

## **BOROUGH OF TOTOWA**

### **MINUTES OF THE MAYOR AND COUNCIL**

**April 26, 2022**

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

**ABSENT:** Councilman John Capo.

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.

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. 02-2022 as advertised. On roll call vote, all members of the Council present voted in the affirmative.

Municipal Clerk Wassel announced that Ordinance No. 02-2022 has been advertised for public hearing for Tuesday, April 26, 2022.

Municipal Clerk Wassel read the legal notice and the title of Ordinance No. 02-2022.

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. 02-2022.

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. 02-2022 by title:

**ORDINANCE NO. 02-2022**

**CALENDAR YEAR 2022 ORDINANCE TO EXCEED THE MUNICIPAL  
BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK  
(N.J.S.A. 40A:4-45.14)**

There was a motion by Councilman D'Angelo, seconded by Councilwoman Andriani to adopt Ordinance No. 02-2022 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.

Councilman D'Angelo: Commented that both the Baseball & Softball Opening Day Ceremony and the Auto Show were great.

Councilwoman Andriani: Reiterated that the Borough was hopping this past weekend, with the Opening Day Ceremony for Baseball and Softball, the Rummage Sale at the Library, the Food Drive by Senator Kristin Corrado, and the Car Show.

#### CITIZENS HEARD:

Bernadette Hilway, 114 Bogert Street: Wants to know what needs to be done to get businesses and some residents to keep their properties clean and up to code. And now the bank property at 515 Union Boulevard joins the list of other businesses along Union Boulevard that need to clean up their properties. Mayor Coiro: Said he spoke to Construction Code Official Allan Burghardt about these problems and his department has issued some summonses and also said that our Department of Public Works is taking care of cleaning up Pappy's and then we will bill them for the work or put a lien on their property. Bernadette Hilway: Said that the house on Bogert Street is still a mess and still has the broken window covered with wood. Mayor Coiro: Told her that inspector John Waryas has been there, and we will send him back to take care of this.

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 April 12, 2022. 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. 2022-10 for the payment of bills. On roll call vote, all members of the Council present voted in the affirmative.

There was a motion by Councilman Picarelli, seconded by Councilman D'Angelo to adopt the following Resolution Authorizing The Mayor To Sign The Certification To Comply With The Requirements Set Forth In N.J.A.C. 7:26A-11. On roll call vote, all members of the Council present voted in the affirmative.

## RESOLUTION NO. 55-2022

WHEREAS, the Clean Communities and Recycling Act of 1981 created the Municipal Tonnage Grant (MTG) program, whereby municipalities could receive a grant for the amount of materials documented as being recycled during the previous calendar year; and

WHEREAS, in 1987, the New Jersey Statewide Mandatory Source Separation and Recycling Act, specifically N.J.S.A. 13:1E-99.16, mandated the governing body of each municipality to submit an annual Recycling Tonnage Report summarizing the amount of material recycled during the previous calendar year; and

WHEREAS, in January 2008, the Recycling Enhancement Act (REA), N.J.S.A. 13:1E-96, specifically P.L. 2007, c. 311, reestablished funding for local recycling programs through a tax of \$3.00 per ton on all solid waste accepted for disposal or transfer at solid waste facilities in New Jersey except those designed exclusively to transport waste by railroad (N.J.S.A. 13:1E-96.5); and

WHEREAS, the REA requires that a Certified Recycling Coordinator (CRC-sometimes referred to as a Certified Recycling Professional-CRP) certify recycling tonnage reports, specifies that grants received may only be expended on recycling (N.J.S.A. 13:1E-96(b)1) and that the amount of grant monies received by the municipality shall not be less than the annual amount of recycling tax paid by the municipality (N.J.S.A. 13:1E-96(b)1); and

WHEREAS, pursuant to N.J.S.A. 13:1E-96a, the Department of Environmental Protection (DEP), Division of Solid and Hazardous Waste (DSHW) administers the MTG program; and

WHEREAS, the DEP implemented several changes to the program beginning with the 2017 MTG application, and whereby now a complete 2021 MTG application consists of: a 2021 Recycling Tonnage Report; an Expenditure Report for 2018 MTG funds; a statement that the municipality complied in calendar year 2021 with the Standards for Municipalities and intends to comply with same in calendar year 2022; a statement that the Municipal Recycling Coordinator (MRC) intends to attend at least one County sponsored recycling meeting during calendar year 2022; and a statement that the MRC intends to visit/tour at least one Class A recycling center during calendar year 2022.

NOW, THEREFORE, BE IT RESOLVED, that the Municipal Council of the Borough of Totowa, County of Passaic, New Jersey does hereby authorize Mayor John Coiro to sign the Certification of Compliance (N.J.A.C. 7:26A-11 "Standards for Municipalities").

COMMITTEE ON PUBLIC SAFETY:

There was no report.

COMMITTEE ON PUBLIC WORKS:

There was no report.

COMMITTEE ON ENGINEERING & PUBLIC PROPERTY:

A letter was received from the American Legion requesting permission to use the Municipal Parking Lot on Sunday, May 1, 2022 for a Casino Trip to Bethlehem, Pennsylvania. There was a motion by Councilwoman Andriani, seconded by Councilman D'Angelo to grant permission. On roll call vote, all members of the Council present voted in the affirmative.

COMMITTEE ON LIAISON & INSPECTION:

A letter of resignation was received from Board of Recreation Commissioner Oliver Dittamo. There was a motion by Councilwoman Andriani, seconded by Councilman Bucher to accept his resignation with regrets and thank him for his many years of service. 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 Authorizing Contract For Fertilizer And Weed Control Services For 2022. On roll call vote, all members of the Council present voted in the affirmative.

RESOLUTION NO. 56-2022

RESOLUTION AUTHORIZING CONTRACT FOR FERTILIZER AND  
WEED CONTROL SERVICES FOR 2022

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, the Board of Recreation property and our 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 8, 2022 to provide the necessary fertilization and weed control services in the amount of \$13,855.00, 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, the Board of Recreation property and our recreational fields and parks in the amount of \$13,855.00.

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.

There was a motion by Councilwoman Andriani, seconded by Councilman Bucher to adopt the following Resolution Fixing The Fee Schedule For The Totowa Municipal Swimming Pool For 2022. On roll call vote, all members of the Council present voted in the affirmative.

RESOLUTION NO. 57-2022

RESOLUTION FIXING THE FEE SCHEDULE FOR THE TOTOWA  
MUNICIPAL SWIMMING POOL FOR 2022

WHEREAS, the Mayor and Council of the Borough of Totowa pursuant to the Code of the Borough of Totowa, Chapter 367 entitled "Swimming Pools", Article I, "Municipal Pool" and any amendments thereto, is authorized to annually establish the "fees" for the Totowa Municipal Swimming Pool; and

WHEREAS, the Mayor and Council of the Borough of Totowa after conferring with the Board of Recreation and for good cause shown has approved the following 2022 Fee schedule for the Totowa Swimming Pool, to wit:

2022 Fee Schedule

	<u>ENTIRE SEASON</u>	<u>WEEKNIGHTS (FROM 5 PM)/ WEEKENDS/HOLIDAYS</u>
FAMILY	\$520.00	\$385.00
SENIOR CITIZEN (Age 62* or older)	\$100.00	\$ 75.00
SINGLE (Age 18* or older)	\$310.00	\$235.00
CHILDREN (Ages 4-17**)	\$110.00	\$ 85.00

\* Age at time of registration. \*\* Must be purchased with any other package.

Family is defined as an adult couple or 1 or 2 legal guardians plus unmarried children under 21 as of 6/18/2022 or under 26 as of 6/18/2022 and a full-time student who resides in the same residence.

A \$100.00 discount will be applied to the entire season rate for families who register for the pool and also register their children for Summer Camp with the Borough of Totowa Board of Recreation Camp. (Camp receipt must be shown when registering for the 2022 Pool Season in order for the discount to be applied.)

WHEREAS, the Mayor and Council of the Borough of Totowa after conferring with the Board of Recreation and for good cause has also approved the following half-price rates for volunteers of the Borough of Totowa Fire Department and First Aid Squad; to wit:

2022 Fee Schedule For Volunteers

	<u>ENTIRE SEASON</u>	<u>WEEKNIGHTS (FROM 5 PM)/ WEEKENDS/HOLIDAYS</u>
FAMILY	\$265.00	\$200.00
SENIOR CITIZEN (Age 62* or Older)	\$ 50.00	\$ 40.00
SINGLE (Age 18* or Older)	\$160.00	\$120.00
CHILDREN (Ages 4-17**)	\$ 60.00	\$ 50 .00

\* Age at time of registration. \*\* Must be purchased with any other package.

\*\*Refunds will not be given once the pool has opened for the season.

Guest Fees-

Under 4 Years of Age as of June 1st	Free
Age 4 and up – Per Person	\$10.00
5 Pass Books Purchased on Registration Days	\$40.00

In addition to the fees established above, the following fees shall be put into effect for 2022 for special events:

Totowa Members (Plus \$5.00 for each non-member)	\$100.00
Totowa Non-Members (Plus \$5.00 for every non-member)	\$150.00
Special Events	\$ 5.00 per person

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Totowa has adopted the aforementioned Fee Schedule for the Totowa Swimming Pool for 2022.



There was a motion by Councilwoman Andriani, seconded by Councilman Bucher to adopt the following Resolution Fixing The Fee Schedule For The Totowa Board Of Recreation Summer Camp For 2022. On roll call vote, all members of the Council present voted in the affirmative.

RESOLUTION NO. 58-2022

RESOLUTION FIXING THE FEE SCHEDULE FOR THE TOTOWA  
BOARD OF RECREATION SUMMER CAMP FOR 2022

WHEREAS, the Borough of Totowa Board of Recreation hosts an annual summer camp for the youth of the community; and

WHEREAS, the camp season for 2022 will run from Monday, June 27, 2022 through Friday, August 5, 2022; and

WHEREAS, the Mayor and Council of the Borough of Totowa after conferring with the Board of Recreation and for good cause shown has approved the following 2022 Fee schedule for the Board of Recreation Summer Camp, to wit:

2022 Fee Schedule\*

One Child	\$250.00
Two Children	\$455.00
Three or More Children	\$565.00

\*Refunds will not be given once summer camp has started.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Totowa has adopted the aforementioned Fee Schedule for the Board of Recreation Summer Camp for 2022.

COMMITTEE ON LEGISLATION & ORDINANCES:

There was a motion by Councilman Fierro, 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 BPOE #2111 to be held on May 13, 2022 from 4:00 p.m. – 11:30 p.m. 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.

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Joseph Wassel, RMC  
Municipal Clerk