

BOROUGH OF TOTOWA

MINUTES OF THE MAYOR AND COUNCIL

October 13, 2015

PRESENT: Mayor John Coiro, presiding, Council President Phil Puglise, Councilman Lou D'Angelo, Councilwoman Carolyn Fontanella, Councilwoman Debra Andriani, Councilman Anthony Picarelli, Councilman William Bucher, 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 Puglise, seconded by Councilman D'Angelo to dispense with the regular order of business in order to hold a public hearing on Ordinance No. 17-2015 as advertised. On roll call vote, all members of the Council present voted in the affirmative.

Municipal Clerk Wassel announced that Ordinance No. 17-2015 has been advertised for public hearing for Tuesday, October 13, 2015.

Municipal Clerk Wassel read the legal notice and the title of Ordinance No. 17-2015.

There was a motion by Councilman Puglise, seconded by Councilman D'Angelo 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. 17-2015.

CITIZENS HEARD:

There were no citizens who wished to be heard.

There was a motion by Councilman Puglise, seconded by Councilman D'Angelo 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. 17-2015 by title:

ORDINANCE NO. 17-2015

**AN ORDINANCE TO AMEND THE CODE OF THE BOROUGH OF TOTOWA
CHAPTER 415 ENTITLED "ZONING AND LAND USE", PART 4 "ZONING"**

There was a motion by Councilman Puglise, seconded by Councilman D'Angelo to adopt Ordinance No. 17-2015 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 Puglise, seconded by Councilman D'Angelo 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.

Councilwoman Andriani: Reported that this Saturday, October 17th is the Health Fair at the PAL from 10:00 a.m. – 2:00 p.m. and said that there will be more than 40 vendors, the Police Department, Fire Department and events for the kids. Mayor Coiro:

Thanked everyone involved.

CITIZENS HEARD:

Mike Mahometa, 269 Lincoln Avenue: 1) Thanked the Mayor and Council for the “Columbus Day” gift for having Union Boulevard repaved. 2) Said that since Lincoln Avenue has now been repaved, he asked if we can paint a Slow Children or the speed limit on the road. Mayor Coiro: Informed him that PSE&G will be repainting the road markings, but that we will also look into it. 3) Remarked that the LED sign looks good now.

Rick Fasoli, 33 Artillery Park Road: Stated that he wanted to touch base on getting field time for his travel soccer team. He read off a time line of events since he has been trying to get field time. Said he has gotten nowhere with the Board of Recreation and/or the PAL and that is why he is back. He “quoted” the Mayor. Mayor Coiro: Responded that the reason I sent you to the Board of Recreation is because they give out the field permits and we are not going to override them. Councilwoman Andriani: Explained the Board of Recreation’s criteria for issuing field permits. Councilman D’Angelo: Advised that he used to run the PAL Soccer Program and said that we care about the children, but have to ensure that we don’t overuse a particular field. Scott Fitzgerald: Said that he is the president of West Paterson Soccer and would take any field time, not just Minnisink Road. Councilwoman Fontanella: Asked if their team consists of only Totowa, Little Falls and Woodland Park children. Municipal Attorney Corrado: Requested that they present us with a copy of their team rosters. A long conversation ensued.

There was a motion by Councilman Puglise, seconded by Councilman D’Angelo to approve the Minutes of the Mayor and Council for the meeting of September 22, 2015. 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. 2015-21 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 D'Angelo to adopt the following Resolution Amending Contract For Professional Legal Services To Include Real Estate Legal Services For The CDBG-DR Program. On roll call vote, all members of the Council present voted in the affirmative.

RESOLUTION NO. 119-2015

RESOLUTION AMENDING CONTRACT FOR PROFESSIONAL LEGAL SERVICES TO INCLUDE REAL ESTATE LEGAL SERVICES FOR THE CDBG-DR PROGRAM

WHEREAS, the Borough of Totowa has received a grant from Passaic County as a sub grantee of the State of New Jersey from funding provided by the United States Department of Housing and Urban Development Hurricane Irene Disaster Recovery Program to implement the Community Development Block Grant – Disaster Recovery (“CDBG-DR”) Program; and

WHEREAS, more specifically, the Borough of Totowa will use the funds to acquire five (5) homes which were damaged by Hurricane Irene and will be demolished and converted to open space for community-wide use in perpetuity; and

WHEREAS, the Mayor and Council of the Borough of Totowa desire to retain the services of a Real Estate Attorney licensed in the State of New Jersey to assist with the acquisition of the five (5) properties in a manner consistent with all regulations; and

WHEREAS, by Resolution No. 18-2015 dated January 1, 2015, the Mayor and Council of the Borough of Totowa authorized the Borough of Totowa to enter into a contract with Robert E. Corrado, Esq., Corrado & Corrado, Esqs., 142 Totowa Road, Suite 2, Totowa, New Jersey 07512 to serve as the Borough of Totowa Municipal Attorney and provide professional legal services; and

WHEREAS, the professional legal services contract was awarded as a fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.4 et seq.; and

WHEREAS, the Mayor and Council of the Borough of Totowa desire to amend the contract for professional legal services to authorize Robert E. Corrado, Esq. to provide all necessary and appropriate legal services relating to the voluntary acquisition of the properties; and

WHEREAS, Robert E. Corrado, Esq., possesses the necessary experience and expertise to provide the professional legal services; and

WHEREAS, for providing the required services, Robert E. Corrado, Esq. will be compensated at the hourly rate of \$95.00 in accordance with the Fee Schedule set forth in the original contract.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Totowa do hereby authorize an amendment to the contract between the Borough of Totowa and Robert E. Corrado, Esq., Corrado & Corrado, Esq., to provide all necessary and appropriate Real Estate legal services for the CDBG-DR Program.

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 Councilman Picarelli, seconded by Councilman D'Angelo to adopt the following Resolution Authorizing Contract For Professional Tax Appeal And Consulting Services. On roll call vote, all members of the Council present voted in the affirmative.

RESOLUTION NO. 120-2015

RESOLUTION AUTHORIZING CONTRACT FOR PROFESSIONAL TAX APPEAL AND CONSULTING SERVICES

WHEREAS, the Mayor and Council of the Borough of Totowa desire to retain the services of a professional real estate appraisal and consulting firm on an as-needed basis in order to prepare and defend against the various tax appeals filed against the Borough of Totowa; and

WHEREAS, these professional services include but are not limited to the physical inspection of each property, verification of zoning and development approvals, preparation of appraisals, attendance at conferences and depositions and providing expert witness testimony at each trial as needed; and

WHEREAS, Hendricks Appraisal Company, LLC, 7 Hutton Avenue, West Orange, New Jersey 07052, has submitted a proposal dated September 30, 2015 to provide the required appraisal and consulting services, a copy of which is on file in the office of the Borough of Totowa Municipal Clerk; and

WHEREAS, the professional tax appeal and consulting services shall be awarded as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5; and

WHEREAS, the term of this contract shall be effective as of the date of this Resolution and terminate on December 31, 2015; and

WHEREAS, the Municipal Clerk of the Borough of Totowa has determined and certified in writing that the value of the contract will not exceed \$17,500.00; and

WHEREAS, the firm of Hendricks Appraisal Company, LLC possesses the necessary expertise and experience to perform the professional real estate and consulting services; and

WHEREAS, Hendricks Appraisal Company, LLC has completed and submitted a Business Entity Disclosure Certificate which certifies that Hendricks Appraisal Company, LLC has not made any reportable contributions to a political or candidate committee in the Borough of Totowa in the previous one year, and that the contract will prohibit Hendricks Appraisal Company, LLC from making any reportable contributions through the term of the contract; and

WHEREAS, the funds for this contract are available.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Totowa do hereby authorize a contract with Hendricks Appraisal Company, LLC to provide professional real estate appraisal and consulting services on an as-needed basis in order to prepare and defend against the various tax appeals filed against the Borough of Totowa.

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.

BE IT FURTHER RESOLVED, that the Business Entity Disclosure Certification and the Determination of Value shall be placed on file with this Resolution.

There was a motion by Councilman Picarelli, seconded by Councilman D'Angelo to approve payment of the 4th Quarter 2015 Budget Allotment to the Borough of Totowa Public Library in the amount of \$179,030.00. On roll call vote, all members of the Council present voted in the affirmative.

COMMITTEE ON PUBLIC SAFETY:

There was a motion by Councilman Puglise, seconded by Councilwoman Fontanella to adopt the following Resolution Authorizing The Purchase Of Various Equipment For Communication System Upgrades. On roll call vote, all members of the Council present voted in the affirmative.

RESOLUTION NO. 121-2015

RESOLUTION AUTHORIZING THE PURCHASE OF VARIOUS EQUIPMENT
FOR COMMUNICATION SYSTEM UPGRADES

WHEREAS, the Borough of Totowa Emergency Management Coordinator has advised that there is a need to replace and/or upgrade various communication equipment which is used by the Borough's Public Safety Departments including the Police Department, Fire Department, Office of Emergency Management and First Aid Squad as well as the communication equipment being used by the Department of Public Works; and

WHEREAS, the necessary communication equipment includes but is not limited to mobile and portable radios, repeater system batteries, back-up repeater systems and all related equipment; and

WHEREAS, the Mayor and Council of the Borough of Totowa have determined that there is a need for this communication equipment in order to maintain the general health, safety and well-being of the residents of the Borough of Totowa; and

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

WHEREAS, State of New Jersey Contract No. A83898 has been awarded to Northeast Communications, 244 East Union Turnpike, Wharton, New Jersey 07885 for the purchase, installation and programming of the communication equipment; and

WHEREAS, Northeast Communications has submitted proposals for the purchase, installation and programming of the necessary communication equipment in the amount of Forty-Five Thousand Six Hundred Forty-Nine and 71/100 Dollars (\$45,649.71), copies of which are on file in the office of the Borough of Totowa Municipal Clerk; and

WHEREAS, pursuant to the applicable New Jersey State laws, the purchase and installation of the communication equipment 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, installation and programming of various communication equipment from Northeast Communications in the amount of Forty-Five Thousand Six Hundred Forty-Nine and 71/100 Dollars (\$45,649.71).

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

COMMITTEE ON PUBLIC WORKS:

There was a motion by Councilman D'Angelo, seconded by Councilman Puglise to adopt the following Resolution To Submit A Grant Application And Execute A Grant Agreement With The New Jersey Department Of Transportation For The 2016 Municipal Aid Application For The Furler Street Improvement Project. On roll call vote, all members of the Council present voted in the affirmative.

RESOLUTION NO. 122-2015

RESOLUTION TO SUBMIT A GRANT APPLICATION AND EXECUTE A GRANT AGREEMENT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR THE 2016 MUNICIPAL AID APPLICATION FOR THE FURLER STREET 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 Furler Street 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 approves the grant application for the Furler Street Improvement Project.

BE IT FURTHER RESOLVED, that the Mayor and Municipal Clerk are hereby authorized to submit an electronic grant application identified as MA-2016-Totowa Borough-Furler Street Improvement Project-00278 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 signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

There was a motion by Councilman D'Angelo, seconded by Councilman Puglise to accept the following proposals for the Asbestos And Lead-Based Paint Inspection Services for the CDBG-DR Program. On roll call vote, all members of the Council present voted in the affirmative.

<u>Company</u>	<u>Bid (Per Unit Fee)</u>
The RBA Group, Inc. Parsippany, NJ 07054	\$1,350.00
PARS Environmental, Inc. Robbinsville, NJ 08691	\$1,500.00
Omega Environmental Services, Inc. South Hackensack, NJ 07606	\$1,800.00
Environmental Connection, Inc. Trenton, NJ 08608	\$3,000.00

There was a motion by Councilman D'Angelo, seconded by Councilman Puglise to adopt the following resolution to award the contract for the Asbestos And Lead-Based Paint Inspection Services for the CDBG-DR Program. On roll call vote, all members of the Council present voted in the affirmative.

RESOLUTION NO. 123-2015

RESOLUTION AWARDING CONTRACT FOR ASBESTOS AND
LEAD-BASED PAINT INSPECTION SERVICES FOR THE CDBG-DR PROGRAM

WHEREAS, the Borough of Totowa has received a grant from Passaic County as a sub grantee of the State of New Jersey from funding provided by the United States Department of Housing and Urban Development Hurricane Irene Disaster Recovery Program to implement the Community Development Block Grant – Disaster Recovery (“CDBG-DR”) Program; and

WHEREAS, more specifically, the Borough of Totowa will use the funds to acquire five (5) homes which were damaged by Hurricane Irene and will be demolished and converted to open space for community-wide use in perpetuity; and

WHEREAS, the Mayor and Council of the Borough of Totowa desire to retain the services of an individual or firm licensed in the State of New Jersey to provide Asbestos and Lead-Based Paint Inspection Services for the five (5) properties in a manner consistent with all regulations; and

WHEREAS, the Mayor and Council of the Borough of Totowa did advertise for receipt of sealed proposals in accordance with the specifications entitled “Notice and Solicitation of Proposals for Asbestos and Lead-Based Paint Inspection Services for the Community Development Block Grant – Disaster Recovery Program”; and

WHEREAS, the Borough of Totowa did receive sealed proposals at its Municipal Building on September 30, 2015; and

WHEREAS, the Mayor and Council of the Borough of Totowa on October 13, 2015 did review the proposals received for the Asbestos and Lead-Based Paint Inspection Services for the CDBG-DR Program; and

WHEREAS, the lowest proposal was submitted by The RBA Group, 7 Campus Drive, Suite 300, Parsippany, New Jersey 07054, 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 The RBA Group be accepted as the lowest responsible bid; and

WHEREAS, for providing the required services, the Borough of Totowa will compensate The RBA Group in accordance with their proposal; and

WHEREAS, the professional services shall be awarded as a fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.4 et seq.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Totowa do hereby accept the bid of The RBA Group for Asbestos and Lead-Based Paint Inspection Services for the CDBG-DR Program.

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 Councilman D'Angelo, seconded by Councilman Puglise to accept the following proposals for the Land Survey Services for the CDBG-DR Program. On roll call vote, all members of the Council present voted in the affirmative.

<u>Company</u>	<u>Bid (Per Unit Fee)</u>
Tectonic Engineering & Surveying Consultants, P.C. Short Hills, NJ 07078	\$1,950.00

There was a motion by Councilman D'Angelo, seconded by Councilman Puglise to adopt the following resolution to award the contract for the Land Survey Services for the CDBG-DR Program. On roll call vote, all members of the Council present voted in the affirmative.

RESOLUTION NO. 124-2015

RESOLUTION AWARDING CONTRACT FOR LAND SURVEY SERVICES FOR THE CDBG-DR PROGRAM

WHEREAS, the Borough of Totowa has received a grant from Passaic County as a sub grantee of the State of New Jersey from funding provided by the United States Department of Housing and Urban Development Hurricane Irene Disaster Recovery Program to implement the Community Development Block Grant – Disaster Recovery (“CDBG-DR”) Program; and

WHEREAS, more specifically, the Borough of Totowa will use the funds to acquire five (5) homes which were damaged by Hurricane Irene and will be demolished and converted to open space for community-wide use in perpetuity; and

WHEREAS, the Mayor and Council of the Borough of Totowa desire to retain the services of an individual or firm licensed in the State of New Jersey to survey the five (5) properties in a manner consistent with all regulations; and

WHEREAS, the Mayor and Council of the Borough of Totowa did advertise for receipt of sealed proposals in accordance with the specifications entitled “Notice and Solicitation of Proposals for Land Survey Services for the Community Development Block Grant – Disaster Recovery Program”; and

WHEREAS, the Borough of Totowa did receive sealed proposals at its Municipal Building on September 30, 2015; and

WHEREAS, the Mayor and Council of the Borough of Totowa on October 13, 2015 did review the proposals received for the Land Survey Services for the CDBG-DR Program; and

WHEREAS, the sole proposal was submitted by Tectonic Engineering & Surveying Consultants P.C., 830 Morris Turnpike, 2nd Floor, Short Hills, New Jersey 07078, 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 Tectonic Engineering & Surveying Consultants P.C. be accepted as the lowest responsible bid; and

WHEREAS, for providing the required services, the Borough of Totowa will compensate Tectonic Engineering & Surveying Consultants P.C. in accordance with their proposal; and

WHEREAS, the professional services shall be awarded as a fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.4 et seq.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Totowa do hereby accept the bid of Tectonic Engineering & Surveying Consultants P.C. for Land Survey Services for the CDBG-DR Program.

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 Councilman D’Angelo, seconded by Councilman Puglise to accept the following proposals for the Tenant Relocation Consultant for the CDBG-DR Program. On roll call vote, all members of the Council present voted in the affirmative.

<u>Company</u>	<u>Bid (Per Unit Fee)</u>
Phillips Preiss Grygiel, LLC Hoboken, NJ 07030	\$4,600.00
Triad Associates Vineland, NJ 08360	\$5,800.00

There was a motion by Councilman D'Angelo, seconded by Councilman Puglise to adopt the following resolution to award the contract for the Tenant Relocation Consultant for the CDBG-DR Program. On roll call vote, all members of the Council present voted in the affirmative.

RESOLUTION NO. 125-2015

RESOLUTION AWARDING CONTRACT FOR RELOCATION CONSULTANT SERVICES FOR THE CDBG-DR PROGRAM

WHEREAS, the Borough of Totowa has received a grant from Passaic County as a sub grantee of the State of New Jersey from funding provided by the United States Department of Housing and Urban Development Hurricane Irene Disaster Recovery Program to implement the Community Development Block Grant – Disaster Recovery (“CDBG-DR”) Program; and

WHEREAS, more specifically, the Borough of Totowa will use the funds to acquire five (5) homes which were damaged by Hurricane Irene and will be demolished and converted to open space for community-wide use in perpetuity; and

WHEREAS, the Mayor and Council of the Borough of Totowa desire to retain the services of an individual or firm licensed in the State of New Jersey to provide Relocation Consultant Services for any tenants that may be displaced and are eligible for relocation assistance; and

WHEREAS, the Mayor and Council of the Borough of Totowa did advertise for receipt of sealed proposals in accordance with the specifications entitled “Notice and Solicitation of Proposals for Relocation Consultant Services for the Community Development Block Grant – Disaster Recovery Program”; and

WHEREAS, the Borough of Totowa did receive sealed proposals at its Municipal Building on September 30, 2015; and

WHEREAS, the Mayor and Council of the Borough of Totowa on October 13, 2015 did review the proposals received for the Relocation Consultant Services for the CDBG-DR Program; and

WHEREAS, the lowest proposal was submitted by Phillips Preiss Grygiel LLC, 33-41 Newark Street, Floor 3, suite D, Hoboken, New Jersey 07030, 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 Phillips Preiss Grygiel LLC be accepted as the lowest responsible bid; and

WHEREAS, for providing the required services, the Borough of Totowa will compensate Phillips Preiss Grygiel LLC in accordance with their proposal; and

WHEREAS, the professional services shall be awarded as a fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.4 et seq.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Totowa do hereby accept the bid of Phillips Preiss Grygiel LLC for Relocation Consultant Services for the CDBG-DR Program.

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.

COMMITTEE ON ENGINEERING & PUBLIC PROPERTY:

There was no report.

COMMITTEE ON LIAISON & INSPECTION:

There was a motion by Councilwoman Andriani, seconded by Councilman Bucher to adopt the following Resolution Of The Municipal Council Of The Borough Of Totowa, County Of Passaic, New Jersey Designating The Property Commonly Known As Block 154, Lot 19 On The Tax Map Of The Borough Of Totowa (Block 154, Lot 19 And Block 154.01, Lot 1 On The Tax Assessment Records) As 'An Area In Need Of Redevelopment' Pursuant To The Local Redevelopment And Housing Law, N.J.S.A.

40A:12A-1, Et Seq. On roll call vote, all members of the Council present voted in the affirmative.

RESOLUTION NO. 126-2015

RESOLUTION OF THE MUNICIPAL COUNCIL OF THE BOROUGH OF TOTOWA, COUNTY OF PASSAIC, NEW JERSEY DESIGNATING THE PROPERTY COMMONLY KNOWN AS BLOCK 154, LOT 19 ON THE TAX MAP OF THE BOROUGH OF TOTOWA (BLOCK 154, LOT 19 AND BLOCK 154.01, LOT 1 ON THE TAX ASSESSMENT RECORDS) AS 'AN AREA IN NEED OF REDEVELOPMENT' PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW, N.J.S.A. 40A:12A-1, *et seq.*

WHEREAS, the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1, *et seq.*, as amended (the "Redevelopment Law"), authorizes municipalities to determine whether certain parcels of land in the municipality constitute areas in need of redevelopment; and

WHEREAS, by Resolution No. 107-2015 dated August 25, 2015, the Municipal Council (the "Municipal Council") of the Borough of Totowa (the "Borough") authorized the Planning Board to conduct an investigation of the property commonly known as Block 154, Lot 19 on the tax map of the Borough of Totowa, State of New Jersey (Block 154, Lot 19 and Block 154.01, Lot 1 on the tax assessment records for the Borough) (the "Study Area"), to determine whether the Study Area meets the criteria set forth in the Redevelopment Law, specifically N.J.S.A. 40A:12A-5, and should be designated as an area in need of redevelopment, providing that a redevelopment area determination would authorize the Borough and Municipal Council to use all those powers permitted by the Redevelopment Law, other than the power of eminent domain; and

WHEREAS, on October 8, 2015, the Planning Board, after providing due notice, conducted a public hearing in accordance with the Redevelopment Law and determined that the Study Area qualified as an area in need of redevelopment and recommended that the Municipal Council designate the Study Area as an area in need of redevelopment pursuant to the criteria and requirements of the Redevelopment Law empowering the Municipal Council to use all of the powers permitted by the Redevelopment Law, except for the power of condemnation (the "Non-Condensation Redevelopment Area"); and

WHEREAS, the Municipal Council has determined that, based upon the recommendations of the Planning Board, the Non-Condensation Redevelopment Area should be designated an area in need of redevelopment under the Redevelopment Law, such designation authorizing the Borough and Municipal Council to use all those powers

provided by the Redevelopment Law for use in a Non-Condensation Redevelopment Area, other than the power of eminent domain.

NOW THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Totowa do hereby authorize the following

Section 1. The foregoing recitals are incorporated herein as if set forth in full.

Section 2. The recommendations and conclusions of the Planning Board are hereby accepted by the Municipal Council.

Section 3. Based upon the findings and recommendations of the Planning Board, the Non-Condensation Redevelopment Area is hereby designated an area in need of redevelopment without the power of eminent domain pursuant to the provisions of Sections 5 and 6 of the Redevelopment Law.

Section 4. The Municipal Clerk is hereby directed to transmit a copy of this Resolution to the Commissioner of the New Jersey Department of Community Affairs for review pursuant to Section 6(b)(5) of the Redevelopment Law.

Section 5. The Municipal Clerk is hereby directed to serve, within ten (10) days hereof, a copy of this Resolution upon (i) all record owners of property located within the Non-Condensation Redevelopment Area, as reflected on the tax assessor's records, and (ii) each person who filed a written objection prior to the hearing held by the Planning Board, service to be in the manner provided by Section 6 of the Redevelopment Law.

Section 6. This Resolution shall take effect immediately.

COMMITTEE ON LEGISLATION & ORDINANCES:

There was a motion by Councilman Bucher, 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. 18-2015

AN ORDINANCE TO PREVENT THE UNLAWFUL ENROLLMENT OF SCHOOL CHILDREN IN THE BOROUGH OF TOTOWA PUBLIC SCHOOL SYSTEM AND TO PROVIDE PENALTIES THEREFORE

There was a motion by Councilman Bucher, 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. 19-2015

AN ORDINANCE OF THE BOROUGH OF TOTOWA AUTHORIZING THE PRIVATE SALE OF MUNICIPAL OWNED PROPERTY LOCATED AT THE INTERSECTION OF HARDING AVENUE AND GRANT AVENUE AND FURTHER IDENTIFIED AS BLOCK 112, LOT 65 AS SHOWN 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 Bucher, 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 BPOE #2111 Passaic Valley Elks to be held on November 1, 2015 from 11:00 a.m. – 11:00 p.m. On roll call vote, all members of the Council present voted in the affirmative.

There was a motion by Councilman Bucher, seconded by Councilman Picarelli to approve the Application For Social Affair Permit from the State Of New Jersey Division Of Alcoholic Beverage Control for Passaic Valley 2016 Operation Graduation to be held on December 11, 2015 from 6:00 – 10:00 p.m. at the Totowa PAL. On roll call vote, all members of the Council present voted in the affirmative.

There was a motion by Councilman Bucher, seconded by Councilman Picarelli to approve Raffle License Application Nos. 1871 & 1872 for The Woman's Club of Little Falls for a Tricky Tray and On-Premise 50/50, respectively, to be held on November 19, 2015 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 Bucher, seconded by Councilman Picarelli to approve Raffle License Application No. 1873 for St. Joseph's Home for the Elderly of the Little Sisters of the Poor for an Off-Premise 50/50 to be held on March 17, 2016. On roll call vote, all members of the Council present voted in the affirmative.

There was a motion by Councilman Bucher, seconded by Councilman Picarelli to approve Raffle License Application No. 1874 for the BPOE #2111 Passaic Valley Elks for an Off-Premise 50/50 to be held on January 8, 2016. On roll call vote, all members of the Council present voted in the affirmative.

There was a motion by Councilman Bucher, seconded by Councilman Picarelli to approve Raffle License Application Nos. 1875 & 1876 for the Passaic Valley Regional High School Education Foundation, Inc. for a Tricky Tray and On-Premise 50/50, respectively, to be held on November 19, 2015 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 Puglise, seconded by Councilman D'Angelo that the meeting be adjourned. On roll call vote, all members of the Council present voted in the affirmative.

Joseph Wassel, RMC
Municipal Clerk