

BOROUGH OF TOTOWA

MINUTES OF THE MAYOR AND COUNCIL

October 27, 2020

Due to the COVID-19 (coronavirus) pandemic and the Governor's Executive Order 107, in accordance with N.J.S.A. 10:4-8(b), this meeting was not open to the public, but was held by virtual means on Zoom.

PRESENT: Mayor John Coiro, presiding, Council President Lou D'Angelo, Councilwoman Debra Andriani, Councilman Anthony Picarelli, Councilman William Bucher, Councilman John Capo, Councilwoman Lisa Palazzo, 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.

Mayor Coiro asked if any members of the Council, the Municipal Clerk or the Municipal Attorney wished to address the Council.

Councilman Picarelli: Said that we have received some positive feedback on a couple of our employees, Maryann Coral and Keri Giacchi in the Court via a social media post and Lisa Nash in the Tax Office for going above and beyond to help a resident.

Mayor Coiro asked if any citizens attending via Zoom wished to be heard on any matter.

CITIZENS HEARD:

There were no citizens who wished to be heard and Mayor Coiro announced that we have not received any emailed questions pertaining to the public portion of the meeting through 7:30 p.m.

There was a motion by Councilman D'Angelo, seconded by Councilwoman Andriani to approve the Minutes of the Mayor and Council for the meeting of October 13, 2020. 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. 2020-22 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 acknowledge receipt of the Report of Audit for the year ended December 31, 2019 and that the recommendations will be reviewed by the Governing Body. 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 Updating The Borough Of Totowa Personnel Policies And Procedures Manual. On roll call vote, all members of the Council present voted in the affirmative.

RESOLUTION NO. 117-2020

**RESOLUTION UPDATING THE BOROUGH OF TOTOWA
PERSONNEL POLICIES AND PROCEDURES MANUAL**

WHEREAS, it is the policy of the Borough of Totowa to treat employees and prospective employees in a manner consistent with all applicable employment laws and regulations including, but not limited to Title VII of the Civil Rights Act of 1964, as amended by the Equal Opportunity Act of 1972, the Age Discrimination in Employment Act, the Equal Pay for Equal Work Act, the Fair Labor Standards Act, the New Jersey Law Against Discrimination, the Americans with Disabilities Act, the Family and Medical Leave Act, the Conscientious Employee Protection Act, the Public Employee Occupational Safety and Health Act, the New Jersey Workers Compensation Act, the Federal Consolidated Omnibus Budget Reconciliation Act (COBRA) and the Open Public Meeting Act; and

WHEREAS, the Mayor and Council of the Borough of Totowa had determined that there is a need for personnel policies and procedures to ensure that employees and prospective employees are treated in a manner consistent with these laws and regulations; and

WHEREAS, by Resolution No. 111-2017 dated October 10, 2017, the Mayor and Council of the Borough of Totowa adopted the Personnel Policies and Procedures Manual for the Borough of Totowa; and

WHEREAS, the State of New Jersey is now requiring all public employers to adopt a uniform domestic violence policy in accordance with N.J.S.A. 11A:2-6a; and

WHEREAS, the Mayor and Council of the Borough of Totowa want to adopt a Domestic Violence Policy which will encourage employees who are victims of domestic violence, and those impacted by domestic violence, to seek assistance from the Borough of Totowa's Human Resource Officer; and

WHEREAS, the Mayor and Council of the Borough of Totowa desire to update the Personnel Policies and Procedures Manual as necessary.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Totowa do hereby adopt a Domestic Violence Policy for the Borough of Totowa and authorize the updating of the Personnel Policies and Procedures Manual for the Borough of Totowa to include this Domestic Violence Policy.

BE IT FURTHER RESOLVED, that these personnel policies and procedures shall apply to all municipal officials, appointees, employees, volunteers and independent contractors. In the event there is a conflict between these rules and any collective bargaining agreement, personnel services contract or Federal or State law, the terms and conditions of that contract or law shall prevail. In all other cases, these policies and procedures shall prevail.

BE IT FURTHER RESOLVED, that this manual is intended to provide guidelines covering public service by municipal employees and is not a contract. The provisions of this manual may be amended and supplemented from time to time without notice and at the sole discretion of the Borough of Totowa Mayor and Council.

BE IT FURTHER RESOLVED, that to the maximum extent permitted by law, employment practices for the municipality shall operate under the legal doctrine, known as “employment at will.”

BE IT FURTHER RESOLVED, that the Municipal Clerk and all managerial/supervisory personnel are responsible for these employment practices. The Deputy Clerk and the Municipal Attorney shall assist the Municipal Clerk in the implementation of the policies and procedures in this manual.

There was a motion by Councilman Picarelli, seconded by Councilman D’Angelo to authorize the Borough Attorney to prepare and the Borough Clerk to advertise for the RFP’s for 2021 Professional Services. 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 Purchase And Installation Of A New Server And Related Software For The New MDT’s For The Borough Of Totowa Police Department Due To The Covid-19 Pandemic. On roll call vote, all members of the Council present voted in the affirmative.

RESOLUTION NO. 118-2020

RESOLUTION AUTHORIZING THE PURCHASE AND INSTALLATION OF A NEW SERVER AND RELATED SOFTWARE FOR THE NEW MDT’S FOR THE BOROUGH OF TOTOWA POLICE DEPARTMENT DUE TO THE COVID-19 PANDEMIC

WHEREAS, SARS-CoV-2 is the virus that causes Coronavirus Disease 19 (“Covid-19”), a contagious and at times fatal, respiratory disease; and

WHEREAS, by Executive Order No. 103 dated March 9, 2020, Governor Phil Murphy declared a Public Health Emergency and State of Emergency in the State of New Jersey in response to the Covid-19 outbreak; and

WHEREAS, thereafter the Borough of Totowa undertook a hazard assessment and implemented infection control strategies and safe work practices; and

WHEREAS, the Borough of Totowa Police Chief had requested that new police Mobile Data Terminals (“MDT’s”) be purchased and installed in the Department’s vehicles so the Officers can enter their reports in the CAD system and do not have to come inside to police headquarters and be in close contact with other Officers; and

WHEREAS, by Resolution No. 114-2020 dated October 27, 2020, the Mayor and Council of the Borough of Totowa authorized the purchase of these new public safety laptops which are used by all Officers on patrol duty and will prevent the Officers from coming into close contact with other Officers inside police headquarters; and

WHEREAS, more specifically, the Mayor and Council of the Borough of Totowa authorized the purchase and installation of new MDT’s for the Borough of Totowa Police Department fleet from Gold Type Business Machines, Inc. in the amount of \$26,983.60 pursuant to New Jersey State Contract No. 89980; and

WHEREAS, the Borough of Totowa Police Chief has requested that a new server and related software be purchased and installed which will allow the Officers to enter their reports in the CAD system and they will not have to come inside to police headquarters and be in close contact with other Officers; and

WHEREAS, Lawsoft, Inc., 15 Hamburg Turnpike, Suite 2, Bloomingdale, New Jersey 07403 has submitted a proposal dated September 11, 2020 for the purchase and installation of a PowerEdgeR440 server and related software for the Borough of Totowa Police Department in the amount of \$11,410.75, 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 desire to authorize the purchase and installation of this new server and related software for the general health, safety and well-being of the officers of the Borough of Totowa Police Department; and

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

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Totowa do hereby accept the proposal from Lawsoft, Inc. for the purchase and installation of a new server and related software for the Borough of Totowa Police Department in the amount of \$11,410.75.

BE IT FURTHER RESOLVED, that the Mayor and Council of the Borough of Totowa do hereby authorize Lawsoft, Inc. to provide the labor and materials for the installation of the new server and related software for the Borough of Totowa Police Department fleet.

COMMITTEE ON PUBLIC WORKS:

There was no report.

COMMITTEE ON ENGINEERING & PUBLIC PROPERTY:

There was a motion by Councilman Capo, seconded by Councilwoman Andriani 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. 119-2020

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 Councilwoman Andriani, seconded by Councilman Bucher to approve the following change orders for the Turf Fields project: Replace Entire Existing Fence \$8,820.00; Nailer Credit -\$2,515.90; Turf Upgrade \$69,155.00; Remove/Replace Backstop \$29,390.05; Sprinkler/Water Line Relocation \$4,728.25; and Installation of Geotextile Fabric \$13,117.00. On roll call vote, all members of the Council present voted in the affirmative.

There was a motion by Councilwoman Andriani, seconded by Councilman Bucher to adopt the following Resolution To Submit A Grant Application And Execute A Grant Agreement With The New Jersey Department Of Community Affairs For The 2021 Recreational Opportunities For Individuals With Disabilities Program. On roll call vote, all members of the Council present voted in the affirmative.

RESOLUTION NO. 120-2020

RESOLUTION TO SUBMIT A GRANT APPLICATION AND EXECUTE A GRANT AGREEMENT WITH THE NEW JERSEY DEPARTMENT OF COMMUNITY AFFAIRS FOR THE 2021 RECREATIONAL OPPORTUNITIES FOR INDIVIDUALS WITH DISABILITIES PROGRAM

WHEREAS, the Borough of Totowa desires to apply for and obtain a grant from the New Jersey Department of Community Affairs for \$20,000 to carry out a project designed to integrate disabled and non-disabled individuals in recreational and leisure activities.

NOW, THEREFORE, BE IT RESOLVED,

- 1) that the Municipal Council Of The Borough Of Totowa does hereby authorize the application for such a grant; and
- 2) recognizes and accepts that the Department may offer a lesser or greater amount and therefore, upon receipt of the grant agreement from the New Jersey Department of Community Affairs, does further authorize the execution of any such grant agreement; and also, upon receipt of the fully executed agreement from the Department, does further authorize the expenditure of funds pursuant to the terms of the agreement between The Borough Of Totowa and the New Jersey Department of Community Affairs; and

3) the Municipal Council Of The Borough Of Totowa authorizes the expenditure of the required 20% match for this grant opportunity.

BE IT FURTHER RESOLVED, that the persons whose names, titles, and signatures appear below are authorized to sign the application, and that they or their successors in said titles are authorized to sign the agreement and any other documents necessary in connection therewith:

COMMITTEE ON LEGISLATION & ORDINANCES:

There was a motion by Councilwoman Palazzo, seconded by Councilman Picarelli to approve the Application to Amend Raffle License Application No. 2182 for the Brookdale HSA cancelling the raffle scheduled for March 26, 2020 due to Covid-19. 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 Councilwoman Andriani that the meeting be adjourned. On roll call vote, all members of the Council present voted in the affirmative.

Joseph Wassel, RMC
Municipal Clerk