

BOROUGH OF TOTOWA

MINUTES OF THE MAYOR AND COUNCIL

January 23, 2024

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

ABSENT: Councilman John Capo and Councilman Sanders Reynoso.

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 for a moment of silence for Sheriff Richard Berdnik who passed away earlier today.

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 Nos. 01-2024, 02-2024 & 03-2024 as advertised. On roll call vote, all members of the Council present voted in the affirmative.

Municipal Clerk Wassel announced that Ordinance Nos. 01-2024, 02-2024 & 03-2024 have been advertised for public hearing for Tuesday, January 23, 2024.

Municipal Clerk Wassel read the legal notice and the title of Ordinance No. 01-2024.

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. 01-2024.

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. 01-2024 by title:

ORDINANCE NO. 01-2024

**AN ORDINANCE FIXING THE ANNUAL SALARIES AND WAGES
OF THE OFFICIALS, EMPLOYEES AND THE APPOINTEES OF THE
BOROUGH OF TOTOWA, COUNTY OF PASSAIC, STATE OF NEW JERSEY**

There was a motion by Councilman D'Angelo, seconded by Councilman Picarelli to adopt Ordinance No. 01-2024 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. 02-2024.

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. 02-2024.

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. 02-2024 by title:

ORDINANCE NO. 02-2024

**AN ORDINANCE OF THE BOROUGH OF TOTOWA AUTHORIZING
THE PUBLIC SALE OF MUNICIPAL OWNED PROPERTY IDENTIFIED
AS BLOCK 170.02, LOT 2 ON THE OFFICIAL TAX MAP OF THE
BOROUGH OF TOTOWA PURSUANT TO N.J.S.A. 40A:12-13(A)**

There was a motion by Councilman D'Angelo, seconded by Councilman Picarelli to adopt Ordinance No. 02-2024 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. 03-2024.

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. 03-2024.

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. 03-2024 by title:

ORDINANCE NO. 03-2024

**AN ORDINANCE TO AMEND THE CODE OF THE BOROUGH OF TOTOWA
CHAPTER 72 ENTITLED "PERSONNEL POLICIES", ARTICLE IV, "HOLIDAYS
AND VACATIONS", SECTION 20, "HOLIDAYS DESIGNATED"**

There was a motion by Councilman D'Angelo, seconded by Councilman Picarelli to adopt Ordinance No. 03-2024 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.

There were no reports.

CITIZENS HEARD:

Consuelo Ruiz, 16 Wilson Avenue: 1) Said she bought her house in 1992 and there are two easements, one that runs crosswise and the other one to the street and said that the easement in the back is clogged and after last weeks rains the water just stayed there. Mayor Coiro: Asked DPW Superintendent Jim Niland if he was aware of this, and he said that he would have to check the Tax Map for any easements. Ms. Ruiz: 2) Asked who she should call when it rains heavy to have the manhole pumped out, so it doesn't back up into her house. Mayor Coiro: Told her that it is on the DPW's regular schedule when it rains but said she could call the DPW too. Ms. Ruiz: 3) Said that her cardboard and paper recycling doesn't get picked up all the time and asked who she could call. Mayor Coiro: Responded to call the Municipal Clerk's office. Borough Clerk Wassel: Gave her

the telephone number for his office. DPW Superintendent Niland: Gave her the telephone number for his office.

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 January 9, 2024. 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. 2024-03 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>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>
177	2.01	Ratan Totowa, LLC 1 Route 46	Jennifer R. Jacobus Trustee for Ratan Totowa, LLC	2021	12,000,000	8,500,000	\$83,265.00
				2022	12,000,000	8,500,000	85,330.00
				2023	12,000,000	8,000,000	<u>103,720.00</u>
						Total	\$272,315.00

There was a motion by Councilman Picarelli, seconded by Councilman D'Angelo to approve payment of the 1st Quarter 2024 Budget Allotment to the Borough of Totowa Public Library in the amount of \$337,679. 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 Bucher to approve a grade increase for Patrol Officer Michael DeLuccia from Grade 6 to Grade 5. 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 Councilman Bucher to appoint Philip Meyer 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 Philip Meyer as a School Crossing Guard for a one year term ending on December 31, 2024.

There was a motion by Councilman D'Angelo, seconded by Councilman Bucher to confirm the appointment. 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 Councilman Picarelli, seconded by Councilman D'Angelo to approve Change Order No. 1 for a net decrease of \$8,680.00 and Payment Estimate No. 6 in the amount of \$48,333.60 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 Picarelli, seconded by Councilman D'Angelo to approve Payment Estimate No. 2 in the amount of \$56,018.91 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 Picarelli, seconded by Councilman D'Angelo to adopt the following Resolution Authorizing The Borough Clerk To Set Up A Public Sale/Online Auction Of Personal Property No Longer Needed For Public Use. On roll call vote, all members of the Council present voted in the affirmative.

RESOLUTION NO. 29-2024

RESOLUTION AUTHORIZING THE BOROUGH CLERK TO SET UP A PUBLIC SALE/ONLINE AUCTION OF PERSONAL PROPERTY NO LONGER NEEDED FOR PUBLIC USE

WHEREAS, N.J.S.A. 40A:11-36 provides for the Manner and Method of Sale or Other Disposition of Personal Property; and

WHEREAS, the Mayor and Council of the Borough of Totowa may by resolution authorize the sale of its personal property not needed for public use; and

WHEREAS, the Mayor and Council of the Borough of Totowa have at this time determined that there are various vehicles, equipment and other personal property of different make and model that are no longer needed for public use; and

WHEREAS, it is in the best interest of the taxpayers of the Borough of Totowa that the Mayor and Council dispose of these items at public sale/online auction to the highest bidder.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Totowa do hereby authorize the Borough Clerk to set up a public sale/online auction for personal property no longer needed for public use.

COMMITTEE ON LIAISON & INSPECTION:

There was a motion by Councilman Bucher, seconded by Councilman Fierro to adopt the following Resolution Authorizing Professional Engineering Services For The PAL Fields Lighting Project. On roll call vote, all members of the Council present voted in the affirmative.

RESOLUTION NO. 30-2024

RESOLUTION AUTHORIZING PROFESSIONAL ENGINEERING SERVICES
FOR THE PAL FIELDS LIGHTING PROJECT

WHEREAS, the Borough of Totowa has received a FY2022 Community Project Funding Grant from the United States Department of Housing and Urban Development (“HUD”) for the PAL Fields Lighting Project; and

WHEREAS, the upgrades include the installation of new lighting for the recreational fields; and

WHEREAS, the Mayor and Council of the Borough of Totowa desire to retain the services of a professional engineering firm to provide engineering services for the installation of the lighting for the PAL fields including design services, construction monitoring and completion of the required HUD environmental review; and

WHEREAS, Alaimo Group has submitted a proposal dated January 9, 2023 to provide the professional engineering services for the PAL Fields Lighting Project at a cost not to exceed \$219,000.00, 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 January 23, 2024 did examine the proposal submitted by Alaimo Group; 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 Alaimo Group for professional engineering services for the PAL Fields Lighting Project in the amount of \$219,000.00.

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

There was a motion by Councilman Bucher, seconded by Councilman Fierro to approve Payment Estimate No. 2 (Final) in the amount of \$4,500.00 to A-Plus Construction, Inc. For The Borough Of Totowa Home Improvement Program for 166 Winifred Drive. 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 introduce on first reading and advertise for public hearing the following entitled ordinance. On roll call vote, all members of the Council present voted in the affirmative.

ORDINANCE NO. 04-2024

**A CAPITAL ORDINANCE APPROPRIATING THE SUM OF \$150,000
FOR THE ACQUISITION OF FIRE HYDRANTS TO BE UNDERTAKEN BY THE
BOROUGH OF TOTOWA AND TO APPROPRIATE \$150,000 FROM THE
WATER UTILITY CAPITAL IMPROVEMENT FUND BALANCE**

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 February 17, 2024 from 6:00 p.m. – 2:00 a.m. On roll call vote, all members of the Council present voted in the affirmative.

There was a motion by Councilman Fierro, seconded by Councilman Picarelli to approve Raffle License Application Nos. 2351 & 2352 for the Helpful Hands Northeast Regional Early Intervention Collaborative Inc. for a Casino Night and Off-Premise 50/50 to be held on March 16, 2024 at The Grand. On roll call vote, all members of the Council present voted in the affirmative.

There was a motion by Councilman Fierro, seconded by Councilman Picarelli to approve Raffle License Application No. 2355 for the BPOE #2111 Passaic Valley Elks for an On-Premise 50/50 to be held on February 17, 2024. On roll call vote, all members of the Council present voted in the affirmative.

There was a motion by Councilman Fierro, seconded by Councilman Picarelli to approve Raffle License Application Nos. 2356 & 2357 for the BPOE #2111 Passaic Valley Elks for a Tricky Tray and On-Premise 50/50 to be held on March 23, 2024. On roll call vote, all members of the Council present voted in the affirmative.

There was a motion by Councilman Fierro, seconded by Councilman Picarelli to approve Raffle License Application No. 2358 for the BPOE #2111 Passaic Valley Elks for an Off-Premise 50/50 to be held on March 29, 2024. On roll call vote, all members of the Council present voted in the affirmative.

There was a motion by Councilman Fierro, seconded by Councilman Picarelli to approve Raffle License Application Nos. 2359 & 2360 for the BPOE #2111 Passaic Valley Elks for a Casino Night and On-Premise 50/50 to be held on March 2, 2024. On roll call vote, all members of the Council present voted in the affirmative.

There was a motion by Councilman Fierro, seconded by Councilman Picarelli to approve Raffle License Application Nos. 2361 & 2362 for the Zeta Phi Beta Sorority, Inc. for a Tricky Tray and On-Premise 50/50 to be held on February 24, 2024 at The Grand. On roll call vote, all members of the Council present voted in the affirmative.

There was a motion by Councilman Fierro, seconded by Councilman Picarelli to add the following item to the agenda. On roll call vote, all members of the Council present voted in the affirmative.

There was a motion by Councilman Fierro, seconded by Councilman Picarelli to approve the Temporary Capital Budget. 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