

BOROUGH OF TOTOWA

MINUTES OF THE MAYOR AND COUNCIL

YOUTH WEEK

May 22, 2012

PRESENT: Mayor John Coiro, presiding, Council President Phil Puglise, Councilman John Waryas, Councilman Jim Niland, Councilman Lou D'Angelo, Councilwoman Carolyn Fontanella, Councilwoman Debra Andriani, Municipal Clerk Joseph Wassel and Alternate Municipal Attorney Kristin Corrado.

ABSENT: Municipal Attorney Robert Corrado.

Mayor John Coiro called the meeting to order and asked Borough Clerk Joseph Wassel to call the roll of the Council.

There was a motion by Councilman Puglise, seconded by Councilman Waryas to adopt the following resolution authorizing the Youth Week Elected Officials to act in the place and stead of the Duly Elected Mayor and Council of the Borough of Totowa. On roll call vote, all members of the Council present voted in the affirmative.

RESOLUTION NO. 70-2012

YOUTH WEEK RESOLUTION

WHEREAS, in the observance of Youth Week, students have been designated in the place and stead of the Mayor and Council of the Borough of Totowa; and

WHEREAS, the said students shall conduct the business of the said Governing Body of the Borough of Totowa under the guidance of the duly elected Mayor and Council.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Totowa, County of Passaic, State of New Jersey, that any and all actions taken on behalf of said Governing Body are hereby and herewith ratified and confirmed as the official actions of the Mayor and Council as if the same were acting directly and in person.

Mayor Coiro on behalf of the Mayor and Council presented each Youth Week Elected Official with their own "name plate" and congratulated all participants on their election to their respective positions and their dedication to learning more about the Government process and the Borough of Totowa.

Youth Week Mayor Thomas Dellacave called the meeting to order and asked Borough Clerk Courtney Dondero to call the roll of the 2012 Youth Week Council.

PRESENT: Mayor Thomas Dellacave, presiding, Councilman John Alecci, Councilwoman Marissa Lambert, Councilman Joseph Pugliese, Councilman Nicholas Quintero, Councilwoman Julissa Velasquez, Councilman Abir Hossain, Municipal Clerk Courtney Dondero and Municipal Attorney Kacie Broadfield.

ABSENT: None.

Mayor Dellacave asked everyone to stand for the Prayer and the Pledge of Allegiance to the Flag.

Borough Clerk Dondero recited the following Prayer of the Meeting: Dear Lord, the Mayor and Council pray, that courage and strength abundant be given that the actions of this Council be of benefit to all of the residents of the Borough of Totowa. Lord, we also pray, that you give courage and strength to the Youth Week Mayor, Council and Officials, so that we may fulfill our duties—under the guidance of this duly elected Mayor and Council—to the best of our abilities. And Lord, may you bless our families and friends, teachers and school officials, who have come out tonight, for all of their love and support.

Borough Clerk Dondero led everyone in the Pledge of Allegiance to the Flag with the public participating.

Mayor Dellacave asked Borough Clerk Dondero to read the statement of the meeting.

Borough Clerk Dondero 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 Borough Clerk.

Mayor Dellacave asked if any Members of the Council, the Borough Clerk or the Borough Attorney wished to address the Council.

Borough Attorney Kacie Broadfield: Gave the following report.

Honorable Mayor and Members of the Council:

The Borough of Totowa is currently involved in an on-going environmental lawsuit. In 2005, the United States Environmental Protection Agency (“EPA”) has designated a seventeen (17) mile stretch of the Passaic River as a Superfund Site because some companies had dumped various chemicals, including Agent Orange, into the River. Also in 2005, the New Jersey Department of Environmental Protection filed suit against numerous chemical companies seeking to recover past and future clean-up costs as well as unspecified economic damages. In February of 2009, these chemical companies filed a third-party complaint against the Passaic Valley Sewerage Commissioners (“PVSC”) and 81 additional municipalities alleging that pollutants are being discharged into the River as a result of “combined system overflow outfalls” or “CSOs”. Many sewer systems were installed in the 1800s. During periods of heavy rainfall, these systems overflow and discharge directly into the Passaic River. The complaint also alleges that the municipal wastewater that bypasses the CSOs contains hazardous substances. Because Totowa is one of the 34 municipalities that use PVSC’s system, the Borough has been named as a defendant in this lawsuit.

The Borough was served with the third-party complaint in the Spring of 2009 and Totowa’s insurance carrier declined coverage on this lawsuit. The Borough has joined a Joint Defense Groups to help defend against the allegations in the complaint. A Special Master of Discovery was assigned to the lawsuit and Totowa must comply with her Orders in addition to the Judge’s Orders. Although there is a stay in the lawsuit prohibiting the filing of any motions, the third-party plaintiffs are aggressively pursuing discovery and all documents must be filed via a dedicated website. An Order was entered on January 28, 2011 ordering all parties in the lawsuit, including the Borough of Totowa, to pay various assessments on a per party basis including costs of a Special Master and electronic discovery database. The defense of this lawsuit under the Per Capita Funding Order has taken a considerable toll on Totowa and its municipal budget. Remediation and clean-up costs are estimated to be in the billions for this lawsuit and Totowa’s liability may be in the millions. I will continue to keep you advised as this lawsuit proceeds.

Mayor Dellacave asked if any citizens wished to be heard.

CITIZENS HEARD:

There were no citizens who wished to be heard.

There was a motion by Councilman Alecci, seconded by Councilwoman Lambert to approve the Minutes of the Mayor and Council for the meeting of May 8, 2012. On roll call vote, all members of the Youth Week Council present voted in the affirmative.

COMMITTEE OF FINANCE:

Borough Clerk Dondero announced that we will now have a report from the Tax Assessor and then the Tax Collector.

Tax Assessor Adrianna Baccaro: Gave the following report.

Honorable Mayor and Council,

2012 began with a decrease in total ratables from 2011 of approximately 29 million dollars. This decrease was largely due to reductions in assessments through tax appeals. Another contributing factor were reductions due to flooding caused by Hurricane Irene.

The 2012 Tax Appeal deadline was April 1st. The Passaic County Board of Taxation received nearly 11,500 appeals of which 125 were filed by Totowa taxpayers. Some of these appeals were heard on May 2nd and the balance will be heard on May 30th. 58 State Tax Court appeals were filed for 2012. 22 Tax Court cases have been settled or withdrawn in 2012, leaving a pending total of 223. The Borough Tax Counsel, appraiser and I continue to negotiate settlements or prepare for trial.

135 deeds have been processed in the past calendar year which is about the same as the year prior. Of these 135, only 92 involved an exchange of money. For 2012, 30 deed transactions have been recorded, but only 11 are considered valid for sales analysis.

The Passaic County Board of Taxation may be supplying this office with a new computer and printer/scanner at no cost to the Borough. They are gathering requests from the other Passaic County Assessors and will take action shortly. As always, should you have any questions or comments, please stop by my office.

Tax Collector Zachary Zaleski: Gave the following report.

Honorable Mayor and Council,

In Totowa, there are 3821 line items in total. 86 are for vacant land and 3429 are for residential properties. There are 241 commercial and 63 industrial properties. There are 2 farms. In addition, there are 89 exempt properties, 9 railroad properties, 1 telephone item, 1 public utility, 2 schools, 54 public properties, 9 charitable properties, 8 cemeteries and 16 miscellaneous items.

Taxes collected in the year 2012 thus far equal \$21,550,159.85. Also collected were past due 2011 taxes in the amount of \$207,600.94. The amount distributed to the County/Open Space is \$6,934,434.38, Totowa schools \$5,851,660.55 and Passaic Valley is \$3,733,455.95. Our collection percentage rate for 2011 was reported at 97.86%.

Regarding deductions given in the Borough for 2012, they are as follows: 187 senior citizens, 23 disabled persons, 339 veterans and 108 widows of veterans.

Tax appeals have resulted in \$265,370.47 being refunded to taxpayers thus far in the year 2012.

Reporting on our tax liens, there are 5 outside liens. There have been no recent foreclosures due to tax sale at this time.

There was a motion by Councilwoman Lambert, seconded by Councilman Quintero to approve Resolution No. 2012-12 for the payment of bills. On roll call vote, all members of the Youth Week Council present voted in the affirmative.

There was a motion by Councilwoman Lambert, seconded by Councilman Quintero 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 Youth Week 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 is authorized to refund this amount:

BLK	LOT	PROPERTY	OWNER(S)	OVER PAYMENT	PAYABLE TO
9.11 CO104	86	142 Hickory Hill Boulevard	Ramesh & Kailas R. Gajjar	\$2,580.05	Homeowners

NOW, THEREFORE, BE IT RESOLVED, that the overpayment shall be refunded to the taxpayer, as stated above, and the Treasurer is authorized to issue separate checks for the refunds, which shall be paid to the stated property owner or taxing authority.

There was a motion by Councilwoman Lambert, seconded by Councilman Quintero to adopt the following resolution authorizing the Treasurer to issue a refund in the amount of \$2,424.19 for 1st and 2nd Quarter 2012 taxes and adjusting off the 3rd and 4th Quarter 2012 taxes for Benjamin Bello, 156 Bogert Street, Block 148, Lot 10 for a 100% Exemption for a 100% Permanent and Total Disability due to wartime service connected disability. On roll call vote, all members of the Youth Week Council present voted in the affirmative.

RESOLUTION

Re: Benjamin Bello
Block 148, Lot 10
156 Bogert Street
Totowa, NJ 07512

WHEREAS, Benjamin Bello has applied for 100% Exemption for a 100% Permanent and Total Disability due to wartime service connected disability; and

WHEREAS, Mr. Bello has met all requirements for the exemption; and

WHEREAS, the 100% disability became effective on August 23, 2007 and is "Exempt" from paying Real Estate Taxes for the entire year of 2012; and

WHEREAS, the homeowner is entitled to a refund for the 1st and 2nd quarters of 2012 in the amount of \$2,424.19.

NOW, THEREFORE, BE IT RESOLVED, that the Treasurer of the Borough of Totowa is authorized to refund \$2,424.19 to "Benjamin Bello", and it is further resolved that the Tax Collector is authorized to adjust off the 3rd and 4th quarters of 2012 and the property will be listed on the 2013 tax list as "Exempt".

There was a motion by Councilwoman Lambert, seconded by Councilman Quintero to approve payment to the various Marching Bands for the 2012 Memorial Day Parade. On roll call vote, all members of the Youth Week Council present voted in the affirmative.

There was a motion by Councilwoman Lambert, seconded by Councilman Quintero to adopt the following Resolution Authorizing The Borough Of Totowa To Enter Into A Cooperative Pricing Agreement. On roll call vote, all members of the Youth Week Council present voted in the affirmative.

RESOLUTION NO. 71-2012

A RESOLUTION AUTHORIZING THE BOROUGH OF TOTOWA TO ENTER INTO A COOPERATIVE PRICING AGREEMENT

WHEREAS, N.J.S.A. 40A:11-11(5) authorizes contracting units to establish a Cooperative Pricing System and to enter into Cooperative Pricing Agreements for its administration; and

WHEREAS, the County of Passaic, hereinafter referred to as the "Lead Agency " has offered voluntary participation in a Cooperative Pricing System for the purchase of goods and services;

WHEREAS, on May 22, 2012, the governing body of the Borough of Totowa, County of Passaic, State of New Jersey duly considered participation in a Cooperative Pricing System for the provision and performance of goods and services;

NOW, THEREFORE BE IT RESOLVED as follows:

TITLE

This RESOLUTION shall be known and may be cited as the Cooperative Pricing Resolution of the Borough of Totowa.

AUTHORITY

Pursuant to the provisions of *N.J.S.A. 40A:11-11(5)*, the Mayor of the Borough of Totowa is hereby authorized to enter into a Cooperative Pricing Agreement with the Lead Agency.

CONTRACTING UNIT

The Lead Agency shall be responsible for complying with the provisions of the *Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.)* and all other provisions of the revised statutes of the State of New Jersey.

EFFECTIVE DATE

This resolution shall take effect immediately upon passage.

COMMITTEE ON PUBLIC SAFETY:

Borough Clerk Dondero announced that we will have a report from the Police Chief and then the Fire Chief.

Police Chief Daniella Sole: Gave the following report.

Honorable Mayor and Council,

Our department will again participate in the countywide “Aggressive Driving” Enforcement Program. This will be done during the upcoming Memorial Day Weekend. We will be working with the Passaic County Office of Highway Traffic Safety – along with surrounding police departments – to try to reduce serious violations which can lead to accidents. This ticket blitz will happen sometime during the holiday weekend – I will keep the exact date confidential.

We are still waiting on State Contract price information – from the State Department of the Treasury – on the new 2012 police car packages. We are interested in the (2) Ford police vehicle models – a sedan and an SUV Type. Ford is no longer making the Crown Victoria Model – which we have used since the 1980’s. As soon as the State Contract prices are available, I will advise the Mayor and Council. At least two of our patrol units currently have very high mileage.

Four of our patrol officers attended a State Police training class on DWI recognition and standardized field sobriety testing. This training will allow the officers to better recognize drivers who are under the influence of alcohol and/or narcotics.

The New Jersey Division of Highway Traffic Safety has asked our agency to participate in the National “CLICK IT OR TICKET” Seat Belt Mobilization Campaign. This program will try to increase the use of seat belts – in order to lower the amount of traffic accident deaths. “Seat Belts Work” We want everyone to have a Safe, Happy and Healthy Holiday Weekend.

Fire Chief Dante Iudici: Gave the following report.

Honorable Mayor and Council,

The following is for the past six months. The Totowa Fire Department has responded to 140 fire calls and had attended all required fire training courses. The junior firemen program has been a very big part of our membership enrollment. The junior firemen get appointed by the Mayor and Council, at the age of sixteen. The junior firemen go fully active at the age of eighteen. Currently we have 3 of our junior members, who are now 18, and in fire school getting their Firefighter 1 Degree.

In the fall of 2011, the Totowa Fire Department received a piece of steel from the World Trade Center. The Fire Department funded a 9/11 Memorial at our Municipal Complex. On March 31, 2012, we had our 9/11 dedication ceremony. I would like to thank the Totowa residences for their support at the ceremony. Please never forget 9/11.

At this time we are getting our fire monument and equipment ready for the Memorial Day Parade. If anyone would like information on how to become a volunteer fireman, just stop by the Mitchell Avenue firehouse on any Tuesday Night.

There was a motion by Councilman Pugliese, seconded by Councilman Alecci to adopt the following Resolution Authorizing The Purchase And Installation Of Two Mobile Data Terminals For The Borough Of Totowa Police Department. On roll call vote, all members of the Youth Week Council present voted in the affirmative.

RESOLUTION NO. 72-2012

RESOLUTION AUTHORIZING THE PURCHASE AND INSTALLATION OF TWO MODILE DATA TERMINALS FOR THE BOROUGH OF TOTOWA POLICE DEPARTMENT

WHEREAS, the Borough of Totowa Police Chief has requested that a Mobile Data Terminal (“MDT”) and related equipment be purchased for two police vehicles; and

WHEREAS, the purchase of the MDT includes a Panasonic ToughBook Notebook – CF-31, Panasonic Port Replicator, Panasonic Protection Plus, Mobile Mounting, Auto Adapter for Panasonic ToughBook, Charge Guard, Low-Profile Antenna, Trunk Tray, and Power Block; and

WHEREAS, the Mayor and Council of the Borough of Totowa have determined that there is a need for an MDT for two patrol cars; and

WHEREAS, the Mayor and Council of the Borough of Totowa desire to authorize the purchase of the two (2) MDT's and related equipment; and

WHEREAS, State of New Jersey Contracts #B27172, #A69834 and Morris County Cooperative Pricing Council Contract No. 41 have been awarded to GTBM Inc., 351 Paterson Avenue, East Rutherford, New Jersey 07073 for the purchase and installation of the MDT's and related equipment; and

WHEREAS, pursuant to the applicable New Jersey State laws, the purchase of this police related 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 and installation of two (2) Mobile Data Terminals and related equipment from GTBM Inc. in the amount of Eleven Thousand Seventeen and 96/100 Dollars (\$11,017.96).

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

COMMITTEE ON PUBLIC WORKS:

Upon the recommendation of the Department of Public Works Superintendent Doug Wright, there was a motion by Councilman Alecci, seconded by Councilman Pugliese to approve a grade increase for DPW Laborer Rich Schopperth from Grade 1-B (\$75,080.) to Grade 1-A(\$81,626.), effective May 24, 2012. On roll call vote, all members of the Youth Week Council present voted in the affirmative.

There was a motion by Councilman Alecci, seconded by Councilman Pugliese to adopt the following Resolution Authorizing The Purchase Of A Utility Vehicle For The Department Of Public Works. On roll call vote, all members of the Youth Week Council present voted in the affirmative.

RESOLUTION NO. 73-2012

RESOLUTION AUTHORIZING THE PURCHASE OF A UTILITY VEHICLE FOR THE BOROUGH OF TOTOWA DEPARTMENT OF PUBLIC WORKS

WHEREAS, the Borough of Totowa Department of Public Works ("DPW") Superintendent has requested that a utility vehicle be purchased and added to the Department's fleet; and

WHEREAS, the Mayor and Council of the Borough of Totowa have determined that there is a need for an upgraded utility vehicle in order to maintain and keep the fleet updated; and

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

WHEREAS, the DPW Superintendent has recommended the purchase of a 2000 GMC T7500 vehicle bearing VIN #1GDM7C1C9YJ527432 which includes front compressor hook-ups, a rear compressor spool and other various related equipment; and

WHEREAS, Bruce Poli, 100 S. Madison Avenue, Spring Valley, New York 10977 is the owner of the above vehicle and has offered to sell the vehicle and all related equipment for the purchase price of Fourteen Thousand and 00/100 Dollars (\$14,000.00); and

WHEREAS, pursuant to the applicable New Jersey State laws, the purchase of the used vehicle and related 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 of one (1) 2000 GMC T7500 utility vehicle from Bruce Poli in the amount of Fourteen Thousand and 00/100 Dollars (\$14,000.00).

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

COMMITTEE ON ENGINEERING & PUBLIC PROPERTY:

Borough Clerk Dondero announced that we will now have a report from the Municipal Engineer.

Municipal Engineer Brittany Patten: Gave the following report.

Honorable Mayor and Council,

Storm Sewer Check Valves

The Borough recently awarded our firm the engineering design and construction supervision of this project and we have initiated design of the project. The project will consist of the installation of in-line check valves on several outfall pipes along Totowa Road, between the Hillery Street Bridge and Lincoln Avenue. The check valves will prevent the river from back flowing into the storm sewer system as the Passaic River begins to crest, and will help mitigate flooding conditions. The NJDEP has issued a

jurisdictional determination for this project, stating that a Flood Hazard Area Individual or General Permit is not required for the installation of check valves on the storm sewer outfalls along the Passaic River.

Sanitary Sewer Lining Project

The Borough recently awarded our firm the engineering design and construction supervision of this project and we have initiated design of the project. The project will consist of the relining of certain sections of existing sanitary sewer mains within Jefferson Place, between Union Boulevard and Franklin Place, a portion of the sanitary sewer main within Dewey Avenue, between Stanley Street and Bogert Street, and a portion of the sanitary sewer main within Williams Place, between Totowa Road and Jefferson Place. The work will generally consist of the installation of cured-in-place pipe liner and the sealing of manholes along the length of sanitary sewer main to be rehabilitated. The work will also include the sealing of sanitary sewer lateral connections at the main. This project is being funded by a Community Development Block Grant.

The purpose of lining the sewer main, sealing of the manholes and sealing lateral connections is to reduce the amount of groundwater that enters into deteriorated sections of the sanitary sewer system. The Borough has conducted studies of the existing sanitary sewer system, and these studies have identified that the existing sanitary sewer mains within Jefferson Place, Dewey Avenue and Williams are in poor condition with numerous open joints and fittings that allow ground water to enter the sewer system. Consequently, during significant rain events and during periods of high ground water, water is entering the sewer main and overloading the existing sanitary sewer system.

The additional water in the system creates excess flows to the sanitary sewer pump station near the intersection of Jefferson Place and Williams Place. By lining the sanitary sewer main within Jefferson Place, Dewey Avenue and Williams Place the Borough will reduce the amount of groundwater entering the sanitary sewer system, which will ultimately reduce the frequency of overloading the sanitary sewer system.

Lincoln Avenue Drainage Improvements and Road Resurfacing Project

The Borough recently awarded our firm the engineering design and construction supervision of this project and we have initiated design of the project. This project received \$175,000 Municipal Aid Grant from the NJDOT. The project will consist of the installation of new storm sewer system piping and associated control structures, the installation of ADA compliant curb ramps, and the milling and paving of the road from Union Boulevard to Totowa Road. The storm sewer system improvements will include the installation of approximately 460 linear feet of large diameter storm sewer pipe to provide supplemental storage of stormwater during significant rain events. The intent of this work is to reduce the amount of flood waters that collect on the surface of the road. The new storm sewer piping will be connected to the existing storm sewer system. The

road repaving will not include the section of road recently repaved for the emergency sanitary sewer repair project.

There was a motion by Councilman Quintero, seconded by Councilwoman Velasquez to adopt the following Resolution Authorizing Execution Of The Letter To State Senators And Assemblymen/Assemblywomen In The Action Entitled NJDEP v. Occidental Chemical Corporation, Et Al. On roll call vote, all members of the Youth Week Council present voted in the affirmative.

RESOLUTION NO. 74-2012

RESOLUTION AUTHORIZING EXECUTION OF THE LETTER TO STATE SENATORS AND ASSEMBLYMEN/ASSEMBLYWOMEN IN THE ACTION ENTITLED NJDEP v. OCCIDENTAL CHEMICAL CORPORATION, ET AL.

WHEREAS, certain claims have been asserted against the Borough of Totowa in the action entitled NJDEP v. Occidental Chemical Corporation, et al., Docket No. ESX-L-9868-05 pending in the Superior Court of New Jersey, Essex County (the "Litigation") regarding alleged environmental contamination at the lower 17 miles of the Passaic River, Newark Bay, the lower reaches of the Hackensack River, the Arthur Kill, the Kill Van Kull, and into adjacent waters and sediments (the "Newark Bay Complex"); and

WHEREAS, the New Jersey Department of Environmental Protection, the Commissioner of the New Jersey Department of Environmental Protection and the Administrator of the New Jersey Spill Compensation Fund (hereinafter referred to collectively as the "State of New Jersey") commenced the present litigation on or about December 13, 2005, suing the defendants, Occidental Chemical Corporation, Tierra Solutions, Inc. Maxus Energy Corporation, Repsol YPF, SA., YPF Holdings, Inc. and CLH Holdings (hereinafter referred to collectively as the "Tierra-Maxus Defendants"); and

WHEREAS, the State of New Jersey's Complaint seeks to recover from the Tierra-Maxus Defendants past and future cleanup and removal costs for alleged "unjust enrichment", penalties and a variety of other forms of relief purportedly arising from the alleged discharges into the Passaic River of 2,3,7,8-tetrachlorodibenzo-p-dioxin (a form of dioxin referred to as "TCDD") and other unspecified "hazardous substances" from a plant that operated at 80 Lister Avenue in Newark, New Jersey for a period of twenty years before the plant was closed in 1969; and

WHEREAS, in its Complaint, the State has alleged that as a direct result of the Tierra-Maxus Defendants' intentional releases and discharges into the Passaic River, and the Tierra-Maxus Defendants' subsequent practice of obfuscation and delay for another twenty-plus years, TCDD has migrated throughout the Newark Bay complex; and

WHEREAS, on or around February 4, 2009, defendants, Maxus Energy Corporation and Tierra Solutions, Inc. filed a third-party complaint against approximately eight-five (85) municipalities and public entities including the Borough of Totowa for contribution towards the cleanup and removal costs that Maxus and Tierra have incurred or will incur in the future relating to the Newark Bay Complex; and

WHEREAS, certain Third-Party Defendant municipalities and public entities, including the Borough of Totowa, are members of a group known as the Municipal Group in the Litigation; and

WHEREAS, the Borough of Totowa has incurred and continues to incur significant legal and transactional fees in connection with this Litigation.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Totowa as follows:

1. The Borough of hereby authorized and directed to sign the signature pages of the Letter to its State Senator and Assemblymen which will be adopted in the substantially same form contained in the draft copy on file and thereafter immediately transmit the said signature pages to Peter J. King, Esq., Liaison Counsel for the Municipal Group.
2. This resolution shall take effect immediately.

COMMITTEE ON LIAISON & INSPECTION:

There was a motion by Councilman Hossain, seconded by Councilwoman Lambert to authorize the Borough Clerk and Borough Attorney to solicit proposals from vending companies to place vending machines at the Municipal Swimming Pool for the 2012 season. On roll call vote, Councilman Alecci, Councilman Pugliese and Councilwoman Velasquez all voted in the negative, while Councilwoman Lambert, Councilman Quintero and Councilman Hossain all voted in the affirmative, creating a tie vote. Borough Clerk Dondero explained that in the Borough form of government, in the event there is a tie vote, the Mayor votes to break the tie. Borough Clerk Dondero asked Mayor Dellacave to vote. Mayor Dellacave voted in the affirmative and the motion passed four votes to three.

COMMITTEE ON LEGISLATIVE & ORDINANCES:

There was a motion by Councilwoman Velasquez, seconded by Councilman Hossain to approve an Ice Cream Vendors License Application for Ahmad R. Ahmad, trading as Stars Ice Cream. On roll call vote, all members of the Youth Week Council present voted in the affirmative.

There was a motion by Councilwoman Velasquez, seconded by Councilman Hossain to adopt the following Proclamation In Honor And Recognition Of The Fiftieth Anniversary Of The Totowa Senior Citizen Club. On roll call vote, all members of the Youth Week Council present voted in the affirmative.

PROCLAMATION IN HONOR AND RECOGNITION OF THE FIFTIETH ANNIVERSARY OF THE TOTOWA SENIOR CITIZEN CLUB

WHEREAS, on March 12, 1962, the Totowa Senior Citizen Club was founded to bring together the Senior Citizens of the Borough of Totowa and had their first meeting at the American Legion, lead by their first President William Ross: and

WHEREAS, 50 years later, the Totowa Senior Citizen Club has over 75 members from the Totowa community and meets on a weekly basis every Monday afternoon at the Borough of Totowa Community Center; and

WHEREAS, these meetings are held for the Totowa Senior Citizen Club to keep each other informed of the activities being held throughout the community; and

WHEREAS, the monthly meetings are run by Joyce Schwartz, President, Bess Koning Vice President, Linda Blackman, Second Vice President, Lucy Mecca, Treasurer, Claire Hillenbrand, Recording Secretary, and Mary Cuccinello, Financial Secretary; and

WHEREAS, each meeting is started with a prayer by the Carmela Dragone, Club Chaplain; and

WHEREAS, all Travel and Entertainment events are organized by Delia and Tom Casamassina and Sunshine activities are coordinated by Marie Savage; and

WHEREAS, the Totowa Senior Citizen Club's Trustees include Marie Savage, Doris Stewart, Arlene Kolankoski, Angela Patatucci and Olga Malone; and

WHEREAS, the Totowa Senior Citizen Club is an asset to the Totowa community; and

WHEREAS, the Mayor and Council of the Borough of Totowa wish to publicly honor the Totowa Senior Citizen Club and all their members as they celebrate their Fiftieth Anniversary.

NOW, THEREFORE, BE IT PROCLAIMED by the Mayor and Council of the Borough of Totowa that special recognition is given to the Totowa Senior Citizen Club for fifty years of dedication and commitment to their Club and their community.

Mayor John Coiro, on behalf of the Mayor and Council thanked all for attending the Youth Week Council Meeting and once again congratulated the Youth Week participants on winning their respective elections and complimented them on a job well done. Explained that every year we like to give the students a feel for what goes on daily and at meetings and informed the parents that these were actual votes that will go into the Minutes. Said he hoped that the students learned something about Municipal Government and gained some insight into how our town is run. Communicated to the parents that their children put a lot of work into this whole election process—from thinking of slogans, campaigning, making speeches, to running a town meeting—and they should be very proud of them. Acknowledged the hard work that was put into making their posters and told them to feel free to take their posters home, along with their commemorative name plate. Also advised the parents that Youth Week continues on Thursday, May 24th when we will take all the Youth Week Elected Officials on a tour of the town—to Caravan Ingredients, lunch at Ruby Lounge at The Holiday Inn and the State Police—and then told the parents that all the students were invited to participate in the Memorial Day Parade.

There being no further business to come before the Council, there was a motion by Councilman Alecci, seconded by Councilwoman Lambert that the meeting be adjourned. On roll call vote, all members of the Youth Week Council present voted in the affirmative.

Joseph Wassel, RMC
Municipal Clerk