Councilman Sanders Reynoso.

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 Municipal 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 Picarelli: Said that he stopped at the pool on the 4th of July and it looked great and there was a great turnout. Stated that pool member Louise Capra donated 500 hot dogs.

CITIZENS HEARD:

There were no citizens who wished to be heard.

There was a motion by Councilman D'Angelo, seconded by Councilman Picarelli to approve the Minutes of the Mayor and Council for the meeting of June 25, 2024. On roll call vote, all members of the Council present voted in the affirmative. Councilman Fierro abstained from the voting.

COMMITTEE ON FINANCE:

There was a motion by Councilman Picarelli, seconded by Councilman D'Angelo to approve Resolution No. 2024-15 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 approve payment of the 3rd Quarter 2024 Budget Allotment to the Borough of Totowa Public Library in the amount of \$337,679. 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 a grade increase for Patrol Officer Nicholas Duncan from Grade 9 Patrol Officer to Grade 8 Patrol Officer. On roll call vote, all members of the Council present voted in the affirmative.

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 grade increase for DPW Laborer Gregory LaRose from Grade 1-B to Grade 1-A. 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 Councilman Picarelli to approve Payment Estimate No. 11 in the amount of \$63,667.81 to Pact Two, LLC for the William Place Pump Station Improvements. On roll call vote, all members of the Council present voted in the affirmative.

COMMITTEE ON LIAISON & INSPECTION:

A letter of resignation was received from Board of Health Commissioner Patricia Manzo effective July 30, 2024. There was a motion by Councilman Bucher, seconded by Councilman Fierro to accept her resignation and send her a letter of thanks. 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 adopt the following Resolution Authorizing The Borough Of Totowa To Enter Into A Developer's Agreement With Montar Group, LLC. On roll call vote, all members of the Council present voted in the affirmative.

RESOLUTION NO. 97-2024

RESOLUTION AUTHORIZING THE BOROUGH OF TOTOWA TO ENTER INTO A DEVELOPER'S AGREEMENT WITH MONTAR GROUP, LLC

WHEREAS, Totowa Plaza Associates is the owner of the real property set forth and designated as Block 173, Lot 38 on the official Tax and Assessment Map of the Borough of Totowa and commonly known as 783 North Riverview Drive, Totowa, New Jersey 07512; and

WHEREAS, Montar Group, LLC with offices at 6100 Lake Forest Drive, Suite 104, Atlanta, Georgia is the tenant for previously identified real property; and

WHEREAS, the property is located in both the B-3 Zone and I-3 Zone Districts; and

WHEREAS, Montar Group, LLC filed an application with the Borough of Totowa Zoning Board of Adjustment for various land use approvals seeking preliminary and final major site plan approval with use variance, floor area ratio variance and bulk variances as well as design waiver relief for the construction of a 3-story self-storage facility for the Riverview Drive property; and

WHEREAS, the Borough of Totowa Zoning Board of Adjustment at its public meeting held on November 8, 2023 granted the preliminary and final site plan approval and various land use relief for the application filed by Montar Group, LLC for the Riverview Drive property, subject to certain conditions and restrictions; and

WHEREAS, the Borough of Totowa Zoning Board of Adjustment approved the application on November 8, 2023 and memorialized its decision in a Resolution adopted by the Zoning Board on December 13, 2023; and

WHEREAS, one of the conditions of the approval granted by the Borough of Totowa Zoning Board of Adjustment was the requirement that the Montar Group, LLC enter into a Developer's Agreement with the Borough of Totowa; and

WHEREAS, by Resolution No. 87-2024 dated June 11, 2024, 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 Montar Group, LLC.

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 the Montar Group, 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.

COMMITTEE ON LEGISLATION & ORDINANCES:

There was a motion by Councilman Fierro, seconded by Councilman Picarelli to introduce on first reading and advertise for public hearing the following entitled ordinance. On roll call vote, all members of the Council present voted in the affirmative.

ORDINANCE NO. 11-2024

**AN ORDINANCE TO AMEND THE CODE OF THE BOROUGH OF TOTOWA
CHAPTER 153 ENTITLED “CONSTRUCTION CODES, UNIFORM”,
ARTICLE II, “BUILDING CONSTRUCTION FEES”**

There was a motion by Councilman Fierro, seconded by Councilman Picarelli to introduce on first reading and advertise for public hearing the following entitled ordinance. On roll call vote, all members of the Council present voted in the affirmative.

ORDINANCE NO. 12-2024

**AN ORDINANCE TO AMEND THE CODE OF THE BOROUGH OF TOTOWA
CHAPTER 415 ENTITLED “ZONING AND LAND USE”, PART 3, “SUBDIVISION
AND SITE PLAN REVIEW”, ARTICLE XIII, “DESIGN STANDARDS”**

There was a motion by Councilman Fierro, seconded by Councilman Picarelli to adopt the following Resolution Authorizing The Renewal Of Division Of Alcoholic Beverage Control Liquor Licenses For The 2024 – 2025 License Term. On roll call vote, all members of the Council present voted in the affirmative.

RESOLUTION NO. 98-2024

**RESOLUTION AUTHORIZING THE RENEWAL OF
DIVISION OF ALCOHOLIC BEVERAGE CONTROL LIQUOR LICENSES
FOR THE 2024 – 2025 LICENSE TERM**

WHEREAS, Division of Alcoholic Beverage Control (ABC) liquor licenses that have been issued by the Borough of Totowa during the 2023 – 2024 license term will expire on June 30th; and

WHEREAS, State and Municipal regulations require that ABC liquor licenses be renewed prior to July 1, 2024; and

WHEREAS, the Division of Alcoholic Beverage Control (ABC) has introduced POSSE ABC, an electronic web based licensing system; and

WHEREAS, licensees have filed their renewal applications online through POSSE ABC, have received their Alcoholic Beverage Retail Licensee Clearance Certificate and have paid their State and Municipal fees.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Totowa that the Municipal Clerk be authorized to issue an ABC License to the following licensed premises for the 2024 – 2025 license term.

1612-44-006-005 DTJ, Ltd.

There was a motion by Councilman Fierro, seconded by Councilman Picarelli to adopt the following Resolution Approving A Place-To-Place Transfer – Expansion Of Premises For Apple Food Service Of Totowa, Inc., Trading As Applebee’s Neighborhood Grill & Bar And Jinya Ramen Bar. On roll call vote, all members of the Council present voted in the affirmative.

RESOLUTION NO. 99-2024

RESOLUTION APPROVING A PLACE-TO-PLACE TRANSFER – EXPANSION OF PREMISES FOR APPLE FOOD SERVICE OF TOTOWA, INC. TRADING AS APPLEBEE’S NEIGHBORHOOD GRILL & BAR AND JINYA RAMEN BAR

WHEREAS, an application has been filed for a Place-To-Place Transfer – Expansion of Premises of Plenary Retail Consumption License No. 1612-33-001-010, heretofore issued to Apple Food Service of Totowa, Inc. trading as Applebee’s Neighborhood Grill & Bar, now trading as Applebee’s Neighborhood Grill & Bar and JINYA Ramen Bar; and

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

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Totowa does hereby approve, effective July 9, 2024, the Place-To-Place Transfer – Expansion of Premises of the aforesaid Plenary Retail Consumption License and does hereby direct the Municipal Clerk to endorse the license certificate as follows: “This license, subject to all its terms and conditions, is hereby transferred to Apple Food Service of Totowa, Inc., trading as Applebee’s Neighborhood Grill & Bar and JINYA Ramen Bar, effective July 9, 2024”.

There was a motion by Councilman Fierro, seconded by Councilman Picarelli to approve Raffle License Application Nos. 2386 & 2387 for Silk City Pearls, Inc. for a Tricky Tray and On-Premise 50/50 to be held on October 26, 2024 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 Councilman D'Angelo, 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