

BOROUGH OF TOTOWA

MINUTES OF THE MAYOR AND COUNCIL

February 11, 2020

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.

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:

Mike Mahometa, 269 Lincoln Avenue: 1) Said there is an old house on the corner of Totowa Road and Crews Street and asked if we could make it historical. Mayor Coiro: Informed him that we had purchased the house and it is currently being used by our

Board of Recreation and we are working with our grant writers for historical grants. Board of Recreation Director Mark Monteyne: Commented that he is meeting with County reps tomorrow regarding possible historical grants. Mike Mahometa: 2) Asked again about the possibility of installing solar panels for the Municipal Complex, but this time he suggested the parking lot across the street as a possible location. Mayor Coiro: Told him that we currently don't own the parking lot.

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 January 28, 2020. On roll call vote, all members of the Council present voted in the affirmative. Councilman Picarelli abstained from the voting.

COMMITTEE ON FINANCE:

There was a motion by Councilman Picarelli, seconded by Councilman D'Angelo to approve Resolution No. 2020-04 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 adopt the following resolution authorizing the Treasurer to issue refunds to various property owners pursuant to County Tax Court judgments. On roll call vote, all members of the Council present voted in the affirmative.

RESOLUTION

WHEREAS, there has been a County Tax Court Judgment to reduce the evaluation of the added assessment on the following; and

WHEREAS, as a result the property owner has overpaid the property taxes for 2019 and is entitled to a refund.

NOW, THEREFORE, BE IT RESOLVED, that the Treasurer of the Borough of Totowa is authorized to refund this amount.

<u>Block</u>	<u>Lot</u>	<u>Property/Owner</u>	<u>Payable To:</u>	<u>Year</u>	<u>From</u>	<u>To</u>	<u>Amount</u>
74.03	18	13 Liberty Ridge Tr	Edwin Pou	2019	143,400	130,900	\$298.50

There was a motion by Councilman Picarelli, seconded by Councilman D'Angelo to adopt the following Resolution Authorizing Settlement Of The 2016, 2017, 2018 And 2019 Tax Appeals Entitled Ratan Totowa LLC V. Borough Of Totowa. On roll call vote, all members of the Council present voted in the affirmative.

RESOLUTION NO. 33-2020

RESOLUTION AUTHORIZING SETTLEMENT OF THE 2016, 2017, 2018 AND 2019
TAX APPEALS ENTITLED RATAN TOTOWA LLC V. BOROUGH OF TOTOWA

WHEREAS, there have been appeals of the real property tax assessments for the stated tax years; and

WHEREAS, each Block and Lot listed therein was assessed at the amount stated therein; and

WHEREAS, the proposed Stipulation of Settlement, a copy of which is incorporated herein as if set forth at length, has been reviewed and recommended by the Borough Tax Assessor and Borough Tax Expert; and

WHEREAS, the settlement of these matters on the attached list are in the best interest of the Borough of Totowa.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Totowa, New Jersey, as follows:

1. The Borough's Tax Appeal Attorney, Raymond B. Reddin, Esq. is authorized to execute the Stipulation of Settlement on behalf of the Borough of Totowa with respect to the tax appeals on the attached list which are currently pending in the Tax Court of New Jersey.
2. All municipal officials are hereby authorized to take whatever action may be necessary to implement the terms of this Resolution and authorizes the Special Tax Counsel to enter into the Stipulation of Settlement as provided by Taxpayer.

There was a motion by Councilman Picarelli, seconded by Councilman D'Angelo to adopt the following Resolution Authorizing Emergency Temporary Appropriation. On roll call vote, all members of the Council present voted in the affirmative.

RESOLUTION NO. 34-2020

Resolution Re: Authorizing Emergency Temporary Appropriation

WHEREAS, an emergent condition has arisen with respect to current fund appropriations; and

WHEREAS, no adequate provision has been made in the 2020 temporary budget for the aforesaid purpose, and N.J.S.A. 40A:4-20 provides for the creation of an emergency temporary appropriation for the purpose above mentioned; and

WHEREAS, the total emergency temporary resolutions adopted in the year 2020 pursuant to the provisions of Chapter 96, P.L. 1951 (N.J.S.A. 40A:4-20) including this resolution total \$1,734,000.

NOW, THEREFORE, BE IT RESOLVED, by the Governing Body of the Borough of Totowa (not less than two-thirds of all members affirmatively concurring) that in accordance with the provisions of N.J.S. 40A:4-20 that emergency temporary appropriations be made and that said emergency temporary appropriations shall be provided for in full in the 2020 municipal budget so adopted:

CAPITAL IMPROVEMENTS – EXCLUDED FROM “CAPS”	
Installation of Turf Fields at PAL Recreational Facility	\$1,400,000
PUBLIC & PRIVATE PROGRAMS OFFSET BY REVENUES	
NJDOT Road Improvement Projects	<u>334,000</u>
	<u>\$1,734,000</u>

There was a motion by Councilman Picarelli, seconded by Councilman D’Angelo to accept the Franchise Fees for calendar year 2019 from Cablevision (Altice) in the amount of \$122,841.00. 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 2019 from Verizon (Fios) in the amount of \$41,208.80. 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 D'Angelo, seconded by Councilman Capo to appoint Vincent E. Marciano as a Patrol Officer to the Borough of Totowa Police Department. 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 Vincent E. Marciano as a Patrol Officer in the Borough of Totowa Police Department, effective with the swearing in ceremony to be held on February 25, 2020.

There was a motion by Councilman D'Angelo, seconded by Councilman Capo to confirm the appointment. On roll call vote, all members of the Council present voted in the affirmative.

COMMITTEE ON PUBLIC WORKS:

There was a motion by Councilman Bucher, seconded by Councilwoman Palazzo to accept the following bids for the 2018 & 2019 NJDOT Municipal Aid Road Program. On roll call vote, all members of the Council present voted in the affirmative.

<u>Company</u>	<u>Bid Amount</u>
Marini Brothers Hackensack, NJ 07601	\$428,984.35
AJM Contractors Clifton, NJ 07011	\$433,795.00
4 Clean Up North Bergen, NJ 07047	\$434,890.00
J A Alexander, Inc. Bloomfield, NJ 07003	\$437,561.30

D & L Paving Nutley, NJ 07110	\$445,715.30
American Asphalt & Milling Kearny, NJ 07032	\$455,400.20
Frank A. Macchione Const. Paramus, NJ 07652	\$475,000.00
Crossroads Pavement Maint. Pompton Plains, NJ 07444	\$479,495.00
DLS Contracting Co. Fairfield, NJ 07004	\$501,684.00
Black Rock Enterprise Old Bridge, NJ 08857	\$522,740.30
Mark Paving Co., Inc. Woodbridge, NJ 07095	\$549,986.20

Upon the recommendation of the Engineer, there was a motion by Councilman Bucher, seconded by Councilwoman Palazzo adopt the following resolution to award the contract to Marini Brothers, the lowest responsible bidder for the 2018 & 2019 NJDOT Municipal Aid Road Program. On roll call vote, all members of the Council present voted in the affirmative.

RESOLUTION NO. 35-2020

RESOLUTION AWARDING CONTRACT FOR THE 2018 AND 2019
NEW JERSEY DEPARTMENT OF TRANSPORTATION
MUNICIPAL AID ROAD PROGRAM

WHEREAS, the Borough of Totowa has received funding through the 2018 and 2019 New Jersey Department of Transportation ("NJDOT") Municipal Aid Grants for various improvements to Winifred Drive, Adams Drive, Peterson Road, Young Avenue and Washington Place; and

WHEREAS, by Resolution No. 96-2019 dated August 13, 2019, the Mayor and Council of the Borough of Totowa authorized the Borough of Totowa Municipal Engineer, Richard A. Alaimo Engineering Associates to provide design services, prepare bid documents, assist in the bidding process and supervise construction of the 2018 and 2019 Road Program; and

WHEREAS, the Mayor and Council of the Borough of Totowa did advertise for receipt of sealed bids in accordance with the specifications entitled "Borough of Totowa, NJDOT Municipal Aid Program, 2018 and 2019 Road Program, Contract No. 2019-5"; and

WHEREAS, the Borough of Totowa did receive sealed bids at its Municipal Building on February 4, 2020; and

WHEREAS, the apparent low bid was submitted by Marini Brothers Construction Co., Inc., 9 Lafayette Street, Hackensack, New Jersey 07601 in the amount of \$428,984.35, a copy of which is on file in the office of the Borough of Totowa Municipal Clerk; and

WHEREAS, the Municipal Engineer has reviewed the bids submitted and advised that the bid price submitted by Marini Brothers Construction Co., Inc. is 36.4% below his estimate and further advised that the contractor is capable of completing the project; and

WHEREAS, the Mayor and Council of the Borough of Totowa have determined that the bid submitted by Marini Brothers Construction Co., Inc. 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 Marini Brothers Construction Co., Inc. for the 2018 and 2019 NJDOT Municipal Aid Road Program as the lowest responsible bid for the total sum of \$428,984.35.

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.

BE IT FURTHER RESOLVED, that the award of this contract is subject to the approval of the New Jersey Department of Transportation.

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 Tuesday, March 17, 2020 and requesting permission to have Rosengren Avenue closed from Totowa Road to Union Boulevard on Tuesday, March 17, 2020 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 Tuesday, March 17, 2020. 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 a motion by Councilwoman Andriani, seconded by Councilman Bucher to withdraw the Resolution Authorizing The Intent Of The Borough Of Totowa To Award A Contract For The Purchase And Installation Of A Synthetic Turf Field From The Sourcewell (Formerly NJPA) Cooperative. 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 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 Councilwoman Andriani, seconded by Councilman Bucher to authorize the Borough Attorney and the Borough Clerk to prepare the plans and specifications for the installation of synthetic turf fields at the PAL Recreational Fields. On roll call vote, all members of the Council present voted in the affirmative.

COMMITTEE ON LEGISLATION & ORDINANCES:

There was a motion by Councilwoman Palazzo, 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. 02-2020

AN ORDINANCE TO AMEND THE CODE OF THE BOROUGH OF TOTOWA CHAPTER 189 ENTITLED "FLOOD DAMAGE PREVENTION", ARTICLE IV, "FLOOD HAZARD REDUCTION", SECTION 189-17, "GENERAL STANDARDS"

There was a motion by Councilwoman Palazzo, seconded by Councilman Picarelli to table this item to introduce on first reading and advertise for public hearing an Ordinance Of The Borough Of Totowa Authorizing The Execution Of A Financial Agreement With Respect To A Portion Of Certain Property Identified On The Borough's Tax Maps As Block 154, Lot 19.07 Located Within The North Jersey Developmental Center Redevelopment Area. On roll call vote, all members of the Council present voted in the affirmative.

There was a motion by Councilwoman Palazzo, seconded by Councilman Picarelli to table this item Resolution Of The Borough Of Totowa, In The County Of Passaic, State Of New Jersey, Making Application To The Local Finance Board Seeking Authorization For Not To Exceed \$200,000 Non-Recourse Redevelopment Area Bonds In Connection With The Redevelopment Of The North Jersey Developmental Center Redevelopment Area Pursuant To N.J.S.A. 40A:12A-29(a)(3) And N.J.S.A. 40A:12A-67(g). On roll call vote, all members of the Council present voted in the affirmative.

There was a motion by Councilwoman Palazzo, seconded by Councilman Picarelli to approve the Extension of Premises Permit for Anthony Murphy, Inc. on Friday, March 6, 2020, Saturday, March 7, 2020 and Sunday, March 8, 2020. On roll call vote, all members of the Council present voted in the affirmative.

There was a motion by Councilwoman Palazzo, seconded by Councilman Picarelli to approve the Extension of Premises Permit for Anthony Murphy, Inc. on Friday, March 13, 2020, Saturday, March 14, 2020 and Sunday, March 15, 2020. On roll call vote, all members of the Council present voted in the affirmative.

There was a motion by Councilwoman Palazzo, seconded by Councilman Picarelli to approve the Extension of Premises Permit for Anthony Murphy, Inc. on Tuesday, March 17, 2020. On roll call vote, all members of the Council present voted in the affirmative.

There was a motion by Councilwoman Palazzo, seconded by Councilman Picarelli 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 February 29, 2020 from 6:00 p.m. – 11:59 p.m. On roll call vote, all members of the Council present voted in the affirmative.

There was a motion by Councilwoman Palazzo, seconded by Councilman Picarelli 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 13, 2020 from 4:00 p.m. – 11:59 p.m. On roll call vote, all members of the Council present voted in the affirmative.

There was a motion by Councilwoman Palazzo, seconded by Councilman Picarelli to adopt the following Resolution Supporting The 100th Anniversary Of Women's Suffrage. On roll call vote, all members of the Council present voted in the affirmative.

RESOLUTION NO. 36-2020

RESOLUTION SUPPORTING THE 100TH ANNIVERSARY OF WOMEN'S SUFFRAGE

WHEREAS, the year 2020 marks the 100th anniversary of the ratification of the 19th Amendment to the United States Constitution, guaranteeing and protecting women's right to vote; and

WHEREAS, this centennial offers an opportunity to commemorate a milestone of democracy; that the right of citizens of the United State to vote shall not be denied or abridged by the federal or state governments on account of gender; and

WHEREAS, New Jersey has had a long, storied history in suffrage movement with New Jersey women playing a crucial role in pursuing the rights of women to vote; and

WHEREAS, in 1776 women property owners were enfranchised under the New Jersey Constitution, which was unique in the nation at the time. However, in 1807, the New Jersey Legislature eliminated the property requirement for voting rights and limited the ballot to white males; and

WHEREAS, in 1867 New Jersey residents Lucy Stone and Harry Blackwell organized the New Jersey Woman Suffrage Association (“NJWSA”), devoted to gaining women’s suffrage; and

WHEREAS, in 1909 New Jersey’s first open air suffrage rallies were held in Orange and Newark, led by Dr. Emma O. Gantz and Martha Klatshchken with NJWSA collecting 5,000 signatures for a petition in support of the federal amendment guaranteeing and protecting women’s constitutional right to vote; and

WHEREAS, although the 1912 state referendum on women’s suffrage was soundly defeated in the New Jersey Legislature, a corner was turned for the New Jersey suffrage movement; and

WHEREAS, in 1913 an automobile rally lead by “General” Rosalie Jones traveled through New Jersey on the way to Washington, D.C., in a Suffrage Parade of over 8,000 marchers with many New Jersey women including event organizer Alice Paul; and

WHEREAS, in 1915 a second suffrage constitutional referendum was pursued in New Jersey, New York, Pennsylvania and Massachusetts with active campaigns by many suffrage organizations, including the “Passing of the Torch of Liberty” via tug boats on the Hudson River from New York to New Jersey, but was defeated in all four states October 1915; and

WHEREAS, in 1917 New Jersey suffragists Allison Turnbull Hopkins, Julia Hulburt, Beatrice Reynolds Kinkead, and Minnie D. Abbott picketed in front of the White House as part of the Silent Sentinels and subsequently were arrested and imprisoned; and

WHEREAS, on June 4, 1919 Congress passed the 19th Amendment guaranteeing all American women the right to vote; and

WHEREAS, on February 9, 1920, New Jersey became the 29th state to ratify the 19th amendment granting women the right to vote; and

WHEREAS, shortly after the ratification of the 19th Amendment Margaret Laird and Jennie Van Ness were the first two women elected to the New Jersey Assembly in 1921 and in 1925 Rebecca Estelle Bourgeois Winston of Estell Manor was New Jersey's first woman mayor.

NOW, THEREFORE, BE IT RESOLVED, in honor of the 100th Anniversary of the Ratification of the 19th Amendment, the Borough of Totowa encourages everyone to wear something purple, one of the colors of the New Jersey Suffrage movement, during the week of February 10, 2020.

BE IT FURTHER RESOLVED, that the Borough of Totowa supports the efforts of New Jersey's Suffrage Centennial NJ Women Vote and is proud to recognize this historic milestone.

BE IT FURTHER RESOLVED, a copy of this resolution will be forwarded to the Governor, 40th District Representatives and the New Jersey League of Municipalities.

There was a motion by Councilwoman Palazzo, seconded by Councilman Picarelli to approve Raffle License Application No. 2195 for the St. Joseph's Home for the Elderly of the Little Sisters of the Poor for an On-Premise 50/50 to be held on April 2, 2020 at The Grand. On roll call vote, all members of the Council present voted in the affirmative.

There was a motion by Councilwoman Palazzo, seconded by Councilman Picarelli to approve Raffle License Application Nos. 2196 & 2197 for FOWA Rescue, Inc. for a Tricky Tray and On-Premise 50/50 to be held on April 23, 2020 at The Grand. 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