

BOROUGH OF TOTOWA

MINUTES OF THE MAYOR AND COUNCIL

March 26, 2019

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.

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.

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

Councilwoman Andriani: Advised that the Board of Recreation will have their annual Bunny Breakfast on April 6th. Asked if Recreation Director Mark Monteyne had anything to add. Director Monteyne: Said there are currently 36 signed up right now and we are having two other sign ups. Stated that the geese situation at the PAL is getting a lot better with the assistance of the DPW. Mayor Coiro: Asked if the Geese Chasers have been coming out regularly. DPW Superintendent Jim Niland: Replied, yes.

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 March 12, 2019. On roll call vote, all members of the Council present voted in the affirmative. Councilman Bucher abstained from the voting.

COMMITTEE ON FINANCE:

There was a motion by Councilman Picarelli, seconded by Councilman D'Angelo to approve Resolution No. 2019-07 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 approve Resolution No. 2019-08 Authorizing The Transfer Of 2018 Budget Appropriations. 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 approve the Fire Department TSAP for 2018. On roll call vote, all members of the Council present voted in the affirmative.

A letter from the Passaic County Prosecutor inviting the Mayor and Council to attend the 22nd Annual Candlelight Vigil to be held on Sunday, April 28, 2019 from 3:00 – 5:00 p.m. at the Passaic County Community College was received and filed.

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 approve Payment Estimate No. 1 (Final) in the amount of \$15,443.00 to Caravella Demolition, Inc. for the Demolition Of Structure At 300 Riverview Drive. On roll call vote, all members of the Council present voted in the affirmative.

A letter was received from American Legion Memorial Post No. 227 requesting permission to use the Municipal Parking Lot on Saturday, April 6, 2019 for their fundraiser to Atlantic City. There was a motion by Councilman Capo, seconded by Councilwoman Andriani to grant permission. On roll call vote, all members of the Council present voted in the affirmative.

A letter was received from the Deborah Hospital Foundation requesting permission to use the Municipal Parking Lot on Tuesday, May 14, 2019 for a trip to Villa Roma in New York. There was a motion by Councilman Capo, seconded by Councilwoman Andriani to grant permission. On roll call vote, all members of the Council present voted in the affirmative.

COMMITTEE ON LIAISON & INSPECTION:

There was a motion by Councilwoman Andriani, seconded by Councilman Bucher to adopt the following Resolution Authorizing A Shared Services Agreement With The City Of Paterson For Animal Control Services For 2019. On roll call vote, all members of the Council present voted in the affirmative.

RESOLUTION NO. 48-2019

RESOLUTION AUTHORIZING A SHARED SERVICES AGREEMENT WITH THE
CITY OF PATERSON FOR ANIMAL CONTROL SERVICES FOR 2019

WHEREAS, the Mayor and Council of the Borough of Totowa desire to retain the services of a qualified company to serve as Animal Control Officer for the Borough of Totowa by providing a variety of animal control services for the residents of the Borough of Totowa and for the public good; and

WHEREAS, the Mayor and Council of the Borough of Totowa did on two occasions advertise for receipt of sealed proposals for the professional animal control services in accordance with its specifications entitled "Request for Proposals for the Position of Animal Control Officer for the Borough of Totowa"; and

WHEREAS, the Borough of Totowa did not receive any proposals at its Municipal Building on December 20, 2018 or March 7, 2019; and

WHEREAS, the Mayor and Council of the Borough of Totowa have determined that it would be more cost effective to subcontract for animal control services through the implementation of a Shared Services Agreement with the City of Paterson; and

WHEREAS, the Mayor and Council have further determined that it would be in the best interest of the residents of the Borough of Totowa to enter into a Shared Services Agreement for animal control services because these services can be more efficiently and economically provided to the Borough of Totowa through said agreement; and

WHEREAS, the New Jersey Uniform Shared Services and Consolidation Act, N.J.S.A. 40A:65-1 et seq., authorizes the City of Paterson to provide animal control services to the Borough of Totowa; and

WHEREAS, the parties are desirous of entering into a Shared Services Agreement which would authorize the City of Paterson to provide animal control services to the Borough of Totowa; and

WHEREAS, the Borough of Totowa shall pay the City of Paterson a monthly fee of \$1,000.00 for animal control services for the period of April 1, 2019 through December 31, 2019, plus overtime pay in cases of emergency, for a pro-rated annual fee not to exceed \$9,000.00.

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 Shared Services Agreement with the City of Paterson to provide animal control services to the Borough of Totowa effective April 1, 2019 through December 31, 2019.

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 Councilwoman Andriani, seconded by Councilman Bucher to adopt the following Resolution Authorizing The Appointment Of An Affordable Housing Administrative Agent For The Borough Of Totowa. On roll call vote, all members of the Council present voted in the affirmative.

RESOLUTION NO. 49-2019

RESOLUTION AUTHORIZING THE APPOINTMENT OF AN AFFORDABLE HOUSING ADMINISTRATIVE AGENT FOR THE BOROUGH OF TOTOWA

WHEREAS, the Borough of Totowa has petitioned the Superior Court of New Jersey for a Declaratory Judgment that its adopted Housing Element and Fair Share Plan is compliant with its constitutional obligation to provide its fair share of the regional need for very-low, low, and moderate income housing; and

WHEREAS, the Borough of Totowa's adopted Housing Element and Fair Share Plan will result in the creation of housing units affordable to and intended for occupancy solely by qualified very-low, low, and moderate income households; and

WHEREAS, the Administrative Agent shall assist the Borough of Totowa with complying with the State of New Jersey's affordable housing regulations in the areas of income qualifications, affordable rents and sale prices and affirmative marketing plans; and

WHEREAS, these comprehensive Affordable Housing services may only be provided by an individual or firm that has been certified by the New Jersey Department of Community Affairs; and

WHEREAS, the Borough of Totowa solicited proposals from firms qualified to serve as the Affordable Housing Administrative Agent for the Borough of Totowa; and

WHEREAS, Community Grants, Planning & Housing, 101 Interchange Plaza, Suite 301, Cranbury, New Jersey 08512 has submitted a proposal dated March 7, 2019 to provide the required professional services, a copy of which is on file in the office of the Borough of Totowa Municipal Clerk; and

WHEREAS, the firm of Community Grants, Planning & Housing possesses the necessary experience and expertise to provide the professional administrative services; and

WHEREAS, for providing the required services, the Borough of Totowa will compensate Community Grants, Planning & Housing in accordance with the Fee Schedule set forth in their proposal; and

WHEREAS, the term of this contract shall be effective as of the date of this Resolution through December 31, 2019; and

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 Community Grants, Planning & Housing to serve as the Affordable Housing Administrative Agent to the Borough of Totowa and provide professional services.

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 Councilwoman Andriani, seconded by Councilman Bucher to adopt the following Resolution Authorizing Contract With International Fireworks Manufacturing Company Inc. On roll call vote, all members of the Council present voted in the affirmative.

RESOLUTION NO. 50-2019

RESOLUTION AUTHORIZING CONTRACT WITH INTERNATIONAL FIREWORKS MANUFACTURING COMPANY INC.

WHEREAS, the Borough of Totowa Board of Recreation will be hosting the second annual Totowa Day on June 8, 2019 at Washington Park School and has recommended to the Mayor and Council of the Borough of Totowa that the festivities conclude with a fireworks display; and

WHEREAS, the Borough of Totowa Board of Recreation has solicited quotes from licensed firework companies to provide the fireworks exhibition; and

WHEREAS, International Fireworks Manufacturing Company Inc., P.O. Box 6, Sycamore Road, Douglassville, Pennsylvania 19518 has submitted a proposal dated February 26, 2019 to provide the fireworks display for the sum of \$5,250.00, 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, the contract for these services may be authorized without public bidding since the total contract price will not exceed the public bidding threshold.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Totowa do hereby authorize a contract with International Fireworks Manufacturing Company Inc., for firework display services in accordance with the term set forth in their proposal.

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.

There was a motion by Councilwoman Andriani, seconded by Councilman Bucher to adopt the following Resolution Authorizing Contract For Fertilizer And Weed Control Services For 2019. On roll call vote, all members of the Council present voted in the affirmative.

RESOLUTION NO. 51-2019

RESOLUTION AUTHORIZING CONTRACT FOR FERTILIZER AND WEED CONTROL SERVICES FOR 2019

WHEREAS, the Superintendent for the Borough of Totowa Department of Public Works has recommended the Borough of Totowa implement a fertilization and weed control treatment program for the Borough of Totowa Municipal Complex grounds, recreational parks and fields; and

WHEREAS, the Borough of Totowa Department of Public Works did solicit proposals for these lawn maintenance services; and

WHEREAS, Lawn Doctor, 10 Park Place, Butler, New Jersey 07405 has submitted a proposal dated March 20, 2019 to provide the necessary fertilization and weed control services in the amount of \$14,445.00, a copy of which is on file in the office of the Borough of Totowa Municipal Clerk; and

WHEREAS, the Superintendent for the Borough of Totowa Department of Public Works has reviewed the proposal and recommended the Borough of Totowa implement the five (5) step treatment plan recommended in the proposal; and

WHEREAS, pursuant to the applicable New Jersey State laws, the authorization of this service will not exceed the public bidding threshold and 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 Lawn Doctor for lawn maintenance services for the Borough of Totowa Municipal Complex grounds, recreational fields and parks in the amount of \$14,445.00.

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

A letter from American Legion Memorial Post No. 227 inviting the Mayor and Council to their annual installation of officers on Thursday, April 25, 2019 at 7:00 p.m. was received and filed.

A letter from the Board of Health advising that the Annual Rabies Clinic will be held on Tuesday, April 30, 2019 at the DPW Garage at 7:00 p.m. was received and filed.

COMMITTEE ON LEGISLATION & ORDINANCES:

There was a motion by Councilwoman Palazzo, 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. 03-2019

**AN ORDINANCE TO AMEND THE CODE OF THE BOROUGH OF TOTOWA
CHAPTER 415 ENTITLED "ZONING AND LAND USE", ARTICLE IV, "FEES AND
ESCROWS", SECTION 12, "APPLICATION FEES"**

There was a motion by Councilwoman Palazzo, seconded by Councilman Picarelli to introduce on first reading and advertise for public hearing the following entitled ordinance. On roll call vote, all members of the Council present voted in the affirmative.

ORDINANCE NO. 04-2019

**AN ORDINANCE TO AMEND THE CODE OF THE BOROUGH OF TOTOWA
CHAPTER 153 ENTITLED "CONSTRUCTION CODES, UNIFORM",
ARTICLE II, "BUILDING CONSTRUCTION FEES"**

There was a motion by Councilwoman Palazzo, seconded by Councilman Picarelli to approve the Application For Social Affair Permit from the State Of New Jersey Division Of Alcoholic Beverage Control for the Passaic Valley Elks #2111 for Friday, April 5, 2019 from 6:00 – 11:59 p.m. On roll call vote, all members of the Council present voted in the affirmative.

There was a motion by Councilwoman Palazzo, seconded by Councilman Picarelli to approve Raffle License Application No. 2152 for More Than Friends for an Off-Premise 50/50 to be held on October 19, 2019 at The Grand Bethwood. On roll call vote, all members of the Council present voted in the affirmative.

There was a motion by Councilwoman Palazzo, seconded by Councilman Picarelli to approve Bingo License Application No. 2153 and Raffle License Application Nos. 2154 & 2155 for Rifle Camp Fire Co. No. 3 for a Pocket Book Bingo, Tricky Tray and On-Premise 50/50 to be held on April 26, 2019 at the Elks Lodge #2111. On roll call vote, all members of the Council present voted in the affirmative.

There was a motion by Councilwoman Palazzo, seconded by Councilman Picarelli to approve Raffle License Application Nos. 2156 & 2157 for the St. Joseph's Home for the Elderly of the Little Sisters of the Poor for a Tricky Tray and On-Premise 50/50 to be held on May 14, 2019 at The Grand 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