

BOROUGH OF TOTOWA

MINUTES OF THE MAYOR AND COUNCIL

February 14, 2017

PRESENT: Mayor John Coiro, presiding, Council President Lou D'Angelo, Councilwoman Carolyn Fontanella, Councilwoman Debra Andriani, Councilman Anthony Picarelli, Councilman William Bucher, Councilman John Capo, Municipal Clerk Joseph Wassel and Municipal Attorney Robert 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 Fontanella to dispense with the regular order of business in order to hold a public hearing on Ordinance No. 02-2017 as advertised. On roll call vote, all members of the Council present voted in the affirmative.

Municipal Clerk Wassel announced that Ordinance No. 02-2017 has been advertised for public hearing for Tuesday, February 14, 2017.

Municipal Clerk Wassel read the legal notice and the title of Ordinance No. 02-2017.

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. 02-2017.

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. 02-2017 by title:

ORDINANCE NO. 02-2017

**AN ORDINANCE TO AMEND THE CODE OF THE BOROUGH OF TOTOWA
CHAPTER 398 ENTITLED "VEHICLES AND TRAFFIC"**

There was a motion by Councilman D'Angelo, seconded by Councilwoman Fontanella to adopt Ordinance No. 02-2017 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 Fontanella: Wished Councilwoman Andriani a Happy Birthday and everyone a Happy Valentine's Day.

Councilman Picarelli: Announced that we used Language Line in court last night and said it worked well and we will now save money on interpreters.

CITIZENS HEARD:

Lisa Verhagen, 10 Knollwood Road: Said that she was here back on December 13, 2016 regarding Progressive Car Wash and the fact that they are not living up to the approvals in their Planning Board Resolution. Handed out some more pictures and a list of the 24 terms and conditions of approval and said that in the two months since, only 7 have been addressed and the owner doesn't seem to care or want to comply. Asked how can we get them to comply? Mayor Coiro: Responded that our Building Department inspectors have been addressing these concerns because we would rather work with our businesses and residents without having to put down the hammer with more summonses. Lisa Verhagen: Stated that she wants to see everyone survive and thrive, but not if they are a bad neighbor. Said they were originally a car wash and lube and now they are selling cars. Construction Code Official Allan Burghardt: Remarked that they are not allowed to sell vehicles, but said that they have a special license that allows them to detail vehicles for dealers and auctions. A conversation ensued. Mayor Coiro: Told Lisa that we will get through the remaining 17 items in the resolution. Then asked Police Chief Robert Coyle to have the department enforce it when the cars are pulled out onto Union Boulevard.

Mike Mahometa, 269 Lincoln Avenue: 1) Asked when we will get our LED sign back operational. Municipal Clerk Wassel: Replied that we are waiting on the delivery of a new upgraded controller. 2) Said he noticed that we are making progress on the North Jersey Developmental Center. Mayor Coiro: Responded that we are getting closer with the conditional agreement and we are close on the financials, but just not quite there yet. 3) Inquired if anyone has looked into the brine solution for ice and snow control. DPW Superintendent Jim Niland: Answered that we would have to retrofit all of our trucks which would cost about \$70 – 80,000 and also that the EPA is against it.

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 24, 2017. 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. 2017-04 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 carry the next three items regarding the appointment of a Tax Appeal Attorney. 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 2016 from Cablevision (Altice) in the amount of \$125,962.00. 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 2016 from Verizon in the amount of \$37,974.14. 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 Professional Engineering Services For The Digitization Of Borough Of Totowa Tax Maps. On roll call vote, all members of the Council present voted in the affirmative.

RESOLUTION NO. 37-2017

RESOLUTION AUTHORIZING PROFESSIONAL ENGINEERING SERVICES
FOR THE DIGITIZATION OF BOROUGH OF TOTOWA TAX MAPS

WHEREAS, the Mayor and Council of the Borough of Totowa desire to digitize the Borough's tax maps; and

WHEREAS, the digitization of the tax maps will ensure that future revisions and updates are much simpler and expedient; will ease the sharing of the document between departments; will save resources and reduce the amount of paper copies that currently need to be maintained; and will allow for greater flexibility with respect to future GIS mapping; and

WHEREAS, the Mayor and Council of the Borough of Totowa desire to retain the services of a professional engineering firm to provide the necessary services for the digitization of the Borough of Totowa tax maps; and

WHEREAS, Richard A. Alaimo Engineering Associates has submitted a proposal dated February 8, 2017 to digitize the Borough of Totowa tax maps and provide a digital copy of same at a cost not to exceed \$6,500.00, 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 on February 14, 2017 did examine the proposal submitted by Richard A. Alaimo Engineering Associates; and

WHEREAS, pursuant to the applicable New Jersey State laws, these professional 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 Richard A. Alaimo Engineering Associates for professional engineering services for the for the digitization of the Borough of Totowa tax maps in the amount of \$6,500.00.

BE IT FURTHER RESOLVED, that the Mayor and Council of the Borough of Totowa do hereby authorize Richard A. Alaimo Engineering Associates to perform the professional services as set forth in their proposal.

COMMITTEE ON PUBLIC SAFETY:

There was a motion by Councilman D'Angelo, seconded by Councilwoman Fontanella to approve payment of an additional contribution to the Borough Of Totowa First Aid Squad, Inc. in the amount of \$10,180.00 for their 2016 TSAP. On roll call vote, all members of the Council present voted in the affirmative.

Upon the recommendation of the Committee, there was a motion by Councilman D'Angelo, seconded by Councilwoman Fontanella to appoint Lisa Frederick as a School Crossing Guard. 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 Lisa Frederick as a School Crossing Guard for a term of one year expiring December 31, 2017.

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

A letter from resident Denise Hagan thanking Police Officers Dan DiBlasio and Doug Spinella for their assistance during medical emergencies for her father on two separate occasions in December 2016 and January 2017 was received and filed with copies to be placed in their personnel jackets.

COMMITTEE ON PUBLIC WORKS:

There was a motion by Councilman Bucher, seconded by Councilman Capo to adopt the following Resolution Requesting Extension Of Time To Award Project For FY2015 Municipal Aid For Hobart Place And Gordon Avenue – Final Phase. On roll call vote, all members of the Council present voted in the affirmative.

RESOLUTION NO. 38-2017

RESOLUTION REQUESTING EXTENSION OF TIME TO AWARD PROJECT FOR FY2015 MUNICIPAL AID FOR HOBART PLACE AND GORDON AVENUE – FINAL PHASE

WHEREAS, the Borough of Totowa had originally applied for FY2015 Municipal Aid funding from the New Jersey Department of Transportation ("NJDOT") for various improvements to Hobart Place and Gordon Avenue – Final Phase; and

WHEREAS, the project is required to be awarded by April 10, 2017; and

WHEREAS, the project was delayed as a result of the PSE&G Energy Strong Project, for which PSE&G installed a new gas main within the project limits and the State suspension of projects funded through the Transportation Trust Fund Authority; and

WHEREAS, in accordance with NJDOT requirements, it is necessary to submit a request for extension of time to award project for the improvements to Hobart Place and Gordon Avenue – Final Phase.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Totowa do hereby authorize the Borough of Totowa Municipal Engineer to submit for a six (6) month time extension to award project for the improvements to Hobart Place and Gordon Avenue – Final Phase on behalf of the Borough of Totowa to the NJDOT.

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

There was a motion by Councilman Bucher, seconded by Councilman Capo to adopt the following Resolution Authorizing Professional Engineering Services For Hobart Place And Gordon Avenue – Final Phase. On roll call vote, all members of the Council present voted in the affirmative.

RESOLUTION NO. 39-2017

RESOLUTION AUTHORIZING PROFESSIONAL ENGINEERING SERVICES FOR THE HOBART PLACE AND GORDON AVENUE – FINAL PHASE

WHEREAS, the Borough of Totowa has received a Municipal Aid Grant from the New Jersey Department of Transportation (“NJDOT”) in 2015 for various improvements for Hobart Place and Gordon Avenue; and

WHEREAS, the scope of the proposed work includes the milling and resurfacing of both streets from Union Boulevard to Crosby Avenue and other associated site improvements; and

WHEREAS, the Mayor and Council of the Borough of Totowa desire to retain the services of a professional engineering firm to provide design services, preparing bid documents, assisting in the bidding process and supervising construction of the Final Phase of the Hobart Place and Gordon Avenue Improvement Project; and

WHEREAS, Richard A. Alaimo Engineering Associates has submitted a proposal dated February 8, 2017 for the Hobart Place and Gordon Avenue Improvement Project at a cost not to exceed \$36,860.00, 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 on February 14, 2017 did examine the proposal submitted by Richard A. Alaimo Engineering Associates; and

WHEREAS, pursuant to the applicable New Jersey State laws, these professional 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 Richard A. Alaimo Engineering Associates for professional engineering services for the Final Phase of the Hobart Place and Gordon Avenue Improvements in the amount of \$36,860.00.

BE IT FURTHER RESOLVED, that the Mayor and Council of the Borough of Totowa do hereby authorize Richard A. Alaimo Engineering Associates to perform the professional services as set forth in their proposal.

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

There was a motion by Councilman Bucher, seconded by Councilman Capo to adopt the following Resolution Authorizing Professional Engineering Services For Furler Street. On roll call vote, all members of the Council present voted in the affirmative.

RESOLUTION NO. 40-2017

RESOLUTION AUTHORIZING PROFESSIONAL ENGINEERING
SERVICES FOR FURLER STREET

WHEREAS, the Borough of Totowa has received a Municipal Aid Grant from the New Jersey Department of Transportation ("NJDOT") in 2016 for various improvements for Furler Street which includes the milling and resurfacing of the roadway and other associated site improvements; and

WHEREAS, the Mayor and Council of the Borough of Totowa desire to retain the services of a professional engineering firm to provide design services, preparing bid documents, assisting in the bidding process and supervising construction of the Furler Street Improvement Project; and

WHEREAS, Richard A. Alaimo Engineering Associates has submitted a proposal dated February 8, 2017 for the Furler Street Improvement Project at a cost not to exceed \$57,800.00, 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 on February 14, 2017 did examine the proposal submitted by Richard A. Alaimo Engineering Associates; and

WHEREAS, pursuant to the applicable New Jersey State laws, these professional 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 Richard A. Alaimo Engineering Associates for professional engineering services for the Furler Street Improvements in the amount of \$57,800.00.

BE IT FURTHER RESOLVED, that the Mayor and Council of the Borough of Totowa do hereby authorize Richard A. Alaimo Engineering Associates to perform the professional services as set forth in their proposal.

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

There was a motion by Councilman Bucher, seconded by Councilman Capo to adopt the following Resolution Amending Water Charges And Waiving Interest Charges On An Adjusted Water Bill For 39 Norwood Terrace, Account No. 2202-0. On roll call vote, all members of the Council present voted in the affirmative.

RESOLUTION NO. 41-2017

RESOLUTION AMENDING WATER CHARGES AND WAIVING
INTEREST CHARGES ON AN ADJUSTED WATER BILL FOR
39 NORWOOD TERRACE, ACCOUNT NO. 2202-0

WHEREAS, the Borough of Totowa Water Department bills its customers based on three cycles, four times a year; and

WHEREAS, the first quarter billing period for Cycle 3 for 2016 is March 1, 2016 to May 31, 2016; and

WHEREAS, Sherril Sakas, 39 Norwood Terrace, Block 122, Lot 11 is located in Cycle 3; and

WHEREAS, the meter reader was unable to gather accurate handheld readings from the remote indicator for several periods; and

WHEREAS, an inspection of the inside water meter was read on June 17, 2016 that resulted in a usage of 983,000 gallons and resulted in first quarter 2016 billing for \$8,140.83; and

WHEREAS, the homeowner has requested an adjustment since the timeframe of the excessive usage is undetermined in occurring in a single period; and

WHEREAS, the water bill was adjusted by \$2,871.95 to reflect the usage of 983,000 gallons billable at the lowest tier rate of \$5.36 per thousand.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Totowa that if the entire balance is not paid in full by March 17, 2017, then the interest will be charged back to the original due date on any unpaid balance.

BE IT FURTHER RESOLVED, by the Mayor and Council of the Borough of Totowa that the Borough Clerk sends a copy of this resolution to the Water Registrar.

COMMITTEE ON ENGINEERING & PUBLIC PROPERTY:

There was a motion by Councilwoman Fontanella, seconded by Councilwoman Andriani to adopt the following Resolution Authorizing HVAC Preventative Maintenance Agreement. On roll call vote, all members of the Council present voted in the affirmative.

RESOLUTION NO. 42-2017

RESOLUTION AUTHORIZING HVAC PREVENTATIVE MAINTENANCE AGREEMENT

WHEREAS, the Borough of Totowa Department of Public Works (“DPW”) Superintendent has recommended that the Borough of Totowa initiate a Preventative Maintenance Program for the HVAC systems located at various municipal owned buildings; and

WHEREAS, these buildings include the Borough of Totowa Municipal Complex, Community Center, DPW building, Fire Rescue Firehouse and Lincoln Avenue Firehouse; and

WHEREAS, 454 Mechanical, LLC, P.O. Box 562, Totowa, New Jersey 07511 has submitted a proposal to perform the HVAC preventative maintenance services for the sum of \$6,725.00, a copy of which is on file in the office of Borough of Totowa Municipal Clerk; and

WHEREAS, the Maintenance Program includes four maintenance visits per year as well as pressurized chemical cleaning of all air-conditioning equipment annually; and

WHEREAS, the Mayor and Council of the Borough of Totowa desire to establish an HVAC Preventative Maintenance Program for the Borough of Totowa municipal owned buildings; and

WHEREAS, pursuant to the applicable New Jersey State laws, the preventative maintenance services may be authorized 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 454 Mechanical, LLC for HVAC Preventative Maintenance services for the Borough of Totowa municipal owned buildings in accordance with their proposal.

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.

A letter was received from the Totowa Public Library requesting permission to use the Municipal Parking Lot for their Trash to Treasure fundraiser on Saturday, April 29, 2017 (rain date: Sunday, April 30, 2017). There was a motion by Councilwoman Fontanella, 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:

There was no report.

COMMITTEE ON LEGISLATION & ORDINANCES:

There was a motion by Councilman Capo, seconded by Councilman Picarelli to approve the Application For Special Permit For Social Affair from the State Of New Jersey Division Of Alcoholic Beverage Control for the BPOE #2111 Passaic Valley Elks to be held on February 25, 2017 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 Councilman Capo, seconded by Councilman Picarelli to approve Raffle License Application Nos. 1998 & 1999 for Care 4 A Cure for a Tricky Tray and On-Premise 50/50 to be held on March 26, 2017 at The Barnyard and Carriage House. On roll call vote, all members of the Council present voted in the affirmative.

There was a motion by Councilman Capo, seconded by Councilman Picarelli to approve Raffle License Application Nos. 2000 & 2001 for the 11th Hour Animal Rescue, Inc. for a Tricky Tray and On-Premise 50/50 to be held on June 23, 2017 at The Bethwood. On roll call vote, all members of the Council present voted in the affirmative.

There was a motion by Councilman Capo, seconded by Councilman Picarelli to approve Raffle License Application Nos. 2002 & 2003 for the Christopher Columbus Middle School HSA for a Tricky Tray and On-Premise 50/50 to be held on March 10, 2017 at The Bethwood. On roll call vote, all members of the Council present voted in the affirmative.

There was a motion by Councilman Capo, seconded by Councilman Picarelli to approve Bingo License Application No. 2004 for the Totowa PAL to be held on April 8, 2017. On roll call vote, all members of the Council present voted in the affirmative.

There was a motion by Councilman Capo, seconded by Councilman Picarelli to approve Raffle License Application No. 2005 for the Totowa PAL for an On-Premise 50/50 to be held on April 8, 2017. On roll call vote, all members of the Council present voted in the affirmative.

There was a motion by Councilman Capo, seconded by Councilman Picarelli to approve Raffle License Application No. 2006 for the Do Good Student Supports Group for a Casino Night to be held on March 10, 2017 at the PV Elks. On roll call vote, all members of the Council present voted in the affirmative.

There was a motion by Councilman Capo, seconded by Councilman Picarelli to approve Raffle License Application No. 2007 for the St. James of the Marches Knights of Columbus #6574 for a Casino Night to be held on March 24, 2017. On roll call vote, all members of the Council present voted in the affirmative. Councilman D'Angelo abstained from the voting.

There was a motion by Councilman Capo, seconded by Councilman Picarelli to approve Raffle License Application No. 2008 for The Arc of Bergen & Passaic Counties for a Tricky Tray to be held on March 10, 2017 at Ruby's Lounge. 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