

BOROUGH OF TOTOWA

MINUTES OF THE MAYOR AND COUNCIL

February 28, 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 the 2017 Passaic County Open Space and Farmland Preservation Trust Fund grant applications for the installation of new playground equipment at the PAL and Bogert Street Park. On roll call vote, all members of the Council present voted in the affirmative.

Municipal Clerk Wassel announced that the 2017 Passaic County Open Space and Farmland Preservation Trust Fund grant applications for the installation of new playground equipment at the PAL and Bogert Street Park have been advertised for public hearing for Tuesday, February 28, 2017.

Municipal Clerk Wassel read the Open Space Public Hearing Notice.

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 wish to be heard on the 2017 Open Space grant applications.

CITIZENS HEARD:

There were no citizens present 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.

There was a motion by Councilman D'Angelo, seconded by Councilwoman Fontanella to adopt the following resolution endorsing submission of the 2017 Passaic County Open Space and Farmland Preservation Trust Fund grant applications for the installation of new playground equipment at the PAL and Bogert Street Park. On roll call vote, all members of the Council present voted in the affirmative.

RESOLUTION NO. 43-2017

WHEREAS, the Mayor and Council of the Borough of Totowa are desirous of submitting two applications for funding through the Passaic County Open Space and Farmland Preservation Trust Fund for the installation of new playground equipment at each of the following locations: Totowa PAL (Block 62, Lot 1) and Bogert Street Park (Block 134, Lot 1); and

WHEREAS, pursuant to the State Shared Services Act, such funds may not be spent in a municipality without authorization by the Governing Body; and

WHEREAS, the aforesaid projects are in the best interest of the Borough of Totowa; and

WHEREAS, the Mayor and Council obtained public comments of the proposed application at their meeting held on February 28, 2017; and

WHEREAS, all property owners within a 200-foot radius of the proposed project sites were notified of the public hearing at least 10 days prior to its implementation.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Totowa do hereby confirm endorsement of the aforesaid projects.

BE IT FURTHER RESOLVED, that the Mayor and Council certify the resolution for the applications to be presented to the Passaic County Department of Planning.

BE IT FURTHER RESOLVED, that a copy of this resolution shall be sent to the Department of Planning to be added to the applications by the Borough for the 2017 Passaic County Open Space and Farmland Preservation Trust Fund, so that implementation of the aforesaid projects may be expedited.

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.

There were no reports.

CITIZENS HEARD:

Lisa Verhagen, 10 Knollwood Road: Said that she was back here again to discuss Progressive Car Wash and after being here on February 14th she went to the Building Department on the 15th and spoke to John and Allan, but since then two calls came in on the 18th for cars being out into Union Boulevard and on the 22nd for working after hours. She stated that they "blacked out" the windows in the back towards the residents

making it appear that they are closed, but then you go around to the front and they are in full blown operation. She said that nothing has been done to get them to abide by their approvals for the past three months or almost 7 years going back to their Planning Board resolution in July of 2010. She feels that they are just taking advantage of the Mayor and Council, Police Department, etc. She also thinks that they are shady and doesn't think that they belong in Totowa. A long conversation ensued. Mayor Coiro: Told her that we will stay on them to comply. He also advised her that he along with Construction Code Official Allan Burghardt will set up a meeting with the owner before the next Council Meeting.

Mike Mahometa, 269 Lincoln Avenue: Walked up to the aerial map of Totowa and pointed to the area of Shepherds Lane and said that he heard from neighbors about heavy construction and a road going through from Chamberlain Avenue. Mayor Coiro: Replied that I can only tell you what I know and that is that he heard that a developer purchased the property and was looking to put in condos/senior housing, but there are no plans that he has seen so he can't really comment further.

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 February 14, 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. 2017-05 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 State Tax Court judgments. On roll call vote, all members of the Council present voted in the affirmative.

RESOLUTION

WHEREAS, there has been a State Tax Court judgment to reduce the evaluation on the following.

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

<u>BLK</u>	<u>LOT</u>	<u>PROPERTY/OWNER</u>	<u>PAYABLE TO</u>	<u>YEAR</u>	<u>FROM</u>	<u>TO</u>	<u>AMOUNT</u>
170.03	3	30 West End Road West End Prop LLC c/o Star Stainless	"Brach Eichler L.L.C. and West End Prop LLC c/o Star Stainless" Mail To: Brach Eichler, LLC 101 Eisenhower Parkway Roseland, N.J. 07068	2014	6,100,000	6,000,000	\$2,122.00
170.03	3	(same as above)	(same as above) Mail to:	2015	6,100,000	5,900,000	\$4,568.00
170.03	3	(same as above)	(same as above)	2016	6,100,000	5,800,000	\$7,047.00
Total check							\$13,737.00

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 1st Quarter 2017 taxes. On roll call vote, all members of the Council present voted in the affirmative.

RESOLUTION

WHEREAS, there has been an overpayment of taxes on the properties listed below; and

WHEREAS, the taxpayer is entitled to a refund; and

WHEREAS, the chart sets forth the refund as follows:

1st Qtr 2017

<u>BLOCK</u>	<u>LOT</u>	<u>PROPERTY/OWNER</u>	<u>PAYABLE TO:</u>	<u>OVERPAYMENT</u>
9	42.01	10 Huizenga Lane George C. Shamey	Ocwen Loan Servicing,LLC Tax, Escrow Department 1661 Worthington Road, Suite 100 West Palm Beach, Fla. 33409	\$2,441.20
9.08	81	87 Independence Trail Nelay Vaidya & Deborah Murray	Neelay Vaidya & Deborah Murray	\$4,030.30
19	28	46 Franklin Place Debra Pastorino	Joseph Petriello Trust Account 30 Galesi Drive Wayne, NJ 07470	\$1,417.03
29	20	55 Jefferson Place Ghose Gautam	Equity Settlement Services 444 Route 111 Smithtown, NY 11787	\$1,548.58

32	15	Federal National M Assoc	Nationstar Mortgage Corelogic Tax Services,LLC, Refund Dept 1 Corelogic Drive Westlake, TX 76262	\$1,456.38
137	14	35 Garretson Avenue Adriana Hunter & Dwayne Hunter	Simplicity Title 70 Grove Street Somerville, NJ 08876	\$1,664.27
155	1.02	578 Totowa Road	Barbara Ridgeway	\$3,205.80
13	21	142 Willard Ave. Bruno,Ronnie & Parricia	Lereta 1123 Park View Drive Covina , Ca. 91724 Attn: Refund Dept.	\$1,697.74

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 owner or taxing authority.

COMMITTEE ON PUBLIC SAFETY:

There was a motion by Councilman D'Angelo, seconded by Councilwoman Fontanella 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 Fire Chief Vincent Marciano advising that he will be attending the International Arson Investigators Conference in Atlantic City from March 8 – 10, 2017 and requesting permission to take the Fire Chief's vehicle. There was a motion by Councilman D'Angelo, seconded by Councilwoman Fontanella to grant permission. On roll call vote, all members of the Council present voted in the affirmative.

COMMITTEE ON PUBLIC WORKS:

There was no report.

COMMITTEE ON ENGINEERING & PUBLIC PROPERTY:

There was a motion by Councilwoman Fontanella, seconded by Councilwoman Andriani to adopt the following resolution authorizing the application to the Passaic County Community Development Block Grant Program for Phase VII of the Sanitary Sewer Main Rehabilitation Project. On roll call vote, all members of the Council present voted in the affirmative.

RESOLUTION NO. 44-2017

WHEREAS, the Mayor and Council of the Borough of Totowa wishes to apply for funding from the Passaic County Community Development Block Grant Program.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Totowa authorizes the application for and use of requested funds in the amount of \$168,000.00 from the Passaic County Community Development Block Grant (CDBG) Program for Phase VII of the Borough's Sanitary Sewer Main Rehabilitation Project.

BE IT FURTHER RESOLVED, that if awarded, the Mayor and Council of the Borough of Totowa shall implement the activities in a manner to ensure compliance with all applicable federal, state and local laws and regulations.

There was a motion by Councilwoman Fontanella, seconded by Councilwoman Andriani to adopt the following Resolution In Support Of The Federal Fair Housing Law And New Jersey Law Against Discrimination. On roll call vote, all members of the Council present voted in the affirmative.

RESOLUTION NO. 45-2017

RESOLUTION IN SUPPORT OF THE FEDERAL FAIR HOUSING LAW AND
NEW JERSEY LAW AGAINST DISCRIMINATION

WHEREAS, the Borough of Totowa supports Title VIII of the Civil Rights Act of 1968 (Federal Fair Housing Law) and the New Jersey Law Against Discrimination; and

WHEREAS, it is the policy of the Borough of Totowa to implement programs to ensure equal opportunity in housing for all persons regardless of race, color, religion, ancestry, sex (including pregnancy), national origin, nationality, familial status, marital or domestic partnership status, affectional or sexual orientation, atypical hereditary cellular or blood trait, genetic information, liability for military service, mental or physical disability, perceived disability, AIDS/HIV status and Lawful Income or Source of Lawful Rent Payment (Section 8); and

WHEREAS, the Borough of Totowa further objects to discrimination in the sale, rental, leasing, financing of housing or land to be used for construction of housing, or in the provision of brokerage services because of race, color, religion, ancestry, sex, national origin, handicap or disability as prohibited by Title VIII of the Civil Rights Act of 1968 (Federal Fair Housing Law) and the New Jersey Law Against Discrimination.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Totowa do hereby support Title VIII of the Civil Rights Act of 1968 (Federal Fair Housing Law) and the New Jersey Law Against Discrimination as follows:

1. Within available resources, the Borough of Totowa will assist all persons who feel they have been discriminated against under one of the aforementioned categories, to seek equity under federal and state laws by filing a complaint with the New Jersey Division on Civil Rights and the U.S. Department of Housing and Urban Development, as appropriate.

2. The Borough of Totowa shall publicize this resolution and through this publicity shall cause owners of real estate, developers, and builders to become aware of their respective responsibilities and rights under the Federal Fair Housing Law, the New Jersey Law Against Discrimination, and any local laws or ordinances.

3. The Borough of Totowa will at a minimum include, but not be limited to: (1) the printing and publicizing of this resolution, a fair housing public notice and other applicable fair housing information through local media, community contacts and placement on the Municipal website and in other social media; (2) distribution of posters, flyers, and any other means which will bring to the attention of those affected, the knowledge of their respective responsibilities and rights concerning equal opportunity in housing.

A letter was received from the Passaic Valley Sewerage Commission along with a check in the amount of \$4,943.91 for the Municipal Rebate Incentive Program. There was a motion by Councilwoman Fontanella, seconded by Councilwoman Andriani to accept the funds. On roll call vote, all members of the Council present voted in the affirmative.

A letter was received from Murph's Tavern inviting the Mayor and Council to their annual celebrations in honor of St. Patrick's Day on Friday, March 10, 2017, Saturday, March 11, 2017 and Sunday, March 12, 2017 (5:00 p.m.—1:00 a.m.) and Friday, March 17, 2017 and Saturday, March 18, 2017 (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 1:00 a.m. on Friday, March 10, 2017, Saturday, March 11, 2017 and Sunday, March 12, 2017 and from 3:00 p.m. to 2:00 a.m. on Friday, March 17, 2017 and Saturday, March 18, 2017.

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.

A letter was received from the Serra Club requesting permission to use the Municipal Parking Lot on Saturday, March 25, 2017 for a trip to the Sands Casino in Pennsylvania. 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. Councilman D'Angelo abstained from the voting.

A letter was received from a resident requesting permission to use the Municipal Parking Lot on August 15 and September 23, 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 a motion by Councilwoman Andriani, seconded by Councilman Bucher to accept the following bids for the Tennis Court at Lincoln Field. On roll call vote, all members of the Council present voted in the affirmative.

<u>Company</u>	<u>Total Bid</u>
Sita Construction	\$122,122.00
T&S Builders	\$130,262.00
Halecon, Inc.	\$131,660.00
Abraham General Construction, LLC	\$135,480.00
DiMilia, Inc.	\$137,008.60
MJ D'Arminio, Inc.	\$143,999.00
All Surface Asphalt Paving, Inc.	\$153,150.00

Upon the recommendation of the Engineer, there was a motion by Councilwoman Andriani, seconded by Councilman Bucher to adopt the following resolution to award the contract to the lowest responsible bidder. On roll call vote, all members of the Council present voted in the affirmative.

RESOLUTION NO. 46-2017

RESOLUTION AWARDING CONTRACT FOR TENNIS COURT AT LINCOLN FIELD

WHEREAS, the Mayor and Council of the Borough of Totowa applied for and received funding from the Passaic County Open Space and Farmland Preservation Trust Fund for the installation of a tennis court at Lincoln Field; and

WHEREAS, the Mayor and Council of the Borough of Totowa did advertise for receipt of sealed bids for the tennis court in accordance with the specifications entitled "Specifications, Proposal and Contract Documents For Borough of Totowa Tennis Court at Lincoln Field, Passaic County, New Jersey, Contract No. 2016-4 "; and

WHEREAS, the Borough of Totowa did receive bids at its Municipal Building on February 22, 2017; and

WHEREAS, the apparent low bid was submitted by Sita Construction Co., Inc. 55 Cannonball Road, Wanaque, New Jersey 07465 in the amount of \$122,122.00, 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 have determined that the bid submitted by Sita 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 Sita Construction, Co., Inc for the installation of a tennis court at Lincoln Field as the lowest responsible bid for the total sum of \$122,122.00.

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 Andriani, seconded by Councilman Bucher to adopt the following Resolution To Cancel Escrow Account Balances In Other Trust Fund. On roll call vote, all members of the Council present voted in the affirmative.

RESOLUTION NO. 47-2017

RESOLUTION TO CANCEL ESCROW ACCOUNT BALANCES IN OTHER TRUST FUND

WHEREAS, the CMFO/Treasurer has advised that there exists old and inactive escrow balances that remain outstanding in the Other Trust Fund; and

WHEREAS, it is necessary to formally cancel said balances so that the unexpended balances may be credited to Surplus; and

WHEREAS, the Mayor and Council of the Borough of Totowa desire to cancel these account balances of record – as detailed on the attached list – in the amount of \$7,740.00 and transfer to Surplus.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Totowa that the CMFO/Treasurer be authorized to cancel the account balances of the old and inactive escrow accounts in the Other Trust Fund as detailed on the attached list in the total of sum of \$7,740.00.

BE IT FURTHER RESOLVED, by the Mayor and Council of the Borough of Totowa that the CMFO/Treasurer transfers the total sum of \$7,740.00 from Other Trust to Surplus.

There was a motion by Councilwoman Andriani, seconded by Councilman Bucher to adopt the following Resolution Authorizing Contract For Geese Control Services For 2017. On roll call vote, all members of the Council present voted in the affirmative.

RESOLUTION NO. 48-2017

RESOLUTION AUTHORIZING CONTRACT FOR GEESE CONTROL SERVICES FOR 2017

WHEREAS, the Borough of Totowa Board of Recreation has recommended that the Borough of Totowa hire a qualified company to provide safe and effective geese clearing and control services at all of the Borough of Totowa recreational ball fields; and

WHEREAS, the Mayor and Council of the Borough of Totowa have also determined that there is a need to retain a company that can provide these services to ensure the health and well-being of the residents of the Borough of Totowa; and

WHEREAS, the Borough of Totowa has solicited quotes for the necessary geese clearing services for all of the Borough of Totowa recreational fields as well as Washington Park School and the Municipal Complex; and

WHEREAS, Geese Chasers North Jersey LLC, 308 Winchester Drive, Brick, New Jersey 08724 submitted a proposal dated February 17, 2017 to clear and maintain a virtually geese-free environment with the use of working border collies, a copy of which is on file in the office of the Borough of Totowa Municipal Clerk; and

WHEREAS, Geese Chasers North Jersey LLC will provide these services to the Borough of Totowa on an as needed basis for a term not to exceed a period of one (1) year; and

WHEREAS, pursuant to the applicable New Jersey State laws, the contract for these services may be authorized without public bidding since the total contract price will not exceed the public bidding threshold.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Totowa do hereby authorize a contract with Geese Chasers North Jersey LLC for all necessary geese control and clearing services in accordance with the fee schedule set forth in 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 relating thereto.

COMMITTEE ON LEGISLATION & ORDINANCES:

There was a motion by Councilman Capo, seconded by Councilman Picarelli to adopt the following Resolution Approving A Place-To-Place Transfer (Expansion Of Premises) For Plenary Retail Consumption License No. 1612-33-003-003. On roll call vote, all members of the Council present voted in the affirmative.

RESOLUTION NO. 49-2017

RESOLUTION APPROVING A PLACE-TO-PLACE TRANSFER (EXPANSION OF PREMISES) FOR PLENARY RETAIL CONSUMPTION LICENSE NO. 1612-33-003-003

WHEREAS, an application has been filed for a Place-To-Place transfer (Expansion of Premises) of Plenary Retail Consumption License No. 1612-33-003-003, for purposes of expanding the premises under license wherein the sale, service and storage of alcoholic beverages are authorized; and

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

NOW, THEREFORE, BE IT RESOLVED, that the Municipal Council of the Borough of Totowa does hereby approve, effective February 28, 2017, the expansion of the aforesaid Plenary Retail Consumption licensed premises located at 375 – 377 Union Boulevard, Totowa, New Jersey, 07512 to place under license the area delineated in the application form and the sketch of the licensed premises attached thereto.

There was a motion by Councilman Capo, seconded by Councilman Picarelli to approve the Petition To Extend Licensed Premises for Anthony Murphy, Inc. on Friday, March 10, 2017, Saturday, March 11, 2017 and Sunday, March 12, 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 the Petition To Extend Licensed Premises for Anthony Murphy, Inc. on Friday, March 17, 2017 and Saturday, March 18, 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 adopt the following Resolution Authorizing Massage Establishment License for Totowa Reflex Spa, LLC Doing Business As Totowa Reflex Spa. On roll call vote, all members of the Council present voted in the affirmative.

RESOLUTION NO. 50-2017

RESOLUTION AUTHORIZING MASSAGE ESTABLISHMENT LICENSE FOR TOTOWA REFLEX SPA, LLC DOING BUSINESS AS TOTOWA REFLEX SPA

WHEREAS, Totowa Reflex Spa, LLC doing business as Totowa Reflex Spa (“Totowa Reflex Spa”) has approval to operate a massage establishment in a portion of the premises located at 169 Union Boulevard, Totowa, New Jersey; and

WHEREAS, in accordance with the requirements set forth in Chapter 250 entitled “Massage Establishments” in the Borough of Totowa Code Book, Totowa Reflex Spa has submitted an application dated July 22, 2016 to the Borough of Totowa for a Massage Establishment License; and

WHEREAS, the Borough of Totowa Police Department has conducted a thorough investigation of the applicant in accordance with Section 250-6 of the Borough of Totowa Code Book; and

WHEREAS, the Borough of Totowa Police Chief has cleared the license for approval pursuant to his Memorandum dated February 23, 2017; and

WHEREAS, after reviewing the application and report issued by the Borough of Totowa Police Department, the Mayor and Council of the Borough of Totowa have determined that the Totowa Reflex Spa has complied with all the requirements for a Massage Establishment License in the Borough of Totowa.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Totowa do hereby approve the Massage Establishment License application for Totowa Reflex Spa, LLC doing business as Totowa Reflex Spa and authorize the Borough of Totowa Municipal Clerk to issue a Massage Establishment License effective February 28, 2017 through June 30, 2017.

BE IT FURTHER RESOLVED, that Totowa Reflex Spa is required to continue to comply with all applicable laws, ordinances, rules and regulations and said license must be renewed annually on or before July 1st each year.

There was a motion by Councilman Capo, seconded by Councilman Picarelli to adopt the following Resolution Authorizing Massage Therapist License for Xuan Ying Yu for Totowa Reflex Spa, LLC Doing Business As Totowa Reflex Spa. On roll call vote, all members of the Council present voted in the affirmative.

RESOLUTION NO. 51-2017

RESOLUTION AUTHORIZING MASSAGE THERAPIST LICENSES FOR TOTOWA REFLEX SPA, LLC DOING BUSINESS AS TOTOWA REFLEX SPA

WHEREAS, Totowa Reflex Spa, LLC doing business as Totowa Reflex Spa (“Totowa Reflex Spa”) has approval to operate a massage establishment in a portion of the premises located at 169 Union Boulevard, Totowa, New Jersey; and

WHEREAS, the requirements set forth in Chapter 250 entitled “Massage Establishments” in the Borough of Totowa Code Book include obtaining a Massage Establishment License for the business and Massage Therapist Licenses for employees to be issued by the Borough of Totowa Municipal Clerk; and

WHEREAS, by Resolution No. 50-2017 dated February 28, 2017, the Mayor and Council of the Borough of Totowa authorized the issuance of a Massage Establishment License for Totowa Reflex Spa effective February 28, 2017 through June 30, 2017; and

WHEREAS, Ying Yu Xuan, 463 Lawn Avenue, Palisades Park, New Jersey has submitted an application for a Massage Therapist License as an employee of Totowa Reflex Spa, 169 Union Boulevard, Totowa, New Jersey; and

WHEREAS, the above named employee of Totowa Reflex Spa has submitted proof of her respective clinical training in compliance with Section 250-7 of the Borough of Totowa Code Book; and

WHEREAS, the Borough of Totowa Police Department has conducted a thorough investigation of the applicant in accordance with Section 250-6 of the Borough of Totowa Code Book; and

WHEREAS, the Borough of Totowa Police Chief has cleared the license for approval pursuant to his Memorandum dated February 23, 2017; and

WHEREAS, after reviewing the application and report issued by the Borough of Totowa Police Department, the Mayor and Council of the Borough of Totowa have determined that the aforementioned applicant has complied with all the requirements for a Massage Therapist License in the Borough of Totowa.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Totowa do hereby approve the Massage Therapist License application for Ying Yu Xuan as an employee of Totowa Reflex Spa, LLC doing business as Totowa Reflex Spa and authorize the Borough of Totowa Municipal Clerk to issue a Massage Therapist License effective February 28, 2017 through June 30, 2017.

BE IT FURTHER RESOLVED, that the above Massage Therapist License holder is required to comply with all applicable laws, ordinances, rules and regulations and said license must be renewed annually on or before July 1st each year.

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 March 18, 2017 from 5:00 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. 2009 & 2010 for the BPOE #2111 Passaic Valley Elks for a Tricky Tray and On-Premise 50/50 to be held on March 18, 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 Nos. 2011 & 2012 for the Organization of Parents & Educators for a Tricky Tray and On-Premise 50/50 to be held on April 13, 2017 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