

BOROUGH OF TOTOWA

MINUTES OF THE MAYOR AND COUNCIL

August 27, 2024

PRESENT: Mayor John Coiro, presiding, Council President Lou D'Angelo, Councilman Anthony Picarelli, Councilman William Bucher, Councilman John Capo, Councilman Sanders Reynoso, Municipal Clerk Joseph Wassel and Municipal Attorney Kristin Corrado.

ABSENT: Councilman Patrick Fierro.

Mayor John Coiro called the meeting to order and asked the Municipal Clerk to call the roll.

Mayor Coiro asked everyone to stand and offer a moment of silence for Congressman Bill Pascrell, Jr. who passed away recently.

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 Municipal Clerk to read the statement of the meeting.

Municipal Clerk Wassel 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 Councilman Picarelli to dispense with the regular order of business in order to hold a public hearing on Ordinance Nos. 13-2024 & 14-2024 as advertised. On roll call vote, all members of the Council present voted in the affirmative.

Municipal Clerk Wassel announced that Ordinance Nos. 13-2024 & 14-2024 have been advertised for public hearing for Tuesday, August 27, 2024.

Municipal Clerk Wassel read the legal notice and the title of Ordinance No. 13-2024.

There was a motion by Councilman D'Angelo, seconded by Councilman Picarelli 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. 13-2024.

CITIZENS HEARD:

There were no citizens who wished to be heard.

There was a motion by Councilman D'Angelo, seconded by Councilman Picarelli 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. 13-2024 by title:

ORDINANCE NO. 13-2024

**AN ORDINANCE TO AMEND THE CODE OF THE BOROUGH OF TOTOWA
CHAPTER 398 ENTITLED "VEHICLES AND TRAFFIC", ARTICLE II, "PARKING",
SECTION 12, "MUNICIPAL PARKING LOTS"**

There was a motion by Councilman D'Angelo, seconded by Councilman Picarelli to adopt Ordinance No. 13-2024 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. 14-2024.

There was a motion by Councilman D'Angelo, seconded by Councilman Picarelli 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. 14-2024.

CITIZENS HEARD:

There were no citizens who wished to be heard.

There was a motion by Councilman D'Angelo, seconded by Councilman Picarelli 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. 14-2024 by title:

ORDINANCE NO. 14-2024

AN ORDINANCE OF THE BOROUGH OF TOTOWA AUTHORIZING THE PUBLIC SALE OF MUNICIPAL OWNED PROPERTY LOCATED AT 86 LINCOLN AVENUE AND FURTHER IDENTIFIED AS BLOCK 23, LOT 1 ON THE OFFICIAL TAX MAP OF THE BOROUGH OF TOTOWA, PURSUANT TO N.J.S.A. 40A:12-13(B)

There was a motion by Councilman D'Angelo, seconded by Councilman Picarelli to adopt Ordinance No. 14-2024 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 Councilman Picarelli 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.

Councilman Reynoso: Congratulated the Board of Recreation on a successful Summer

Concert series and a great Summer Camp Season and thanked the DPW and Police Department for their assistance with both. Recreation Director Mark Monteyne: Announced that there will be complimentary hot dogs and hamburgers at tomorrow night's concert from the Police Department and Fire Department due to the cancellation of National Night Out.

CITIZENS HEARD:

There were no citizens who wished to be heard.

There was a motion by Councilman Picarelli, seconded by Councilman Bucher to approve the Minutes of the Mayor and Council for the meeting of August 13, 2024. On roll call vote, all members of the Council present voted in the affirmative. Councilman D'Angelo abstained from the voting.

COMMITTEE ON FINANCE:

There was a motion by Councilman Picarelli, seconded by Councilman D'Angelo to approve Resolution No. 2024-18 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 and the Tax Collector to credit the accounts of 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 have been State Tax Court Judgments to reduce the evaluation on the following.

NOW, THEREFORE, BE IT RESOLVED, that the Treasurer of the Borough of Totowa is authorized to refund the following amounts:

<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>
169.01	2	Americo Real Estate Co 990 N. Riverview Dr.	Americo Real Estate Co	2022	12,077,500	11,137,500	\$22,917.20
				2023	12,077,500	9,112,500	<u>76,882.45</u>

						Total	\$99,799.65
169.01	5	Americo Real Estate Co 12 Jackson Road	Americo Real Estate Co	2022	2,803,800	2,612,500	\$ 4,663.89
				2023	2,803,800	2,137,500	<u>17,277.16</u>
						Total	\$21,941.05

Mail both checks to:
Skoloff & Wolfe, PC
293 Eisenhower Parkway
Livingston, NJ 07039

BE IT FURTHER RESOLVED, that the Tax Collector of the Borough of Totowa is authorized to credit the following amounts.

<u>Block</u>	<u>Lot</u>	<u>Property/Owner</u>	<u>Year</u>	<u>From</u>	<u>To</u>	<u>Amount</u>
169.01	2	Americo Real Estate Co 990 N. Riverview Dr.	2024	12,077,500	8,100,000	\$107,830.03
169.01	5	Americo Real Estate Co 12 Jackson Road.	2024	2,803,800	1,900,000	\$ 24,502.02

There was a motion by Councilman Picarelli, seconded by Councilman D'Angelo to adopt the following resolution authorizing the Tax Collector to adjust the taxes for 2024 for Andres Bustos, 105 Dewey Avenue, Block 115, Lot 35 due to a 100% Exemption for a 100% permanent and total disability. On roll call vote, all members of the Council present voted in the affirmative.

RESOLUTION

WHEREAS, Andres Bustos, 105 Dewey Avenue, Block 115, Lot 35 has applied for a 100% exemption for a 100% permanent and total disability; and

WHEREAS, he meets all the requirements for the exemption; and

WHEREAS, the 100% disability became effective on January 13, 2023, and he applied for exemption on August 13, 2024.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Totowa that the Tax Collector is authorized to adjust off the remainder of real estate taxes for 2024 and the property will be exempted from future tax payments.

COMMITTEE ON PUBLIC SAFETY:

There was a motion by Councilman D'Angelo, seconded by Councilman Capo to approve the fireman's application, the purchase of fireman's equipment and authorize a fireman's physical for Ryan J. Tolomeo and Megan LoPorto for Volunteer Fire Company No. 1 and Ben Balint for Riverview Park Fire Company. 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 Councilman D'Angelo to adopt the following Resolution Authorizing The Purchase And Installation Of A Drive Replacement For Pump No. 2 At The Shepherds Lane Pump Station. On roll call vote, all members of the Council present voted in the affirmative.

RESOLUTION NO. 111-2024

RESOLUTION AUTHORIZING THE PURCHASE AND INSTALLATION OF A DRIVE REPLACEMENT FOR PUMP NO. 2 AT THE SHEPHERDS LANE PUMP STATION

WHEREAS, the Borough of Totowa Department of Public Works ("DPW") Superintendent has advised the Mayor and Council of the Borough of Totowa that the drive for Pump No. 2 at the Shepherds Lane Pump Station is not working satisfactorily and must be replaced; and

WHEREAS, the Pump Station services the residents of the Borough of Totowa by collecting sanitary sewerage waste from individual users throughout the municipality where it is processed and conveyed to the Passaic Valley Sewerage Commission located in Newark, New Jersey for proper treatment and disposal; and

WHEREAS, Electronic Drives & Controls, Inc., 17 Eastmans Road, Parsippany, New Jersey 07054 has submitted a proposal dated August 9, 2024 for the removal of the defective drive and installation and programming of a new drive in the amount of 17,141.50, a copy of which is on file on the office of the Borough of Totowa Municipal Clerk; and

WHEREAS, Electronic Drives & Controls, Inc. is the only company in the region with the expertise and ability to provide the skilled services necessary for the removal and replacement of the drive; and

WHEREAS, the Mayor and Council of the Borough of Totowa desire to authorize the purchase and installation of a drive replacement for the No. 2 Pump at the Shepherds Lane Pump Station.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Totowa do hereby accept the proposal submitted by Electronic Drives & Controls, Inc. for the purchase and installation of a drive replacement for Pump No. 2 at the Shepherds Lane Pump Station in the amount of \$17,141.50.

BE IT FURTHER RESOLVED, that the Mayor and Council of the Borough of Totowa do hereby authorize Electronic Drives & Controls, Inc. to provide the labor and materials for the repair services and the removal and installation of a drive replacement for the No. 2 Pump at the Shepherds Lane Pump Station as set forth in their proposal.

COMMITTEE ON ENGINEERING & PUBLIC PROPERTY:

There was a motion by Councilman Capo, seconded by Councilman Reynoso to approve Payment Estimate No. 13 in the amount of \$23,758.14 to Pact Two, LLC for the William Place Pump Station Improvements. On roll call vote, all members of the Council present voted in the affirmative.

There was a motion by Councilman Capo, seconded by Councilman Reynoso to approve Change Order No. 1 for a net decrease of \$197,259.61 and Payment Estimate No. 3 (Final) in the amount of \$52,412.01 to National Water Main for the FY2020 & FY2021 CDBG – Phases X & XI Sanitary Sewer Main Rehabilitation. On roll call vote, all members of the Council present voted in the affirmative.

There was a motion by Councilman Capo, seconded by Councilman Reynoso to adopt the following Resolution Approving Treatment Works Approval Application And Authorizing The Mayor To Execute The Statements Of Consent—NJDEP Form WQM-003 On Behalf Of The Borough Of Totowa For Fortress Holdings, LLC, 555 Preakness Avenue, Block 6, Lots 2, 4 & 12. On roll call vote, all members of the Council present voted in the affirmative.

RESOLUTION NO. 112-2024

RESOLUTION APPROVING TREATMENT WORKS APPROVAL APPLICATION AND AUTHORIZING THE MAYOR TO EXECUTE THE STATEMENTS OF CONSENT— NJDEP FORM WQM-003 ON BEHALF OF THE BOROUGH OF TOTOWA FOR FORTRESS HOLDINGS, LLC, 555 PREAKNESS AVENUE, BLOCK 6, LOTS 2, 4 & 12

WHEREAS, Fortress Holdings, LLC, 555 Preakness Avenue, Totowa, New Jersey, 07512, Block 6, Lots 2, 4 & 12 has made application to renovate and expand an existing building to a banquet facility; and

WHEREAS, Fortress Holdings, LLC, is required to apply to the New Jersey Department of Environmental Protection (NJDEP) for a Treatment Works Approval (TWA) because the projected discharge of 14,322 gallons per day surpasses the 8,000 gallon threshold; and

WHEREAS, the Treatment Works Approval (TWA) permit application has been reviewed and approved by the Borough Engineer.

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Totowa, County of Passaic, State of New Jersey that the Mayor of the Borough of Totowa be and is hereby authorized to execute the Statements of Consent – NJDEP Form WQM-003 on behalf of the Borough of Totowa.

COMMITTEE ON LIAISON & INSPECTION:

There was no report.

COMMITTEE ON LEGISLATION & ORDINANCES:

There was a motion by Councilman Picarelli, seconded by Councilman Reynoso to approve Raffle License Application No. 2390 for the Catholic Charities, Diocese of Paterson for an Off-Premise 50-50 to be held on September 27, 2024 at St. James of the Marches Church. On roll call vote, all members of the Council present voted in the affirmative.

There was a motion by Councilman Picarelli, seconded by Councilman Reynoso to approve Raffle License Application No. 2391 for the Little Falls Education Foundation for an On-Premise 50-50 to be held on October 11, 2024 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 Picarelli, seconded by Councilman Reynoso to carry the Resolution Authorizing The Renewal Of Division Of Alcoholic Beverage Control Liquor Licenses For The 2024 – 2025 License Term for further information. 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 Councilman Picarelli that the meeting be adjourned. On roll call vote, all members of the Council present voted in the affirmative.

Joseph Wassel, RMC
Municipal Clerk