

BOROUGH OF TOTOWA

MINUTES OF THE MAYOR AND COUNCIL

October 8, 2019

PRESENT: Council President Lou D'Angelo, presiding, Councilman Anthony Picarelli, Councilman William Bucher, Councilman John Capo, Councilwoman Lisa Palazzo, Municipal Clerk Joseph Wassel and Municipal Attorney Kristin Corrado.

ABSENT: Mayor John Coiro and Councilwoman Debra Andriani.

Council President Lou D'Angelo 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.

Council President D'Angelo 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 Picarelli, seconded by Councilman Bucher to dispense with the regular order of business in order to hold a public hearing on Ordinance No. 14-2019 as advertised. On roll call vote, all members of the Council present voted in the affirmative.

Municipal Clerk Wassel announced that Ordinance No. 14-2019 has been advertised for public hearing for Tuesday, October 8, 2019.

Municipal Clerk Wassel read the legal notice and the title of Ordinance No. 14-2019.

There was a motion by Councilman Picarelli, seconded by Councilman Bucher to open the public hearing. On roll call vote, all members of the Council present voted in the affirmative.

Council President D'Angelo asked if any citizens wished to be heard on Ordinance No. 14-2019.

CITIZENS HEARD:

There were no citizens who wished to be heard.

There was a motion by Councilman Picarelli, seconded by Councilman Bucher 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. 14-2019 by title:

ORDINANCE NO. 14-2019

**AN ORDINANCE TO AMEND THE CODE OF THE BOROUGH OF TOTOWA
CHAPTER 115 ENTITLED "ANIMALS", TO CREATE A NEW SECTION TO BE
KNOWN AS ARTICLE II TO BE ENTITLED "WILDLIFE FEEDING"**

There was a motion by Councilman Picarelli, seconded by Councilman Bucher to adopt Ordinance No. 14-2019 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 Picarelli, seconded by Councilman Bucher to revert to the regular order of business. On roll call vote, all members of the Council present voted in the affirmative.

Council President D'Angelo 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:

Matt Barbieri, 13 Duffus Avenue: Said that the parking situation is bad on Duffus Avenue because of the new apartments on Lackawanna Avenue. He said that most people park their cars on Duffus and then walk across Lackawanna to the apartments because there is no visitor parking and they charge their tenants for parking. He also feels that it could be dangerous with people crossing Lackawanna. He also stated adding to the problem is that the Bethwood employees are parking on the street. Council President D'Angelo: Told him that we will check with the Building Department.

There was a motion by Councilman Picarelli, seconded by Councilman Bucher to approve the Minutes of the Mayor and Council for the meeting of September 24, 2019. 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 Capo to approve Resolution No. 2019-21 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 Capo 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>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>
169.02	2	7 Jackson Road	PSE&G	2016	3,654,900	3,000,000	\$15,383.60

Mail to:
Zipp, Tannenbaum &

Caccavelli, LLC
Attorneys At Law
280 Raritan Center Parkway
Edison, NJ 08837

Total Check: \$15,383.60

There was a motion by Councilman Picarelli, seconded by Councilman Capo to adopt the following resolution authorizing the Treasurer to issue refunds to various property owners due to overpayment of 3rd Quarter 2019 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 property listed below; and

WHEREAS, the taxpayer is entitled to a refund; and

WHEREAS, the chart sets forth the refund as follows:

Block	Lot	Qual	Property/Owner	Payable To:	Overpayment
163	21		13 Shady Lane Stephen & Dana Sylvester	Lereta LLC 1123 Parkview Dr. Covina, CA 91724	\$2,110.03
9.11	86	C0102	138 Hickory Hill Blvd. Gordon & Maureen Tapper	Corelogic Attn: Refunds Dept PO Box 9202 Coppell, TX 75019-9760	\$2,878.18

NOW, THEREFORE, BE IT RESOLVED, that the overpayment shall be refunded to the Credit Card Processing Company, as stated above and the Treasurer is authorized to issue a check for the refund, which shall be paid to the stated Credit Card Processing Company. (See attached)

There was a motion by Councilman Picarelli, seconded by Councilman Capo to approve payment of the 4th Quarter 2019 Budget Allotment to the Borough of Totowa Public Library in the amount of \$177,365.00. On roll call vote, all members of the Council present voted in the affirmative.

COMMITTEE ON PUBLIC SAFETY:

A letter from Volunteer Fire Company No. 1 advising that Richard Schopperth has been nominated as their candidate for Fire Chief was received and filed.

COMMITTEE ON PUBLIC WORKS:

Upon the recommendation of DPW Superintendent Jim Niland, there was a motion by Councilman Bucher, seconded by Councilwoman Palazzo to approve a grade increase for DPW Laborer Steve Filan from Grade 1-C to Grade 1-B. On roll call vote, all members of the Council present voted in the affirmative.

COMMITTEE ON ENGINEERING & PUBLIC PROPERTY:

There was no report.

COMMITTEE ON LIAISON & INSPECTION:

Upon the recommendation of the Committee, there was a motion by Councilman Bucher, seconded by Councilwoman Palazzo to appoint Giovanni D'Ambrosio as a Deputy Zoning Officer and Property Maintenance Inspector. On roll call vote, all members of the Council present voted in the affirmative.

ACTING MAYOR'S APPOINTMENT

I, Acting Mayor Lou D'Angelo, with the advice and consent of the Council do hereby appoint Giovanni D'Ambrosio as a Deputy Zoning Officer and Property Maintenance Inspector for a term of one (1) year expiring December 31, 2019.

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

There was a motion by Councilman Bucher, seconded by Councilwoman Palazzo to adopt the following Resolution Authorizing The Purchase And Delivery Of One SUV For The Borough Of Totowa Building Department. On roll call vote, all members of the Council present voted in the affirmative.

RESOLUTION NO. 114-2019

RESOLUTION AUTHORIZING THE PURCHASE AND DELIVERY OF ONE SUV
FOR THE BOROUGH OF TOTOWA BUILDING DEPARTMENT

WHEREAS, the Borough of Totowa Construction Code Official has requested that one new Sport Utility Vehicle ("SUV") be purchased for the Borough of Totowa Building Department and added to the Borough of Totowa fleet; and

WHEREAS, the Mayor and Council of the Borough of Totowa have determined that there is a need for this new SUV in order to maintain and keep the fleet updated; and

WHEREAS, the Mayor and Council of the Borough of Totowa desire to authorize the purchase of this vehicle; and

WHEREAS, Morris County Cooperative Pricing Council Contract No. 15-C has been awarded to Route 23 Auto Mall, 1302 Route 23 South, Butler, New Jersey 07405 for the purchase and delivery of a 2020 Ford Explorer SUV and all related equipment; and

WHEREAS, pursuant to the applicable New Jersey State laws, the purchase of this vehicle may be authorized without public bidding.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Totowa do hereby authorize the purchase of one 2020 Ford Explorer SUV from Route 23 Auto Mall in the amount of \$29,010.00.

BE IT FURTHER RESOLVED, that the Mayor and Municipal Council of the Borough of Totowa do hereby authorize the Municipal Clerk and Construction Code Official to execute any and all instruments relating thereof.

COMMITTEE ON LEGISLATION & ORDINANCES:

There was a motion by Councilwoman Palazzo, seconded by Councilman Picarelli to approve Raffle License Application Nos. 2176 & 2178 for the Little Falls Education Foundation for an Off-Premise 50/50 and Casino Night to be held on February 21, 2020 at The Grand Bethwood. 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 No. 2177 for the Knights of Columbus Council #6574 for an Off-Premise 50/50 to be held on December 21, 2019 at St. James Church. 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 Picarelli, seconded by Councilman Bucher that the meeting be adjourned. On roll call vote, all members of the Council present voted in the affirmative.

Joseph Wassel, RMC
Municipal Clerk