

BOROUGH OF TOTOWA

MINUTES OF THE MAYOR AND COUNCIL

June 23, 2020

Due to the COVID-19 (coronavirus) pandemic and the Governor's Executive Order 107, in accordance with N.J.S.A. 10:4-8(b), this meeting was not open to the public, but was held by remote means on Zoom.

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.

The Municipal Clerk 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. 08-2020 as advertised. On roll call vote, all members of the Council present voted in the affirmative.

Municipal Clerk Wassel announced that Ordinance No. 08-2020 has been advertised for public hearing for Tuesday, June 23, 2020.

Municipal Clerk Wassel read the legal notice and the title of Ordinance No. 08-2020.

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 watching via Zoom wished to be heard on Ordinance No. 08-2020.

CITIZENS HEARD:

Mayor Coiro announced that we have not received any emailed questions pertaining to Ordinance No. 08-2020.

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. 08-2020 by title:

ORDINANCE NO. 08-2020

**A CAPITAL ORDINANCE APPROPRIATING THE SUM OF \$2,454,192
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. 08-2020 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.

There were no reports.

Mayor Coiro asked if any citizens watching via Zoom wished to be heard on any matter.

CITIZENS HEARD:

Mayor Coiro announced that we have not received any emailed questions pertaining to the public portion of the meeting through 7:30 p.m.

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 9, 2020. 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. 2020-14 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 authorizing the Treasurer to issue refunds to various property owners due to overpayment of 2nd Quarter 2020 taxes. On roll call vote, all members of the Council present voted in the affirmative.

RESOLUTION

WHEREAS, there has been an overpayment of 2nd quarter 2020 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
9.08	86	171 Hickory Hill Blvd. Sheikh, Vaqas & Ayesha	Wells Fargo Attn: Refunds F2302-04D 1 Home Campus Des Moines, IA 50328	\$4,963.46

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.

A letter of resignation was received from Deputy Tax Collector Elaine Challice effective June 1, 2020. There was a motion by Councilman Picarelli, seconded by Councilman D'Angelo to accept her resignation. 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 Authorizing The Mayor To Sign The Certification To Comply With The Requirements Set Forth In N.J.A.C. 7:26A-11. On roll call vote, all members of the Council present voted in the affirmative.

RESOLUTION NO. 81-2020

WHEREAS, the Clean Communities and Recycling Act of 1981 created the Municipal Tonnage Grant (MTG) program, whereby municipalities could receive a grant for the amount of materials documented as being recycled during the previous calendar year; and

WHEREAS, in 1987, the New Jersey Statewide Mandatory Source Separation and Recycling Act, specifically N.J.S.A. 13:1E-99.16, mandated the governing body of each municipality to submit an annual Recycling Tonnage Report summarizing the amount of material recycled during the previous calendar year; and

WHEREAS, in January 2008, the Recycling Enhancement Act (REA), N.J.S.A. 13:1E-96, specifically P.L. 2007, c. 311, reestablished funding for local recycling programs through a tax of \$3.00 per ton on all solid waste accepted for disposal or transfer at solid waste facilities in New Jersey except those designed exclusively to transport waste by railroad (N.J.S.A. 13:1E-96.5); and

WHEREAS, the REA requires that a Certified Recycling Coordinator (CRC-sometimes referred to as a Certified Recycling Professional-CRP) certify recycling tonnage reports, specifies that grants received may only be expended on recycling (N.J.S.A. 13:1E-96(b)1) and that the amount of grant monies received by the municipality shall not be less than the annual amount of recycling tax paid by the municipality (N.J.S.A. 13:1E-96(b)1); and

WHEREAS, pursuant to N.J.S.A. 13:1E-96a, the Department of Environmental Protection (DEP), Division of Solid and Hazardous Waste (DSHW) administers the MTG program; and

WHEREAS, the DEP implemented several changes to the program beginning with the 2017 MTG application, and whereby now a complete 2019 MTG application consists of: a 2019 Recycling Tonnage Report; an Expenditure Report for 2016 MTG funds; a statement that the municipality complied in calendar year 2019 with the Standards for Municipalities and intends to comply with same in calendar year 2020; a statement that the Municipal Recycling Coordinator (MRC) intends to attend at least one County sponsored recycling meeting during calendar year 2020; and a statement that the MRC intends to visit/tour at least one Class A recycling center during calendar year 2020.

NOW, THEREFORE, BE IT RESOLVED, that the Municipal Council of the Borough of Totowa, County of Passaic, New Jersey does hereby authorize Mayor John Coiro to sign the Certification of Compliance (N.J.A.C. 7:26A-11 "Standards for Municipalities").

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. 148) – Public And Private Revenues Offset By Appropriations – County Of Passaic Coronavirus Aid, Relief And Economic Security Act ("CARES Act") Fund. On roll call vote, all members of the Council present voted in the affirmative.

RESOLUTION NO. 82-2020

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. 148) – PUBLIC AND PRIVATE REVENUES OFFSET BY APPROPRIATIONS – COUNTY OF PASSAIC CORONAVIRUS AID, RELIEF AND ECONOMIC SECURITY ACT (“CARES ACT”) FUND

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 a grant in the amount of \$630,415 from the County of Passaic CARES Act Fund and wishes to amend its 2020 Budget to include this amount as an item of revenue.

NOW, THEREFORE, BE IT RESOLVED, that the Governing Body of the Borough of Totowa does hereby request the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the Budget of 2020 in the sum of \$630,415 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:

Passaic County CARES Act Fund \$630,415

BE IT FURTHER RESOLVED, that a like sum of \$630,415 be and the same is hereby, appropriated under the caption:

General Appropriations

(A) Operations – Excluded from CAPS

Public and Private Programs Offset by Revenues

Passaic County CARES Act Fund \$630,415

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 adopt the following Resolution Authorizing The Purchase And Delivery Of Various Computer Equipment And Accessories For Various Municipal Offices. On roll call vote, all members of the Council present voted in the affirmative.

RESOLUTION NO. 83-2020

RESOLUTION AUTHORIZING THE PURCHASE AND DELIVERY OF
VARIOUS COMPUTER EQUIPMENT AND ACCESSORIES FOR
VARIOUS MUNICIPAL OFFICES

WHEREAS, the Borough of Totowa Municipal Clerk has advised that various Borough of Totowa Municipal offices are in need of new and updated computers; and

WHEREAS, the Mayor and Council of the Borough of Totowa have determined that there is a need for new computers and related accessories for the various Borough of Totowa Municipal offices; and

WHEREAS, the Mayor and Council of the Borough of Totowa desire to authorize the purchase of new computers and related accessories for the various Borough of Totowa Municipal offices; and

WHEREAS, State of New Jersey Contract No. A88796 has been awarded to Dell Marketing LP, One Dell Way, Mail Stop 8129, Round Rock, Texas 78682 who has submitted a proposal dated May 21, 2020 for the purchase and delivery of a new server in the amount of \$3,775.00 and has submitted a proposal dated June 5, 2020 for the purchase and delivery of various computer equipment and related accessories with a unit price in the amount of \$1,222.39 per computer and \$222.74 per monitor, copies of which are 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 the new computers and related accessories 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 various computer equipment and related accessories for various Borough of Totowa Municipal offices from Dell Marketing LP in accordance with the prices set forth in the aforementioned proposals.

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.

COMMITTEE ON PUBLIC SAFETY:

There was a motion by Councilman D'Angelo, seconded by Councilman Capo to adopt the following Resolution Of The Borough Of Totowa Authorizing The Payment Of Terminal Leave Benefits To Robert W. Coyle. On roll call vote, all members of the Council present voted in the affirmative.

RESOLUTION NO. 84-2020

RESOLUTION OF THE BOROUGH OF TOTOWA AUTHORIZING THE
PAYMENT OF TERMINAL LEAVE BENEFITS TO ROBERT W. COYLE

WHEREAS, Robert W. Coyle began his employment with the Borough of Totowa as a Patrol Officer in the Police Department on March 12, 1979; and

WHEREAS, Robert W. Coyle retired from the Borough of Totowa Police Department as Chief effective March 1, 2020; and

WHEREAS, the policy of the Borough of Totowa is that employees with twenty-five (25) years of service are entitled to a maximum of one hundred thirty (130) days of Terminal Leave to be paid upon retirement; and

WHEREAS, the Terminal Leave amount is calculated at the amount of sick day benefits, not to exceed one hundred thirty (130) days or eighty-seven (87) days for those employees under the Pitman/12 Hour Shift Schedule, at the daily rate of pay of the last twelve (12) months of service upon retirement; and

WHEREAS, Robert W. Coyle has accumulated one hundred thirty (130) unused sick days and has completed more than twenty-five (25) years of service as an employee of the Borough of Totowa; and

WHEREAS, Robert W. Coyle does hereby waive any other claim and/or claims for any salary, benefits and/or other compensation.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Totowa that Robert W. Coyle is granted one hundred thirty (130) days of accumulated sick leave (Terminal Leave) for a total amount of eighty-four thousand sixty-nine and 00/100 Dollars (\$84,069.00). Said monies are given in full and final consideration of any and all claims that Robert W. Coyle may have against the Borough of Totowa.

There was a motion by Councilman D'Angelo, seconded by Councilman Capo to adopt the following Resolution Authorizing The Borough Of Totowa Towing List For The 2020/2021 License Term. On roll call vote, all members of the Council present voted in the affirmative.

RESOLUTION NO. 85-2020

RESOLUTION AUTHORIZING THE BOROUGH OF TOTOWA
TOWING LIST FOR 2020/2021 LICENSE TERM

WHEREAS, the Mayor and Council of the Borough of Totowa desire to establish a list of towing services to be used by the Borough of Totowa Police Department for the removal, towing and storing of motor vehicles and to set rates and charges for the same; and

WHEREAS, by Ordinance No. 5-2015 adopted February 24, 2015, the Mayor and Council of the Borough of Totowa established the minimum requirements for a towing contractor to provide services including the removal, impoundment and storage of vehicles; and

WHEREAS, a towing list shall be kept with the Borough of Totowa Police Chief; and

WHEREAS, all towing services placed on the towing list shall be available to respond to a call in accordance with a towing rotation schedule of on-call status established by the Borough of Totowa Police Chief; and

WHEREAS, when the need arises, the Borough of Totowa Police Department will call the towing service on the top of the list, which is on-call with the towing rotation schedule. The towing service called shall be placed on the bottom of the towing list and not called again until all other towing services have been called; and

WHEREAS, all towing services shall respond to a call in any part of the Borough within fifteen (15) minutes of a call. If a towing service does not respond within fifteen (15) minutes of a call, the towing service next on the list shall be called and entitled to provide services as needed; and

WHEREAS, all towing services shall be performed in a safe manner and shall be responsible for ensuring the proper and safe storage of all motor vehicles towed; and

WHEREAS, the Borough of Totowa Police Chief has recommended that the following towing services be placed on the towing list for the Borough of Totowa:

1. Frank Leah Towing Service, Inc.
6 Wilson Avenue
Totowa, New Jersey 07512
2. Kelkate Enterprises, Inc.
210 21st Avenue
Paterson, New Jersey 07501
3. Totowa Tire Service, Inc.
589 Union Boulevard
Totowa, New Jersey 07512
4. North Jersey Towing & Recovery, Inc.
84 Union Boulevard
Totowa, New Jersey 07512
5. J&M Towing
116 Dorsa Avenue
Wayne, New Jersey 07424
6. Pohlman's Gulf LLC
160 Union Boulevard
Totowa, New Jersey 07512
7. Camp Auto & Truck Parts, Inc.
9 Whitmore Avenue
Wayne, New Jersey 07470

WHEREAS, these towing services have the appropriate vehicles, related equipment and storage facilities and maintain the required licenses and insurance to perform these necessary services for the Borough of Totowa; and

WHEREAS, the towing list shall be in use for a period of one (1) year effective July 1st of each year and expire on June 30th of the following year.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Totowa do hereby establish a towing list of the above companies to be used by the Borough of Totowa Police Department for the towing and storage of vehicles.

There was a motion by Councilman D'Angelo, seconded by Councilman Capo to adopt the following Resolution Authorizing The Purchase And Installation Of Office Furniture For The Police Chief's Office. On roll call vote, all members of the Council present voted in the affirmative.

RESOLUTION NO. 86-2020

RESOLUTION AUTHORIZING THE PURCHASE AND INSTALLATION OF
OFFICE FURNITURE FOR THE POLICE CHIEF'S OFFICE

WHEREAS, the Borough of Totowa Police Chief has requested that new furniture be purchased for the Borough of Totowa Police Chief's office; and

WHEREAS, the Mayor and Council of the Borough of Totowa have determined that there is a need for the new furniture for the Borough of Totowa Police Chief's office; and

WHEREAS, the Mayor and Council of the Borough of Totowa desire to authorize the purchase of new office furniture for the Borough of Totowa Police Chief's office; and

WHEREAS, Feigus Office Furniture, 2604 Atlantic Avenue, Suite 100, Wall, New Jersey 07719 has submitted a proposal dated June 10, 2020 for the purchase and installation of new office furniture for the Borough of Totowa Police Chief's office in the amount of \$6,995.00, a copy of which is on file on the office of the Borough of Totowa Municipal Clerk; and

WHEREAS, pursuant to the applicable New Jersey State laws, the purchase of this office furniture 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 installation of new office furniture for the Borough of Totowa Police Chief's office from Feigus Office Furniture in the amount of \$6,995.00.

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

There was a motion by Councilman D'Angelo, seconded by Councilman Capo to adopt the following Resolution Authorizing The Purchase And Installation Of Carpet For The Police Chief's Office And The Detective Bureau. On roll call vote, all members of the Council present voted in the affirmative.

RESOLUTION NO. 87-2020

RESOLUTION AUTHORIZING THE PURCHASE AND INSTALLATION OF CARPET
FOR THE POLICE CHIEF'S OFFICE AND THE DETECTIVE BUREAU

WHEREAS, the Borough of Totowa Police Chief has requested that new carpet be purchase for the Borough of Totowa Police Chief's office and the Detective Bureau; and

WHEREAS, the Mayor and Council of the Borough of Totowa have determined that there is a need for the new carpet for the Police Chief's office and the Detective Bureau; and

WHEREAS, the Mayor and Council of the Borough of Totowa desire to authorize the purchase of new carpet; and

WHEREAS, Treptow Floor Covering, 1275 Bloomfield Avenue, Fairfield, New Jersey 07004 has submitted a proposal dated May 8, 2020 for the removal of the existing carpet and installation of new carpet in the amount of \$1,375.00, a copy of which is on file on the office of the Borough of Totowa Municipal Clerk; and

WHEREAS, pursuant to the applicable New Jersey State laws, the purchase of the police radios 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 removal of exiting carpet and installation of new carpet for the Borough of Totowa Police Chief's office and the Detective Bureau from Treptow Floor Covering in the amount of \$1,375.00.

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

There was a motion by Councilman D'Angelo, seconded by Councilman Capo to add the following item to the agenda. 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 Consulting Services To Assist The Borough Of Totowa Police Department In Development Of Customized Policy Manual And Online Training Module. On roll call vote, all members of the Council present voted in the affirmative.

RESOLUTION NO. 87A-2020

RESOLUTION AUTHORIZING CONSULTING SERVICES TO ASSIST THE BOROUGH OF TOTOWA POLICE DEPARTMENT IN DEVELOPMENT OF CUSTOMIZED POLICY MANUAL AND ONLINE TRAINING MODULE

WHEREAS, the Borough of Totowa Police Chief has recommended that the Policy Manual for the Borough of Totowa Police Department be updated to ensure that the Department's written directive system including SOPs, General Orders and Rules and Regulations, are compliant with all laws and the New Jersey Attorney General's guidelines; and

WHEREAS, the Borough of Totowa Police Chief has also recommended that an online training module be developed to address their mandatory training requirements set forth by the New Jersey Attorney General; and

WHEREAS, the Mayor and Council of the Borough of Totowa have determined that there is a need for an updated Policy Manual and online training module for the Borough of Totowa Police Department; and

WHEREAS, the Mayor and Council of the Borough of Totowa desire to authorize consulting services to assist the Borough of Totowa Police Department with the development of a customized Policy Manual and online training manual; and

WHEREAS, The Rodgers Group, LLC, P.O. Box 831, Island Heights, New Jersey 08732 has submitted a proposal for the development of an updated and compliant Policy Manual for the Borough of Totowa Police Department in the amount of \$27,900.00 and a proposal for the development of an online training module in the amount of \$5,568.00 for a total sum of \$33,468.00, copies of which are on file on the office of the Borough of Totowa Municipal Clerk; and

WHEREAS, pursuant to the applicable New Jersey State laws, the consulting services for the development of a customized Policy Manual and online training module may be authorized without public bidding.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Totowa do hereby authorize consulting services for the development of a customized Policy Manual and online training module for the Borough of Totowa Police Department from The Rodgers Group, LLC in the amount of \$33,468.00.

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

COMMITTEE ON PUBLIC WORKS:

There was a motion by Councilman Bucher, seconded by Councilwoman Palazzo to adopt the following Resolution To Submit A Grant Application And Execute A Grant Agreement With The New Jersey Department Of Transportation For The 2021 Municipal Aid Application For The Stewart Terrace, Knollwood Road, Artillery Park Road, Knox Terrace And Colonial Court Improvement Project. On roll call vote, all members of the Council present voted in the affirmative.

RESOLUTION NO. 88-2020

RESOLUTION TO SUBMIT A GRANT APPLICATION AND EXECUTE
A GRANT AGREEMENT WITH THE NEW JERSEY DEPARTMENT OF
TRANSPORTATION FOR THE 2021 MUNICIPAL AID APPLICATION FOR
THE STEWART TERRACE, KNOLLWOOD ROAD, ARTILLERY PARK ROAD,
KNOX TERRACE AND COLONIAL COURT IMPROVEMENT PROJECT

WHEREAS, the Borough of Totowa continues to develop projects that will improve access and maintenance on public roads; and

WHEREAS, the Borough of Totowa's Engineer has provided plans specifically designed to address and improve traffic flow/safety issues and maintenance on our roads; and

WHEREAS, the Borough of Totowa has submitted plans to the State of New Jersey, Department of Transportation for Municipal Aid in the past and will continue to do so in the future; and

WHEREAS, the Borough of Totowa has identified Stewart Terrace, Knollwood Road, Artillery Park Road, Knox Terrace and Colonial Court in desperate need of repair.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Totowa, in the County of Passaic, State of New Jersey formally approves the grant application for the Stewart Terrace, Knollwood Road, Artillery Park Road, Knox Terrace and Colonial Court Improvement Project.

BE IT FURTHER RESOLVED, that the Mayor and Municipal Clerk are hereby authorized to submit an electronic grant application identified as "MA-2021-Totowa Borough-Stewart Terrace, Knollwood Road, Artillery Park Road, Knox Terrace and Colonial Court Improvement Project-00395" to the New Jersey Department of Transportation on behalf of the Borough of Totowa.

BE IT FURTHER RESOLVED, that the Mayor and Municipal Clerk are hereby authorized to sign the grant agreement on behalf of the Borough of Totowa and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

There was a motion by Councilman Bucher, seconded by Councilwoman Palazzo to adopt the following Resolution Authorizing The Purchase Of Various Landscaping Equipment For The Department Of Public Works. On roll call vote, all members of the Council present voted in the affirmative.

RESOLUTION NO. 89-2020

RESOLUTION AUTHORIZING THE PURCHASE OF VARIOUS LANDSCAPING EQUIPMENT FOR THE DEPARTMENT OF PUBLIC WORKS

WHEREAS, the Borough of Totowa Department of Public Works ("DPW") Superintendent has requested that various landscaping equipment be purchased for use by the DPW; and

WHEREAS, this equipment includes a commercial lawn mower, two-wheel sulky and trimmers; and

WHEREAS, the Mayor and Council of the Borough of Totowa have determined that there is a need for this equipment; and

WHEREAS, the Mayor and Council of the Borough of Totowa desire to authorize the purchase of various landscaping equipment; and

WHEREAS, Riverdale Power Mower, 90 Hamburg Turnpike, Riverdale, New Jersey 07457 has submitted a proposal dated May 26, 2020 for the purchase of two Commercial Trimmer Red Max in the amount of \$739.98 and has submitted a second proposal dated June 1, 2020 for the purchase of a 22 HP Kawasaki FX with 48" SPHOC Floating Deck HDX and Pro Line two-wheel Sulky in the amount of \$6,309.28 for the total sum of \$7,049.26, copies of which are 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 landscaping 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 of the above referenced landscaping equipment from Riverdale Power Mower in the amount of \$7,049.26.

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.

Upon the recommendation of DPW Superintendent Jim Niland, there was a motion by Councilman Bucher, seconded by Councilwoman Palazzo to approve a grade increase for DPW Laborer Gregory LaRose from Grade 1 to Grade 1-C. 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 The Borough Of Totowa To Enter Into A Real Estate Sales Contract For The Purchase Of 86 Lincoln Avenue. On roll call vote, all members of the Council present voted in the affirmative.

RESOLUTION NO. 90-2020

RESOLUTION AUTHORIZING THE BOROUGH OF TOTOWA TO ENTER INTO A REAL ESTATE SALES CONTRACT FOR THE PURCHASE OF 86 LINCOLN AVENUE

WHEREAS, Parma Slicers LLC, 56 Hobart Place, Totowa, New Jersey 07512 is the owner of property located at 86 Lincoln Avenue in the Borough of Totowa and identified as Block 23, Lot 1 on the official tax map of the Borough of Totowa; and

WHEREAS, this property is currently listed for sale; and

WHEREAS, the Mayor and Council desire to acquire this property in order to provide municipal parking for the residents of the Borough of Totowa; and

WHEREAS, the Borough of Totowa has made an offer in the amount of \$390,000.00 to purchase the property and this offer has been accepted by Parma Slicers LLC; and

WHEREAS, the Mayor and Council desire to memorialize the terms and conditions of the purchase of 86 Lincoln Avenue in a Real Estate Sales Contract; and

WHEREAS, the Mayor and Council of the Borough of Totowa further desire to authorize the purchase of this property.

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 Real Estate Sales Contract with Parma Slicers LLC for the purchase of property located at 86 Lincoln Avenue in the Borough of Totowa and identified as Block 23, Lot 1 on the official tax map of the Borough of Totowa; and

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 instruments relating thereto.

There was a motion by Councilman Capo, seconded by Councilwoman Andriani to add the following item to the agenda. On roll call vote, all members of the Council present voted in the affirmative.

A letter was received from Denise Vecchio, 213 Dewey Avenue requesting permission to close Stanley Street for a block party on Saturday, July 11, 2020 from 1:00 – 10:00 p.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 Stanley Street between Dewey Avenue and Grant Avenue be closed to vehicular traffic from 1:00 p.m. to 10:00 p.m. on Saturday, July 11, 2020. I further direct that proper signs and barriers be erected at the intersections of Stanley Street and Dewey Avenue and Stanley Street and Grant Avenue and that the Totowa Police Department control and regulate, as well as enforce, this regulation.

COMMITTEE ON LIAISON & INSPECTION:

There was a motion by Councilwoman Andriani, seconded by Councilman Bucher to adopt the following Resolution Authorizing A Refund Of Building Permit (Permit #19-348) Fees To The Passaic Valley Water Commission. On roll call vote, all members of the Council present voted in the affirmative.

RESOLUTION NO. 91-2020

RESOLUTION AUTHORIZING A REFUND OF BUILDING PERMIT (PERMIT #19-348) FEES TO THE PASSAIC VALLEY WATER COMMISSION

WHEREAS, the Passaic Valley Water Commission ("PVWC") has undertaken a renovation project at the main pumping station located at 800 Union Boulevard, Totowa, New Jersey 07512; and

WHEREAS, at the start of the project, the General Contractor secured the required permit (Permit #19-348) needed for the project from the Borough of Totowa Building Department; and

WHEREAS, the General Contractor paid the permit fee in the amount of \$72,648.00 and then passed on the cost of the permit fee to PVWC; and

WHEREAS, PVWC then asked the project Planner to review how the permit fees were calculated; and

WHEREAS, it was subsequently found that the fee was based on a calculation that included an incorrect construction cost estimate and was higher than it should have been; and

WHEREAS, the Borough of Totowa's Construction Official has confirmed that the permit fee was miscalculated; and

WHEREAS, PVWC has requested that a portion of the fee in the amount of \$14,985.88 be refunded; and

WHEREAS, the Mayor and Council of the Borough of Totowa desire to authorize the refund of the overpayment in the amount of \$14,985.88 to PVWC.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Totowa do hereby authorize the refund of Borough of Totowa Building Department (Permit #19-348) fee in the amount of \$14,985.88 to PVWC.

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

COMMITTEE ON LEGISLATION & ORDINANCES:

There was a motion by Councilwoman Palazzo, seconded by Councilman Picarelli to approve the Application to Amend Raffle License Application No. 2201 for North Jersey Elks Developmental Disabilities Agency to change the date from April 30, 2020 to October 22, 2020. 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