

BOROUGH OF TOTOWA

MINUTES OF THE MAYOR AND COUNCIL

June 25, 2019

PRESENT: Mayor John Coiro, presiding, Council President Lou D'Angelo, Councilwoman Debra Andriani, Councilman Anthony Picarelli, Councilman John Capo, Municipal Clerk Joseph Wassel and Municipal Attorney Kristin Corrado.

ABSENT: Councilman William Bucher and Councilwoman Lisa Palazzo.

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 D'Angelo, seconded by Councilwoman Andriani to dispense with the regular order of business in order to hold a public hearing on Ordinance No. 08-2019 as advertised. On roll call vote, all members of the Council present voted in the affirmative.

Municipal Clerk Wassel announced that Ordinance No. 08-2019 has been advertised for public hearing for Tuesday, June 25, 2019.

Municipal Clerk Wassel read the legal notice and the title of Ordinance No. 08-2019.

There was a motion by Councilman D'Angelo, seconded by Councilwoman Andriani 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. 08-2019.

CITIZENS HEARD:

There were no citizens who wished to be heard.

There was a motion by Councilman D'Angelo, seconded by Councilwoman Andriani 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. 08-2019 by title:

ORDINANCE NO. 08-2019

AN ORDINANCE TO AMEND THE 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 Councilwoman Andriani to adopt Ordinance No. 08-2019 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 D'Angelo, seconded by Councilwoman Andriani 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: 1) Said that the summer camp program started on Monday with over 250 campers.; 2) Announced that the Totowa Pool is open and we have a lot

of fun things planned.; 3) Mentioned that our Summer Concert Series starts tomorrow with The Jersey Sound.; 4) Wished a belated Happy Birthday to Senator Kristin Corrado.

CITIZENS HEARD:

There were no citizens who wished to be heard.

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 June 11, 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 D'Angelo to approve Resolution No. 2019-14 for the payment of bills. 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 The 2019/2020 License Term. On roll call vote, all members of the Council present voted in the affirmative.

RESOLUTION NO. 77-2019

RESOLUTION AUTHORIZING THE BOROUGH OF TOTOWA TOWING LIST FOR 2019/2020 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. Kelkate Enterprises, Inc.
210 21st Avenue
Paterson, New Jersey 07501
3. Totowa Tire Service, Inc.
589 Union Boulevard
Totowa, New Jersey 07512
4. North Jersey Towing & Recovery, Inc.
84 Union Boulevard
Totowa, New Jersey 07512

5. J&M Towing
116 Dorsa Avenue
Wayne, New Jersey 07424
6. Pohlman's Gulf LLC
160 Union Boulevard
Totowa, New Jersey 07512

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.

There was a motion by Councilman D'Angelo, seconded by Councilman Capo to approve Junior Firefighter Application for Kyle Joseph McCarthy for Fire Rescue Company No. 4. 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 Capo to approve Junior Firefighter Application for Nicholas Anthony DeNunzio for Fire Rescue Company No. 4. On roll call vote, all members of the Council present voted in the affirmative.

COMMITTEE ON PUBLIC WORKS:

There was a motion by Councilman Picarelli, seconded by Councilman D'Angelo to approve Change Order No. 1 for a net decrease of \$7,685.74 and Payment Estimate No. 2 (Final) in the amount of \$19,544.77 to Cifelli & Son General Contracting, Inc. for the Hobart Place and Gordon Avenue 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. 1 in the amount of \$211,203.72 to John Garcia Construction Co., Inc. for the Furler Street Improvements. On roll call vote, all members of the Council present voted in the affirmative.

COMMITTEE ON ENGINEERING & PUBLIC PROPERTY:

A retirement letter was received from Sewer Superintendent Ernest J. Paese, effective July 1, 2019. There was a motion by Councilman Capo, seconded by Councilwoman Andriani to accept his retirement. On roll call vote, all members of the Council present voted in the affirmative.

There was a motion by Councilman Capo, seconded by Councilwoman Andriani to adopt the following resolution authorizing the Mayor to execute NJDEP Form TWA-1 and to sign the Statements of Consent – NJDEP Form WQM-003 for NJDC Urban Renewal, LLC. On roll call vote, all members of the Council present voted in the affirmative.

RESOLUTION NO. 78-2019

WHEREAS, NJDC Urban Renewal, LLC, Minnisink Road, Totowa, New Jersey 07512, has applied for approval for the construction of an 8" sanitary sewer main extension along Vreeland Avenue to service a proposed Medical Office, Assisted Living Facility, Data Center and existing Police Headquarters; and

WHEREAS, the Borough Engineer has reviewed the proposed sanitary sewer and finds same acceptable; and

WHEREAS, the New Jersey Department of Environmental Protection (NJDEP) requires that the Applicant for any future municipality owned improvements be the Borough of Totowa.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Totowa, that the Mayor of the Borough of Totowa be and is hereby authorized to execute NJDEP Form TWA-1.

BE IT FURTHER RESOLVED, that the Mayor is hereby authorized to sign the Statements of Consent – NJDEP Form WQM-003 on behalf of the Borough of Totowa.

COMMITTEE ON LIAISON & INSPECTION:

There was a motion by Councilwoman Andriani, seconded by Councilman D'Angelo to adopt the following Resolution Authorizing The Issuance Of Non-Recourse Redevelopment Area Bond (Medical Office Building Project) Of The Borough Of Totowa, In The County Of Passaic, New Jersey In An Aggregate Principal Amount Of \$300,000. On roll call vote, all members of the Council present voted in the affirmative.

RESOLUTION NO. 79-2019

RESOLUTION AUTHORIZING THE ISSUANCE OF NON-RECOURSE REDEVELOPMENT AREA BOND (MEDICAL OFFICE BUILDING PROJECT) OF THE BOROUGH OF TOTOWA, IN THE COUNTY OF PASSAIC, NEW JERSEY IN AN AGGREGATE PRINCIPAL AMOUNT OF \$300,000

WHEREAS, pursuant to the Local Redevelopment and Housing Law, *N.J.S.A. 40A:12A-1 et seq.* (the "Redevelopment Law" or the "Act"), and that certain redevelopment plan adopted on February 23, 2016 (as the same may be amended from time to time, the "Redevelopment Plan") by ordinance of the Council (the "Borough Council") of the Borough of Totowa, a public body corporate and politic of the State of New Jersey (the "Borough"), the Borough and NJDC Urban Renewal, LLC (the "NJDC") entered into that certain Redevelopment Agreement dated June 15, 2017, as amended by that certain First Amendment to Redevelopment Agreement, dated January 24, 2018, as further amended by that certain Second Amendment to Redevelopment Agreement, dated February 26, 2019 (as the same may be further amended from time to time, the "Redevelopment Agreement") with respect to a portion of the property identified as Block 154, Lot 19.03 on the Borough's tax map (the "Project Area") and designated by resolution of the Borough Council as an "area in need of redevelopment" in accordance with the Redevelopment Law; and

WHEREAS, pursuant to the Redevelopment Agreement, a building with approximately 125,000 square feet of medical office space (the "Project"), among other components, will be constructed within the Project Area; and

WHEREAS, on February 26, 2019, NJDC, the Borough and Totowa Med Urban Renewal, LLC (the "Entity"), an urban renewal entity qualified to do business under the provisions of the Long Term Tax Exemption Law, *N.J.S.A. 40A:20-1 et seq.* (the "Exemption Law"), entered into that certain Assignment and Assumption Agreement (Medical Office Building Component) to transfer redevelopment rights and obligations with respect to the Project to the Entity; and

WHEREAS, the provisions of the Exemption Law and such other statutes as may be sources of relevant authority, authorize the Borough to accept, in lieu of real property taxes, annual service charges paid by the Entity to the Borough as set forth in such laws (the “Annual Service Charge”); and

WHEREAS, in accordance with the provisions of the Exemption Law, the Entity filed an application with the Borough seeking a tax exemption in connection with the Project; and

WHEREAS, the Borough and the Entity intend to enter into a financial agreement to memorialize the terms and conditions by which the Entity will pay the Annual Service Charge (the “Financial Agreement”); and

WHEREAS, pursuant to the Redevelopment Area Bond Financing Law, *N.J.S.A. 40A:12A-64 et seq.* (the “RAB Law”), a municipality may issue bonds to finance redevelopment projects pursuant to a redevelopment plan within an area in need of redevelopment, which bonds may be secured by an annual service charge; and

WHEREAS, pursuant to *N.J.S.A. 40A:12A-29(a)(3)* and *N.J.S.A. 40A:12A-67(g)*, the Borough Council authorized by resolution the application to the Local Finance Board (the “Application”) for the Borough’s issuance of a \$300,000 Non-Recourse Redevelopment Area Bond in support of the Project; and

WHEREAS, on June 12, 2019, the Local Finance Board met, reviewed and approved the Application; and

WHEREAS, as an inducement to the Entity to construct the Project, and in furtherance of the purposes of the Act and the RAB Law, the Borough intends to issue a Non-Recourse Redevelopment Area Bond (Medical Office Building Project), in the principal amount of \$300,000, in one series (the “Bond”), which Bond shall be secured by a pledge of the Annual Service Charge; and

WHEREAS, the Bond is hereby authorized to be issued and executed and secured by a pledge of the Annual Service Charge for the payment of the principal of the Bond.

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE BOROUGH OF TOTOWA, NEW JERSEY AS FOLLOWS:

Section 1. Determination to Issue. To accomplish the purposes and objectives of the Act and the RAB Law, the Borough hereby determines to finance a portion of the costs associated with the Project. To finance a portion of the Project, the Bond is hereby authorized to be issued in the principal amount of \$300,000. The net proceeds from the

sale of the Bond shall be paid to the Redeveloper for the Project after reserving \$150,000 to be used to fund certain costs to demolish an existing structure in the Project Area commonly known as “Buttermore House” and/or to construct a replacement structure to be used for public purposes within the area in need of redevelopment governed by the Redevelopment Plan. The Bond shall be issued in one series, shall be dated its date of delivery, shall not bear interest and shall be payable as to principal as set forth therein. The Bond shall be issued in the form, shall mature and shall have such other details and provisions as are set forth in the form of the Bond attached hereto as Exhibit A. The first principal payment on the Bond shall be on a date which is after the payment of four (4) quarterly Annual Service Charge payments.

Section 2. Bond Constitutes a Special, Limited Obligation. The Bond shall be a special, limited obligation of the Borough, payable solely out of the Annual Service Charge and all such Annual Service Charge is hereby irrevocably pledged to the payment of the Bond. The payment of the principal of the Bond shall be secured by the pledge of the Annual Service Charge and certain rights of the Borough as provided in the Financial Agreement. Neither the members of the Borough Council nor any person executing the Bond issued pursuant to this Resolution, the Act and the RAB Law shall be liable personally for the Bond by reason of the issuance thereof. The Bond shall not be in any way a debt or liability of the Borough other than to the limited extent set forth herein. NEITHER THE FULL FAITH AND CREDIT NOR TAXING POWER OF THE BOROUGH IS PLEDGED TO THE PAYMENT OF THE PRINCIPAL OF THE BOND.

Section 3. Authorization and Execution of Bond. (a) The Bond shall mature not more than 30 years from the date of its issuance and, in any event, not prior to the termination of the Financial Agreement, and shall be issued in an aggregate principal amount of \$300,000. The Bond shall not bear interest. A certificate evidencing the terms of the sale of the Bond to the purchaser (the “Purchaser”) shall be executed by the Chief Financial Officer (the “Award Certificate”).

(b) The Mayor, Borough Clerk and Chief Financial Officer (each an “Authorized Officer”) are each hereby authorized to execute and deliver the Bond on behalf of the Borough. The Bond shall be executed by the Mayor, the Chief Financial Officer and the Borough Clerk and shall be issued in the form of one physical certificate registered in the name of the Purchaser.

Section 4. Delivery of the Bond. Following execution of the Bond, each Authorized Officer is hereby authorized to deliver the Bond to the Purchaser against receipt of the purchase price or unpaid balance thereof (the “Closing”). At the Closing, the Borough shall distribute the net proceeds from the sale and issuance of the Bond to the Redeveloper in order to pay costs associated with the Project.

Section 5. Conditions Precedent to Issuance of the Bonds. The obligations of the Borough and the Purchaser to consummate the transactions contemplated hereby are subject to (i) the execution and delivery of the Bond, the Financial Agreement, the Redevelopment Agreement and any instruments executed in connection herewith or therewith, and all amendments and modifications thereto, which shall be in full force and effect on and as of the date of issuance of the Bond and shall be in form and substance satisfactory to the Borough and the Purchaser and no default or event of default (however denominated) shall exist under any such documents and (ii) such financing statements, legal opinions, certificates and other documents as the Purchaser and bond counsel to the Borough may reasonably deem necessary to evidence compliance by the Borough and the Purchaser with the Bond, Financial Agreement and Redevelopment Agreement.

Section 6. Transfer of Bond. The Bond may only be transferred to (a) an affiliate of the Purchaser, (b) a trust or custodial arrangement established by the Purchaser or one of its affiliates, the owners of the beneficial interests in which are limited to qualified institutional buyers, as defined in Rule 144A promulgated under the Securities Act of 1933, as amended, or (c) to a Person that is a qualified institutional buyer and a commercial bank having capital and surplus of \$5,000,000,000 or more; each of which has executed and delivered to the Borough an Investor Letter in the form of Exhibit B attached hereto.

Section 7. Limitations of Liability of Borough. The Borough shall not incur any responsibility with respect to the Bond other than in connection with the duties or obligations explicitly set forth herein, in the Bond and in the Financial Agreement. No provision of this Resolution, the Bond, the Financial Agreement or any agreement, document, instrument or certificate executed, delivered or approved in connection with the issuance, sale, delivery or administration of the Bond shall require the Borough to expend or risk its own general funds, the obligations and liabilities of the Borough hereunder being payable solely from the Annual Service Charge.

In the event of any default by the Borough hereunder, the liability of the Borough to any person who shall be the registered owner of the Bond (the "Bondholder") shall be enforceable only against the Annual Service Charge that may be made available for such purposes under the RAB Law, and there shall be no other recourse for damages by the Bondholder against the Borough, its officers, members, agents and employees, or any of the property now or hereafter owned by it or them.

Section 8. Certain Actions of the Borough. The Borough covenants to take such action as the Bondholder shall reasonably request, in order that the Bondholder may realize the benefits of the right to receive the Annual Service Charge; such actions may

include, but shall not be limited to, conducting an *in rem* tax foreclosure action in accordance with the provisions of *N.J.S.A. 54:5-1 et seq.*

Upon the happening and continuance of any Default as defined in the Financial Agreement, upon receipt of the written request of the Bondholder, the Borough shall proceed to protect and enforce its rights and the rights of the Bondholder under the laws of the State of New Jersey and the terms of the Financial Agreement, by such suits, actions or special proceedings in equity or at law, including, without limitation, directing the Borough to commence an *in rem* tax foreclosure pursuant to the Financial Agreement or mandamus, or by proceedings in the office of any board or office having jurisdiction, either for the specific performance of any covenant, condition or agreement contained in the Bond or the Financial Agreement or for the enforcement of any proper legal or equitable remedy. Only the Borough can undertake the sale of tax sale certificates, and in the same manner, and at the same time, as generally applicable for unpaid taxes due and owing to the Borough, subject to all applicable laws (including bankruptcy laws) necessary to realize the collection of the pledged Annual Service Charge remaining unpaid in accordance with the Financial Agreement.

If the Bondholder shall have proceeded to enforce the rights of the Bondholder under the Bond and the Financial Agreement and such proceedings shall have been discontinued or abandoned for any reason or shall have been determined adversely to the Bondholder, then the Bondholder shall be restored to its position and rights hereunder, and all rights, remedies and powers of the Bondholder shall continue as though no such proceedings had taken place.

Section 9. Incidental Action. Each Authorized Officer is hereby authorized to execute and deliver such other papers, instruments, certificates, opinions, affidavits and documents, and to take such other action as may be necessary or appropriate in order to carry out the purpose of this Resolution, including effectuating the execution and delivery of any closing certificates required in connection with the issuance of the Bond, and the issuance and sale of the Bond, all in accordance with the foregoing sections hereof.

Section 10. Independent Determination by Purchaser. The Bond authorized herein is being issued to the Purchaser with the understanding that it is being held for the Purchaser's own account and that the Purchaser has made its own independent investigation and judgment about the credit and security for the payment of such Bond. Any sale or assignment by the Purchaser of such Bond shall be on the same terms and conditions as set forth herein. The Borough will act as the paying agent for the Bond. Pursuant to the terms of the Financial Agreement, the Borough will collect the Annual Service Charge in quarterly installments on February 1, May 1, August 1 and November 1 and, on each date and upon receipt of each such quarterly installment, will deposit

one-fourth of the principal amount of the Bond due on the next succeeding principal payment date into a separate trust account for the benefit of the Purchaser or subsequent Bondholder, as the case may be. The Borough shall make payment to the Purchaser, or subsequent Bondholder, as the case may be, of the principal amount of the Bond due, out of the Annual Service Charge. In the event of a Default (as defined in the Financial Agreement) resulting from the failure of the Entity to pay the Annual Service Charge payment then due and owing, the Borough will determine the amount of the Annual Service Charge shortfall and shall deposit a pro rata amount of the quarterly Annual Service Charge into the trust account for the benefit of the Purchaser, or subsequent Bondholder, as the case may be; subject to payment of the County Share (as such term is defined in the Financial Agreement).

Section 11. Construction. If any one of more of the provisions of this Resolution or the Bond issued hereunder shall for any reason be held illegal or invalid, such illegality or invalidity shall not affect any other provision of this Resolution, and the Bond shall be construed and enforced as if such illegal or invalid provision had not been contained therein.

Section 12. Effective Date. This Resolution shall take effect immediately upon adoption.

There was a motion by Councilwoman Andriani, seconded by Councilman D'Angelo to adopt the following Resolution Authorizing A Contract To Digitize Construction Permits And Planning Applications. On roll call vote, all members of the Council present voted in the affirmative.

RESOLUTION NO. 80-2019

RESOLUTION AUTHORIZING A CONTRACT TO DIGITIZE CONSTRUCTION PERMITS AND PLANNING APPLICATIONS

WHEREAS, the Borough of Totowa Zoning Officer has recommended that the Building Department digitize their construction permits and planning applications; and

WHEREAS, the Mayor and Council of the Borough of Totowa have determined that there is a need for these documents to be digitized; and

WHEREAS, the Mayor and Council of the Borough of Totowa desire to authorize a contract to digitize the Building Department's construction permits and planning applications; and

WHEREAS, The Educational Services Commission of New Jersey (“ESCNJ Co-op”) has awarded Contract No. ESCNJ 16/17-48 to Foveonics Documents Solutions (“Foveonics”), 99 Grayrock Road, Unit 103, Clinton, New Jersey 08809 for document management for record retention and disposal; and

WHEREAS, Foveonics has submitted a proposal dated December 27, 2018 for digital conversion, web-based document sync and offsite web-based record storage in the amount of \$99,557.00; 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, this contract 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 Borough of Totowa to enter into a contract with Foveonics Documents Solutions to digitize the Building Department’s construction permits and planning applications in the amount of \$99,557.00.

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

COMMITTEE ON LEGISLATION & ORDINANCES:

There was a motion by Councilman Picarelli, seconded by Councilwoman Andriani 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. 09-2019

AN ORDINANCE TO AMEND THE CODE OF THE BOROUGH OF TOTOWA TO REPEAL CHAPTER 289 ENTITLED “PEDDLING AND SOLICITING”

There was a motion by Councilman Picarelli, seconded by Councilwoman Andriani 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. 10-2019

**AN ORDINANCE TO AMEND THE CODE OF THE BOROUGH OF TOTOWA
CHAPTER 415 ENTITLED "ZONING AND LAND USE", PART 4, "ZONING",
ARTICLE XVI, "REGULATIONS APPLICABLE TO ALL DISTRICTS",
SECTION 123, "CONFORMANCE REQUIRED"**

There was a motion by Councilman Picarelli, seconded by Councilwoman Andriani to adopt the following Resolution Authorizing The Renewal Of Division Of Alcoholic Beverage Control Liquor Licenses For The 2019 – 2020 License Term. On roll call vote, all members of the Council present voted in the affirmative.

RESOLUTION NO. 81-2019

**RESOLUTION AUTHORIZING THE RENEWAL OF
DIVISION OF ALCOHOLIC BEVERAGE CONTROL LIQUOR LICENSES
FOR THE 2019 – 2020 LICENSE TERM**

WHEREAS, Division of Alcoholic Beverage Control (ABC) liquor licenses that have been issued by the Borough of Totowa during the 2018 – 2019 license term will expire on June 30th; and

WHEREAS, State and Municipal regulations require that ABC liquor licenses be renewed prior to July 1, 2019; 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 2019 – 2020 license term.

1612-33-001-010 Apple Food Service of Totowa, Inc.

1612-33-003-004 Anthony Murphy, Inc.

1612-33-004-007 Murphy's Steakhouse, LLC

1612-33-005-003 Bethwood Catering, LLC

1612-44-006-005 DTJ, Ltd.
1612-33-007-005 Crestview Motel, Inc.
1612-33-008-009 Balcony Holdings, LLC
1612-44-009-007 Daystar Trading Company
1612-33-010-009 New Sushi, LLC
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 Picarelli, seconded by Councilwoman Andriani to approve Raffle License Application Nos. 2163 & 2164 for the Totowa PAL for a Tricky Tray and Off-Premise 50/50 to be held on September 7, 2019. On roll call vote, all members of the Council present voted in the affirmative.

There was a motion by Councilman Picarelli, seconded by Councilwoman Andriani to approve Raffle License Application Nos. 2165 & 2166 for Helpful Hands, Northeast Regional Early Intervention Collaborative, Inc. for a Casino Night and Off-Premise 50/50 to be held on November 16, 2019 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 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