

BOROUGH OF TOTOWA

MINUTES OF THE MAYOR AND COUNCIL

June 13, 2023

PRESENT: Mayor John Coiro, presiding, Council President Lou D'Angelo, Councilman Anthony Picarelli, Councilman William Bucher, Councilman John Capo, Councilman Patrick Fierro, Councilman Sanders Reynoso, 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.

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 No. 07-2023 as advertised. 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. 07-2023.

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. 07-2023.

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. 07-2023 by title:

ORDINANCE NO. 07-2023

**A CAPITAL ORDINANCE APPROPRIATING THE SUM OF \$1,095,000
FOR VARIOUS IMPROVEMENTS AND ACQUISITIONS TO BE
UNDERTAKEN BY THE BOROUGH OF TOTOWA**

There was a motion by Councilman D'Angelo, seconded by Councilman Picarelli to adopt Ordinance No. 07-2023 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.

Mayor Coiro: Announced that this past Saturday we hosted Totowa Day and said that it was as good as we could have hoped for – from the weather, the people, the events, the

music, the food, the rides, etc. – and that it was a great family day. Thanked Recreation Director Mark Monteyne.

Councilman D'Angelo: Agreed with the Mayor and also thanked Mark Monteyne, along with Councilman Fierro and Councilman Reynoso.

Councilman Capo: Echoed the Mayor's sentiments and said Mark did an outstanding job and also thanked the Police and Fire Departments.

Mayor Coiro: Congratulated Senator Kristin Corrado, Councilman Billy Bucher and Councilman Sanders Reynoso on their Primary Election.

Councilman Reynoso: Thanked everyone for coming out to vote for him and his running mate Councilman Bucher on the Primary Election.

CITIZENS HEARD:

Ralph Marana, 131 Greene Avenue: Said it was a great Totowa Day and that he really enjoyed the drone show.

There was a motion by Councilman D'Angelo, seconded by Councilman Picarelli to approve the Minutes of the Mayor and Council for the meeting of May 23, 2023. On roll call vote, all members of the Council present voted in the affirmative. Councilman Reynoso abstained from the voting.

COMMITTEE ON FINANCE:

There was a motion by Councilman Picarelli, seconded by Councilman D'Angelo to approve Resolution No. 2023-13 for the payment of bills. 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 Picarelli, seconded by Councilman D'Angelo to appoint Michael Defrino as Electrical Subcode Official and Electrical Inspector. 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 Michael Defrino as Electrical Subcode and Electrical Inspector for an unexpired term ending December 31, 2023.

There was a motion by Councilman Picarelli, seconded by Councilman D'Angelo to confirm the appointment. 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 Purchase And Delivery Of One GMC Acadia AWD SLE For The Borough Of Totowa Building Department. On roll call vote, all members of the Council present voted in the affirmative.

RESOLUTION NO. 69-2023

RESOLUTION AUTHORIZING THE PURCHASE AND DELIVERY OF ONE GMC ACADIA AWD SLE FOR THE BOROUGH OF TOTOWA BUILDING DEPARTMENT

WHEREAS, the Borough of Totowa Construction Code Official has requested the purchase of one new GMC Acadia AWD SLE to be used by the Building Department staff; and

WHEREAS, the Mayor and Council of the Borough of Totowa have determined that there is a need for this vehicle to be used by the Borough of Totowa Building Department and be added to the Building Department fleet; and

WHEREAS, the Mayor and Council of the Borough of Totowa desire to authorize the purchase and delivery of one new 2023 GMC Acadia AWD SLE; and

WHEREAS, the Educational Services Commission of New Jersey Co-operative Contract No. 20/21-09 has been awarded to Frank's Truck Center, 325 Orient Way, Lyndhurst, New Jersey 07071 for the purchase and delivery of one 2023 GMC Acadia AWD SLE and all related equipment; and

WHEREAS, Frank's Truck Center has submitted a proposal for the purchase and delivery of one new 2023 GMC Acadia AWD SLE in the amount of \$36,015.51, a copy of which is on file in the office of the Borough of Totowa Municipal Clerk; 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 and delivery of one new 2023 GMC Acadia AWD SLE from Frank's Truck Center in the amount of \$36,015.51.

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

A letter was received from the Office Employees at the Municipal Complex requesting the summer hours work schedule. There was a motion by Councilman Picarelli, seconded by Councilman D'Angelo to approve the request. On roll call vote, all members of the Council present voted in the affirmative.

COMMITTEE ON PUBLIC SAFETY:

There was a motion by Councilman D'Angelo, seconded by Councilman Capo to adopt the following Resolution Authorizing The Borough Of Totowa Towing List For 2023/2024 License Term. On roll call vote, all members of the Council present voted in the affirmative.

RESOLUTION NO. 70-2023

RESOLUTION AUTHORIZING THE BOROUGH OF TOTOWA TOWING LIST FOR 2023/2024 LICENSE TERM

WHEREAS, the Mayor and Council of the Borough of Totowa desire to establish a list of towing services to be used by the Borough of Totowa Police Department for the removal, towing and storing of motor vehicles and to set rates and charges for the same; and

WHEREAS, by Ordinance No. 5-2015 adopted February 24, 2015, the Mayor and Council of the Borough of Totowa established the minimum requirements for a towing contractor to provide services including the removal, impoundment and storage of vehicles; and

WHEREAS, a towing list shall be kept with the Borough of Totowa Police Chief; and

WHEREAS, all towing services placed on the towing list shall be available to respond to a call in accordance with a towing rotation schedule of on-call status established by the Borough of Totowa Police Chief; and

WHEREAS, when the need arises, the Borough of Totowa Police Department will call the towing service on the top of the list, which is on-call with the towing rotation schedule. The towing service called shall be placed on the bottom of the towing list and not called again until all other towing services have been called; and

WHEREAS, all towing services shall respond to a call in any part of the Borough within fifteen (15) minutes of a call. If a towing service does not respond within fifteen (15) minutes of a call, the towing service next on the list shall be called and entitled to provide services as needed; and

WHEREAS, all towing services shall be performed in a safe manner and shall be responsible for ensuring the proper and safe storage of all motor vehicles towed; and

WHEREAS, the Borough of Totowa Police Chief has recommended that the following towing services be placed on the towing list for the Borough of Totowa:

1. Frank Leah Towing Service, Inc.
6 Wilson Avenue
Totowa, New Jersey 07512
2. Totowa Tire Service, Inc.
589 Union Boulevard
Totowa, New Jersey 07512
3. North Jersey Towing & Recovery, Inc.
84 Union Boulevard
Totowa, New Jersey 07512
4. JML, Inc.
116 Dorsa Avenue
Wayne, New Jersey 07424
5. Pohlman's Gulf LLC
160 Union Boulevard
Totowa, New Jersey 07512

6. Camp Auto & Truck Parts, Inc.
9 Whitmore Avenue
Wayne, New Jersey 07470
7. Raven Towing & Recovery, Inc.
2 Railroad Avenue
Wayne, New Jersey 07470

WHEREAS, these towing services have the appropriate vehicles, related equipment and storage facilities and maintain the required licenses and insurance to perform these necessary services for the Borough of Totowa; and

WHEREAS, the towing list shall be in use for a period of one (1) year effective July 1st of each year and expire on June 30th of the following year.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Totowa do hereby establish a towing list of the above companies to be used by the Borough of Totowa Police Department for the towing and storage of vehicles.

COMMITTEE ON PUBLIC WORKS:

There was a motion by Councilman Bucher, seconded by Councilman Fierro to adopt the following Resolution To Submit A Grant Application And Execute A Grant Agreement With The New Jersey Department Of Transportation For The 2024 Municipal Aid Application For The Battle Ridge Trail And Columbus Avenue Improvement Project. On roll call vote, all members of the Council present voted in the affirmative.

RESOLUTION NO. 71-2023

RESOLUTION TO SUBMIT A GRANT APPLICATION AND EXECUTE A GRANT AGREEMENT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR THE 2024 MUNICIPAL AID APPLICATION FOR THE BATTLE RIDGE TRAIL AND COLUMBUS AVENUE IMPROVEMENT PROJECT

WHEREAS, the Borough of Totowa continues to develop projects that will improve access and maintenance on public roads; and

WHEREAS, the Borough of Totowa's Engineer has provided plans specifically designed to address and improve traffic flow/safety issues and maintenance on our roads; and

WHEREAS, the Borough of Totowa has submitted plans to the State of New Jersey, Department of Transportation for Municipal Aid in the past and will continue to do so in the future; and

WHEREAS, the Borough of Totowa has identified Battle Ridge Trail and Columbus Avenue to be in desperate need of repair.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Totowa, in the County of Passaic, State of New Jersey formally approve the grant application for the Battle Ridge Trail and Columbus Avenue Improvement Project.

BE IT FURTHER RESOLVED, that the Mayor and Municipal Clerk are hereby authorized to submit an electronic grant application identified as "MA-2024-Totowa Borough-Battle Ridge Trail and Columbus Avenue Improvement Project-00190" to the New Jersey Department of Transportation on behalf of the Borough of Totowa.

BE IT FURTHER RESOLVED, that the Mayor and Municipal Clerk are hereby authorized to sign the grant agreement on behalf of the Borough of Totowa and that their signatures constitute acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

There was a motion by Councilman Bucher, seconded by Councilman Fierro to approve Change Order No. 1 for a net increase of \$11,733.22 and Payment Estimate No. 3 in the amount of \$372,449.57 to AJM Contractors for the 2022 NJDOT and 2022 Road Program. 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 Bucher, seconded by Councilman Fierro to hire Brian Henderson as a DPW Laborer. On roll call vote, all members of the Council present voted in the affirmative.

COMMITTEE ON ENGINEERING & PUBLIC PROPERTY:

A letter was received from the New Jersey Department of Transportation advising that Totowa will receive \$675,000.00 for the Union Boulevard and Totowa Road Streetscape Improvement project. There was a motion by Councilman Capo, seconded by Councilman Reynoso to accept the funds. On roll call vote, all members of the Council present voted in the affirmative.

A letter was received from the Totowa Public Library requesting permission to use the Municipal Parking Lot to host their annual summer reading program kickoff celebration on Tuesday, June 20, 2023 (rain date: Tuesday, June 27, 2023). There was a motion by Councilman Capo, seconded by Councilman Reynoso to grant permission. On roll call vote, all members of the Council present voted in the affirmative.

COMMITTEE ON LIAISON & INSPECTION:

A letter of resignation was received from Board of Adjustment Commissioner Daniel Sagan. There was a motion by Councilman Reynoso, seconded by Councilman Bucher to accept his resignation and send him a letter of thanks. On roll call vote, all members of the Council present voted in the affirmative.

COMMITTEE ON LEGISLATION & ORDINANCES:

There was a motion by Councilman Fierro, seconded by Councilman Picarelli to adopt the following Resolution Expressing Support For S-3906 Which Would Provide The Borough Of Totowa With \$3,573,583.96 Of State Funds To Repay Debt, Advance Capital Projects, And Provide Property Tax Relief. On roll call vote, all members of the Council present voted in the affirmative.

RESOLUTION NO. 72-2023

RESOLUTION EXPRESSING SUPPORT FOR S-3906 WHICH WOULD PROVIDE THE BOROUGH OF TOTOWA WITH \$3,573,583.96 OF STATE FUNDS TO REPAY DEBT, ADVANCE CAPITAL PROJECTS, AND PROVIDE PROPERTY TAX RELIEF

WHEREAS, the New Jersey Debt Defeasance and Prevention Fund was created for the purpose of repaying or defeasing taxpayer-funded debt and funding capital projects that would otherwise be paid for with new debt; and

WHEREAS, the New Jersey Debt Defeasance and Prevention Fund is expected to have an unallocated balance of at least \$4.32 billion; and

WHEREAS, members of the New Jersey Senate Republican caucus, including Senator Kristin M. Corrado, have introduced Senate Bill 3906 (S-3906), which would allocate \$4.32 billion from the New Jersey Debt Defeasance and Prevention Fund to towns and counties to repay local government debt, advance capital projects of their choosing, and provide property tax relief to residents; and

WHEREAS, funds would be allocated by S-3906 on a per capita basis, meaning every town and county would get a fair share of funding based on population; and

WHEREAS, S-3906 provides that \$3 billion would be allocated to New Jersey municipalities on a per capita basis, and \$1.32 billion would be allocated to New Jersey counties on a per capita basis; and

WHEREAS, prior allocations from the New Jersey Debt Defeasance and Prevention fund have not been determined in a fair, equitable, or transparent manner; and

WHEREAS, the Borough of Totowa would receive an estimated allocation of \$3,573,583.96 under S-3906 based on 2020 United States Census data; and

WHEREAS, S-3906 requires funds to be disbursed within 30 days of the legislation's enactment;

WHEREAS, S-3906 is not expected to have a fiscal impact on the proposed State Budget for Fiscal Year 2024; and

WHEREAS, local and county governments are contending with soaring health care premiums, rising pension costs, and inflationary pressures that have impacted their budgets; and

WHEREAS, the significant allocations to towns and counties across New Jersey that have been proposed under S-3906 would help to lower and stabilize property taxes for years to come.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Totowa do hereby express support for Senate Bill No. 3906 which would provide New Jersey municipalities with State funds to repay debt, advance capital projects and provide property tax relief and further urge the New Jersey Legislature to adopt same.

BE IT FURTHER RESOLVED, that a certified copy of this Resolution be forwarded to Governor Philip Murphy, Senate President Nicholas Scutari, Senate Minority Leader Steve Oroho and District 40 Senator Kristin M. Corrado.

There was a motion by Councilman Fierro, seconded by Councilman Picarelli to adopt the following Resolution Authorizing The Renewal Of Division Of Alcoholic Beverage Control Liquor Licenses For The 2023 – 2024 License Term. On roll call vote, all members of the Council present voted in the affirmative.

RESOLUTION NO. 73-2023

RESOLUTION AUTHORIZING THE RENEWAL OF
DIVISION OF ALCOHOLIC BEVERAGE CONTROL LIQUOR LICENSES
FOR THE 2023 – 2024 LICENSE TERM

WHEREAS, Division of Alcoholic Beverage Control (ABC) liquor licenses that have been issued by the Borough of Totowa during the 2022 – 2023 license term will expire on June 30th; and

WHEREAS, State and Municipal regulations require that ABC liquor licenses be renewed prior to July 1, 2023; and

WHEREAS, the Division of Alcoholic Beverage Control (ABC) has introduced POSSE ABC, an electronic web based licensing system; and

WHEREAS, licensees have filed their renewal applications online through POSSE ABC, have received their Alcoholic Beverage Retail Licensee Clearance Certificate and have paid their State and Municipal fees.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Totowa that the Municipal Clerk be authorized to issue an ABC License to the following licensed premises for the 2023 – 2024 license term.

1612-33-001-010	Apple Food Service of Totowa, Inc.
1612-33-004-007	Murphy's Steakhouse, LLC
1612-33-005-003	Bethwood Catering, LLC
1612-44-006-005	DTJ, Ltd.
1612-33-007-006	Crestview Motel, Inc.
1612-33-011-005	Totowa Barnyard, Inc.
1612-31-012-001	Totowa Boro Memorial Post #227
1612-31-013-001	Italian American Ind Club of Totowa
1612-31-014-001	Passaic Valley Elks Lodge BPOE #2111

There was a motion by Councilman Fierro, 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 Lodge 2111 BPOE to be held on June 23, 2023 from 5:00 p.m. – 11:59 p.m. 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