

BOROUGH OF TOTOWA

MINUTES OF THE MAYOR AND COUNCIL

February 10, 2015

PRESENT: Mayor John Coiro, presiding, Councilman Lou D'Angelo, Councilwoman Carolyn Fontanella, Councilwoman Debra Andriani, Councilman Anthony Picarelli, Councilman William Bucher, Municipal Clerk Joseph Wassel and Alternate Municipal Attorney Kristin Corrado.

ABSENT: Council President Phil Puglise and Municipal Attorney Robert Corrado.

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 Fontanella to dispense with the regular order of business in order to hold a public hearing on Ordinance Nos. 01-2015, 02-2015, 03-2015 & 04-2015 as advertised. On roll call vote, all members of the Council present voted in the affirmative.

Municipal Clerk Wassel announced that Ordinance Nos. 01-2015, 02-2015, 03-2015 & 04-2015 have been advertised for public hearing for Tuesday, February 10, 2015.

Municipal Clerk Wassel read the legal notice and the title of Ordinance No. 01-2015.

There was a motion by Councilman D'Angelo, seconded by Councilwoman Fontanella 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. 01-2015.

CITIZENS HEARD:

There were no citizens who wished to be heard.

There was a motion by Councilman D'Angelo, seconded by Councilwoman Fontanella 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. 01-2015 by title:

ORDINANCE NO. 01-2015

**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 Councilman D'Angelo, seconded by Councilwoman Fontanella to adopt Ordinance No. 01-2015 on second and final reading. On roll call vote, all members of the Council present voted in the affirmative.

Municipal Clerk Wassel read the legal notice and the title of Ordinance No. 02-2015.

There was a motion by Councilman D'Angelo, seconded by Councilwoman Fontanella 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. 02-2015.

CITIZENS HEARD:

There were no citizens who wished to be heard.

There was a motion by Councilman D'Angelo, seconded by Councilwoman Fontanella 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. 02-2015 by title:

ORDINANCE NO. 02-2015

**AN ORDINANCE TO AMEND THE CODE OF THE BOROUGH OF TOTOWA
CHAPTER 61 ENTITLED "OFFICERS & EMPLOYEES",
ARTICLE IX, "DIRECTOR OF FIRST AID"**

There was a motion by Councilman D'Angelo, seconded by Councilwoman Fontanella to adopt Ordinance No. 02-2015 on second and final reading. On roll call vote, all members of the Council present voted in the affirmative.

Municipal Clerk Wassel read the legal notice and the title of Ordinance No. 03-2015.

There was a motion by Councilman D'Angelo, seconded by Councilwoman Fontanella 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. 03-2015.

CITIZENS HEARD:

There were no citizens who wished to be heard.

There was a motion by Councilman D'Angelo, seconded by Councilwoman Fontanella 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. 03-2015 by title:

ORDINANCE NO. 03-2015

**AN ORDINANCE TO AMEND THE CODE OF THE BOROUGH OF TOTOWA
CHAPTER 66 ENTITLED "PARKING UTILITY"**

There was a motion by Councilman D'Angelo, seconded by Councilwoman Fontanella to adopt Ordinance No. 03-2015 on second and final reading. On roll call vote, all members of the Council present voted in the affirmative.

Municipal Clerk Wassel read the legal notice and the title of Ordinance No. 04-2015.

There was a motion by Councilman D'Angelo, seconded by Councilwoman Fontanella 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. 04-2015.

CITIZENS HEARD:

There were no citizens who wished to be heard.

There was a motion by Councilman D'Angelo, seconded by Councilwoman Fontanella 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. 04-2015 by title:

ORDINANCE NO. 04-2015

**AN ORDINANCE TO AMEND THE CODE OF THE BOROUGH OF TOTOWA
CHAPTER 361 ENTITLED "STREETS AND SIDEWALKS",
ARTICLE I, "OPENINGS & EXCAVATIONS"**

There was a motion by Councilman D'Angelo, seconded by Councilwoman Fontanella to adopt Ordinance No. 04-2015 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 Fontanella 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 Board of Recreation will be sponsoring their Snow Tubing trip on Saturday, February 21st and that residents can sign up this Thursday, February 12th at the Library. Also asked the Borough Clerk to advertise it on the marquee.

CITIZENS HEARD:

Mike Mahometa, 269 Lincoln Avenue: 1) Said that on Lincoln Avenue and Boyle Avenue the fire hydrants don't have the locator markers on them and many are snowed in. Mayor Coiro: Asked if that is the responsibility of the Fire Department or the DPW? Fire Chief Vincent Marciano: Replied that the Fire Department begins to put them up after Thanksgiving and said that they will install them on the hydrants in question. 2) Stated that he read in The Record that the Army Corp of Engineers will erect 11 foot flood walls in Totowa and asked if we have any plans. Mayor Coiro: Advised that we don't currently have any plans, but originally they would go from Norwood Terrace in Totowa to the Great Falls, though we still don't have any official notification. OEM Coordinator Allen Del Vecchio: Explained some of the project options that have been mentioned at various meetings.

There was a motion by Councilman D'Angelo, seconded by Councilwoman Fontanella to approve the Minutes of the Mayor and Council for the meeting of January 27, 2015. 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. 2015-04 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 accept the Franchise Fees for calendar year 2014 from Cablevision in the amount of \$126,218.00. 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 accept the Franchise Fees for calendar year 2014 from Verizon in the amount of \$31,857.00. 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 carry the Resolution Authorizing An Agreement For The Marketing Of Recyclable Materials. On roll call vote, all members of the Council present voted in the affirmative.

COMMITTEE ON PUBLIC SAFETY:

There was a motion by Councilwoman Fontanella, seconded by Councilman Bucher to adopt the following Resolution Approving Sub-Grant Agreement, Hazard Mitigation Grant Program (CFDA#97.039), FEMA-DR-4086-NJ-153 Between The Borough Of Totowa And State Of New Jersey Office Of Emergency Management. On roll call vote, all members of the Council present voted in the affirmative.

RESOLUTION NO. 34-2015

RESOLUTION APPROVING SUB-GRANT AGREEMENT, HAZARD MITIGATION GRANT PROGRAM (CFDA#97.039), FEMA-DR-4086-NJ-153 BETWEEN THE BOROUGH OF TOTOWA AND STATE OF NEW JERSEY OFFICE OF EMERGENCY MANAGEMENT

WHEREAS, the Borough of Totowa has received a Hazard Mitigation Grant for a Generator Project from the Federal Emergency Management Agency ("FEMA"); and

WHEREAS, the period of performance is December 18, 2014 through December 18, 2017 with an expenditure deadline of December 18, 2016; and

WHEREAS, the total project cost is \$211,960.00 with a Federal share of \$190,764.00 and a non-Federal share of \$21,196.00 which amount shall be funded by the Borough of Totowa; and

WHEREAS, the New Jersey Office of Emergency Management ("NJOEM") has been designated as the Grantee to receive, administer and disburse the FEMA Hazard Mitigation funds; and

WHEREAS, the terms of the Hazard Mitigation Grant require the Borough of Totowa to enter into a Sub-Grantee Agreement with the NJOEM; and

WHEREAS, the Mayor and Council of the Borough of Totowa desire to comply with all conditions of the Hazard Mitigation Grant Program and memorialize the terms same in the required Grant Agreement.

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 Sub-Grant Agreement in accordance with the Hazard Mitigation Grant Program (CFDA#97.039), FEMA-DR-4086-NJ-153 with the State of New Jersey Office of Emergency Management.

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 Fontanella, seconded by Councilman Bucher to approve the fireman's applications, the purchase of fireman's equipment and authorize fireman's physicals for Kyle W. Broadfield, William G. Broadfield and Ryan E. Henry for Lincoln Fire Company. On roll call vote, all members of the Council present voted in the affirmative.

There was a motion by Councilwoman Fontanella, seconded by Councilman Bucher to adopt the following Resolution Authorizing The Installation Of A Jacobs Brake On Borough Of Totowa Fire Department Truck 1. On roll call vote, all members of the Council present voted in the affirmative.

RESOLUTION NO. 35-2015

RESOLUTION AUTHORIZING THE INSTALLATION OF A JACOBS BRAKE ON
BOROUGH OF TOTOWA FIRE DEPARTMENT TRUCK 1

WHEREAS, the Fire Chief for the Borough of Totowa Volunteer Fire Department has advised the Mayor and Council of the Borough of Totowa that one of the Department's fleet trucks will need to have a Jacobs Brake system installed in order to assist the truck's regular engine brake system; and

WHEREAS, more specifically, Fire Truck 1 of the Borough of Totowa Fire Department fleet, a Smeal Aerial Truck bearing VIN No. 4S7AT9D01SC016959 did not include a Jacobs Brake system when it was originally purchased in 1995; and

WHEREAS, in 1997, the Borough of Totowa Volunteer Fire Company paid out of their general fund account to have a Jacobs Brake system installed on Fire Truck 1; and

WHEREAS, by Resolution No. 83-2014 dated August 12, 2014, the Mayor and Council of the Borough of Totowa authorized Stewart & Stevenson – Atlantic Detroit Diesel - Allison Division, 180 Route 17, Lodi, New Jersey 07644 to undertake necessary repairs to Fire Truck 1 which suffered a failed engine block as a result of a rod piercing through the engine; and

WHEREAS, after replacing the engine block, it was discovered that the replacement engine quoted and installed by Stewart & Stevenson – Atlantic Detroit Diesel - Allison Division did not include Jacobs Brakes; and

WHEREAS, the existing Jacobs Brake system is not compatible with the new engine; and

WHEREAS, the Borough of Totowa Fire Chief has solicited quotes from licensed and certified fire apparatus repair vendors to perform the necessary repairs to Fire Truck 1; and

WHEREAS, Eagle Fire Equipment, 120 Otis Street, West Babylon, New York 11949 has submitted a proposal to install the Jacobs Brakes on the Fire Truck in the amount of \$8,986.44, a copy of which is on file in the office of the Municipal Clerk; and

WHEREAS, the Fire Chief for the Borough of Totowa Fire Department has reviewed the proposal and recommended that the Borough of Totowa proceed with the installation of the new Jacobs Brakes; and

WHEREAS, the Mayor and Council of the Borough of Totowa desire to authorize the installation of the new brake system to Fire Truck 1 of the Borough of Totowa Fire Department fleet; and

WHEREAS, pursuant to the applicable New Jersey State laws, the authorization of these 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 Eagle Fire Equipment for the installation of a Jacobs Brake system for Fire Truck 1 in the amount of \$8,986.44.

BE IT FURTHER RESOLVED, that the Mayor and Council of the Borough of Totowa do hereby authorize Eagle Fire Equipment to provide the materials and perform the services as set forth in their proposal.

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

There was a motion by Councilwoman Fontanella, seconded by Councilman Bucher to adopt the following Resolution Approving Agreement Between The Borough Of Totowa And PBA Local No. 80 Of The Borough Of Totowa Police Department January 1, 2015 Through December 31, 2017. On roll call vote, all members of the Council present voted in the affirmative.

RESOLUTION NO. 36-2015

RESOLUTION APPROVING AGREEMENT BETWEEN THE BOROUGH OF TOTOWA AND PBA LOCAL NO. 80 OF THE BOROUGH OF TOTOWA POLICE DEPARTMENT JANUARY 1, 2015 THROUGH DECEMBER 31, 2017

WHEREAS, the Mayor and Council of the Borough of Totowa recognize, pursuant to the provisions of the Employee-Employer Relations Act, (N.J.S.A. 34:13A-1.1 et seq.), PBA Local No. 80 of the Borough of Totowa Police Department ("PBA") as the exclusive majority representative for the purposes of collective negotiations of all sworn, regular, full time police officers of the Borough Police Department; and

WHEREAS, negotiations over wages, hours and other terms and conditions of employment were conducted by the Public Safety Committee and the duly appointed Police Salary Committee as designated by the PBA; and

WHEREAS, an understanding concerning the terms and conditions of employment between the Borough of Totowa and the PBA has been reached; and

WHEREAS, the contract shall be known and classified as a three (3) year contract commencing effective January 1, 2015 and terminating on December 31, 2017; and

WHEREAS, the Mayor and Council of the Borough of Totowa desire to memorialize the terms and conditions of said agreement in a written contract.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Totowa do hereby approve an agreement between the Borough of Totowa and PBA Local No. 80 of the Borough of Totowa Police Department for the years 2015 through 2017.

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 PUBLIC WORKS:

There was a motion by Councilman D'Angelo, seconded by Councilwoman Andriani to adopt the following Resolution Awarding Contract For Appraisal Services For The CDBG-DR Program. On roll call vote, all members of the Council present voted in the affirmative.

RESOLUTION NO. 37-2015

RESOLUTION AWARDING CONTRACT FOR APPRAISAL SERVICES FOR THE CDBG-DR PROGRAM

WHEREAS, the Borough of Totowa has received a grant from Passaic County as a sub grantee of the State of New Jersey from funding provided by the United States Department of Housing and Urban Development Hurricane Irene Disaster Recovery Program to implement the Community Development Block Grant – Disaster Recovery (“CDBG-DR”) Program; and

WHEREAS, more specifically, the Borough of Totowa will use the funds to acquire five (5) homes which were damaged by Hurricane Irene and will be demolished and converted to open space for community-wide use in perpetuity; and

WHEREAS, the Mayor and Council of the Borough of Totowa desire to retain the services of a Professional Real Estate Appraiser to assist the municipality with the purchase of the 5 properties in a manner consistent with all regulations; and

WHEREAS, the Mayor and Council of the Borough of Totowa did advertise for receipt of sealed proposals in accordance with the specifications entitled "Notice and Solicitation of Proposals for Appraisal Services for the Community Development Block Grant – Disaster Recovery Program"; and

WHEREAS, the Borough of Totowa did receive one sealed proposal at its Municipal Building on February 5, 2015; and

WHEREAS, the Mayor and Council of the Borough of Totowa on February 10, 2015 did review the one proposal received for the Appraisal Services for the CDBG-DR Program; and

WHEREAS, the lone proposal was submitted by Hogan Appraisal, L.L.C., 2107 Frances Drive, Point Pleasant, New Jersey 08742, 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 have determined that the bid submitted by Hogan Appraisal, L.L.C. be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Totowa do hereby accept the bid of Hogan Appraisal, L.L.C. for Appraisal Services for the CDBG-DR Program.

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 Councilman D'Angelo, seconded by Councilwoman Andriani to table the recommendation of the Committee to hire a DPW Laborer until further notice. On roll call vote, all members of the Council present voted in the affirmative.

COMMITTEE ON ENGINEERING & PUBLIC PROPERTY:

A letter was received from Murph's Tavern inviting the Mayor and Council to their annual celebration in honor of St. Patrick's Day on Sunday, March 15, 2015 (5:00 p.m.—12:00 a.m.) and Tuesday, March 17, 2015 (3:00 p.m.—2:00 a.m.) and requesting permission to have Rosengren Avenue closed from Totowa Road to Union Boulevard on those dates and times. There was a motion by Councilwoman Fontanella, 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 5:00 p.m. to 12:00 a.m. on Sunday, March 15, 2015 and from 3:00 p.m. to 2:00 a.m. on Tuesday, March 17, 2015. 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.

COMMITTEE ON LIAISON & INSPECTION:

There was no report.

COMMITTEE ON LEGISLATION & ORDINANCES:

There was a motion by Councilman Bucher, 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. 05-2015

AN ORDINANCE TO AMEND THE CODE OF THE BOROUGH OF TOTOWA TO CREATE A NEW CHAPTER 395 ENTITLED "TOWERS AND TOWING"

There was a motion by Councilman Bucher, seconded by Councilman Picarelli to carry the Petition To Extend Licensed Premises for Anthony Murphy, Inc. on Saturday, March 14, 2015, Sunday, March 15, 2015, Monday, March 16, 2015 and Tuesday, March 17, 2015. On roll call vote, all members of the Council present voted in the affirmative.

There was a motion by Councilman Bucher, seconded by Councilman Picarelli to approve Raffle License Application No. 1832 for the Do Good Student Support Group for a Casino Night/Texas Holdem to be held on March 6, 2015 at the American Legion Hall. On roll call vote, all members of the Council present voted in the affirmative.

There was a motion by Councilman Bucher, seconded by Councilman Picarelli to approve Raffle License Application Nos. 1833 & 1834 for the Lincoln Park First Aid Squad for a Tricky Tray and On-Premise 50/50, respectively, to be held on March 26, 2015 at The Bethwood. 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 Fontanella that the meeting be adjourned. On roll call vote, all members of the Council present voted in the affirmative.

Joseph Wassel, RMC
Municipal Clerk