

BOROUGH OF TOTOWA

MINUTES OF THE MAYOR AND COUNCIL

February 28, 2023

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

ABSENT: None.

Mayor John Coiro called the meeting to order and asked the Municipal Clerk to call the roll.

Municipal Clerk Wassel recited the Prayer of the Meeting followed with the Pledge of Allegiance to the Flag with the public participating.

Mayor Coiro asked the Clerk to read the statement of the meeting.

Municipal Clerk Wassel read the following statement: This meeting of the Mayor and Council held on this day is being held in accordance with Chapter 231, P.L. 1975 of the State of New Jersey as amended. The agenda for this meeting has been prepared and distributed to the Mayor and Council and a copy has been on file in the Office of the Municipal Clerk.

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 the 2023 Passaic County Open Space and Farmland Preservation Trust Fund grant application for the installation of upgraded playground equipment and rubberized safety surface at the Community Pool and Ordinance No. 03-2023 as advertised. On roll call vote, all members of the Council present voted in the affirmative.

Municipal Clerk Wassel announced that the 2023 Passaic County Open Space and Farmland Preservation Trust Fund grant application for the Playground Equipment Project at the Community Pool and Ordinance No. 03-2023 have been advertised for public hearing for Tuesday, February 28, 2023.

Municipal Clerk Wassel read the Open Space Public Hearing Notice.

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 wish to be heard on the 2023 Open Space grant application.

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.

There was a motion by Councilman D'Angelo, seconded by Councilwoman Andriani to adopt the following Resolution Authorizing A Grant Application To The Passaic County Open Space, Farmland And Historic Preservation Trust Fund For The Community Pool Playground Equipment Project By The Borough Of Totowa. On roll call vote, all members of the Council present voted in the affirmative.

RESOLUTION NO. 42-2023

**RESOLUTION AUTHORIZING A GRANT APPLICATION
TO THE PASSAIC COUNTY OPEN SPACE, FARMLAND
AND HISTORIC PRESERVATION TRUST FUND FOR THE
COMMUNITY POOL PLAYGROUND EQUIPMENT PROJECT
BY THE BOROUGH OF TOTOWA**

WHEREAS, the Passaic County Board of Chosen Freeholders (hereafter "Board") provide grants to municipalities and qualified non-profit corporations for the assistance in acquisition, development, stewardship and historic preservation from the Passaic County Open Space, Farmland and Historic Preservation Trust Fund (hereafter "Trust Fund"); and

WHEREAS, the BOROUGH OF TOTOWA desires to further the public interest by obtaining funding in the amount of \$227,284 from the Board for the County to fund the COMMUNITY POOL PLAYGROUND EQUIPMENT PROJECT at a cost of \$227,284; and

WHEREAS, the Board shall determine if the application is complete and in conformance with the scope and intent of the Trust Fund program and the rules and regulations established pursuant to R20170349, and any subsequent Resolutions passed by the Board governing the administration of the Trust Fund.

NOW, THEREFORE, BE IT RESOLVED, BY THE GOVERNING BODY OF THE BOROUGH OF TOTOWA AS FOLLOWS:

1. The MAYOR OF THE BOROUGH OF TOTOWA is authorized to make application, provide all required information and documents as required, and correspond as necessary for a grant to the Passaic County Open Space, Farmland and Historic Preservation Trust Fund.
2. That the MAYOR OF THE BOROUGH OF TOTOWA is hereby authorized to execute a grant agreement and any amendment thereto with the County of Passaic for the COMMUNITY POOL PLAYGROUND EQUIPMENT PROJECT.
3. That, if the funds provided by the County are less than the total project cost specified above, the applicant has the balance of funding necessary to complete the project.
4. That, the applicant agrees to comply with all applicable federal, State, County, and local laws, rules, and regulations in its performance of the project.
5. That this Resolution shall take effect immediately.

Municipal Clerk Wassel read the legal notice and the title of Ordinance No. 03-2023.

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. 03-2023.

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. 03-2023 by title:

ORDINANCE NO. 03-2023

**AN ORDINANCE TO AMEND THE CODE OF THE BOROUGH OF TOTOWA
TO ADD A NEW CHAPTER ENTITLED "BUSINESS AND INSURANCE
REGISTRY" PURSUANT TO N.J.S.A. 40A:10A-2**

There was a motion by Councilman D'Angelo, seconded by Councilwoman Andriani to adopt Ordinance No. 03-2023 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.

There were no reports.

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 February 14, 2023. 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. 2023-05 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 Treasurer to issue refunds to various property owners due to overpayment of 1st Quarter 2023 taxes. On roll call vote, all members of the Council present voted in the affirmative.

RESOLUTION

WHEREAS, there has been an overpayment of 1st quarter 2023 taxes on the property listed below; and

WHEREAS, the taxpayer is entitled to a refund; and

WHEREAS, the chart sets forth the refund as follows:

Block	Lot	Property Owner	Payable To:	Overpayment
36	11	122 Crosby Ave. John L & Constance Lira	John L & Constance Lira	\$2,491.64
66	3	127 Sutton Ave. Charles & Judith DelRosso	Wells Fargo PO Box 9231 1 Home Campus Des Moines, IA 50328	\$2,676.93

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 or taxing authority.

There was a motion by Councilman Picarelli, seconded by Councilman D'Angelo to adopt the following resolution to effectuate the redemption of Tax Sale Certificate Number 20-00005 for 1 Cedar Court, Block 133, Lot 9.09. On roll call vote, all members of the Council present voted in the affirmative.

RESOLUTION

Tax Sale Certificate Number 20-00005
Block 133, Lot 9.09

Property: 1 Cedar Court, Totowa, New Jersey 07512
Owner: Elie Esper

WHEREAS, at the Municipal Tax Sale on October 21, 2021, a lien was sold on Block 133, Lot 9.09; and

WHEREAS, this lien known as Tax Sale Certificate Number 20-00005, was sold to Pro Cap 8 FBO Firsttrust Bank for a 18% redemption fee and no premium; and

WHEREAS, Elie Esper, the owner of the property, has effected redemption of Tax Sale Certificate Number 20-00005 in the amount of \$5,648.53 as of February 28, 2023.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Totowa do hereby authorize the Treasurer to issue a check in the amount of \$5,648.53 payable to Pro Cap 8 FBO Firsttrust Bank for the redemption of Tax Sale Certificate Number 20-00005.

There was a motion by Councilman Picarelli, seconded by Councilman D'Angelo to accept the following bids for Collection and Transportation of Vegetative Waste. On roll call vote, all members of the Council present voted in the affirmative.

<u>Company</u>	<u>Term</u>	<u>Amount Bid</u>
Get-A-Can, Inc.	1 Year	\$ 211,200.00
278-282 West Railway Avenue	3 Years	\$ 604,800.00
Paterson, NJ 07503	5 Years	\$1,003,200.00

Upon the recommendation of the Committee, there was a motion by Councilman Picarelli, seconded by Councilman D'Angelo to adopt the following resolution to award the contract for Collection and Transportation of Vegetative Waste. On roll call vote, all members of the Council present voted in the affirmative.

RESOLUTION NO. 43-2023

RESOLUTION AWARDING CONTRACT FOR VEGETATIVE WASTE
COLLECTION SERVICES FOR THE BOROUGH OF TOTOWA

WHEREAS, the Mayor and Council of the Borough of Totowa did advertise for receipt of sealed bids for collection and transportation services for residential and municipal vegetative waste in accordance with its specifications entitled "Specifications and Proposal for Collection and Transportation of Vegetative Waste in the Borough of Totowa, County of Passaic, New Jersey 2023"; and

WHEREAS, the Borough of Totowa did receive bids at its Municipal Building on February 23, 2023; and

WHEREAS, the Mayor and Council of the Borough of Totowa on February 28, 2023 did examine all bids for the collection and transportation services called for in the specifications; and

WHEREAS, the lone bid was submitted by Get-A-Can, Inc., 278 Railway Avenue, Paterson, New Jersey 07503 with a bid in the amount of \$1,003,200.00 for a five year period effective April 1, 2023 through December 31, 2027; and

WHEREAS, the Mayor and Council of the Borough of Totowa have determined that the bid submitted by Get-A-Can, Inc. be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Totowa do hereby accept the bid of Get-A-Can, Inc. for the for collection and transportation of residential and municipal vegetative waste for the Borough of Totowa for the sum of \$1,003,200.00 for the period of April 1, 2023 through December 31, 2027; and

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.

COMMITTEE ON PUBLIC SAFETY:

There was a motion by Councilman D'Angelo, seconded by Councilman Capo to adopt the following Resolution Authorizing The Purchase And Delivery Of Phase 2 Gear Replacement For The Fire Department. On roll call vote, all members of the Council present voted in the affirmative.

RESOLUTION NO. 44-2023

RESOLUTION AUTHORIZING THE PURCHASE AND DELIVERY OF
PHASE 2 GEAR REPLACEMENT FOR THE FIRE DEPARTMENT

WHEREAS, the Borough of Totowa Fire Chief has requested the purchase and delivery of new Phase 2 gear for the members of the Borough of Totowa Fire Department; and

WHEREAS, the new gear will replace worn out protective clothing and equipment; and

WHEREAS, the Mayor and Council of the Borough of Totowa have determined that there is a need for this new protective clothing and equipment which will safeguard our volunteer firefighters as they respond to emergency calls; and

WHEREAS, the Mayor and Council of the Borough of Totowa desire to authorize the purchase and delivery of new Phase 2 gear for the Fire Department; and

WHEREAS, State of New Jersey Contract No. T-0790 has been awarded to New Jersey Fire Equipment Co., 119-31 Route 22 East, Green Brook, New Jersey 08812 for the purchase and delivery of new firefighter protective clothing and gear; and

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

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Totowa do hereby authorize the purchase and delivery of new Phase 2 gear for the Fire Department in the amount of \$79,200.00.

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

There was a motion by Councilman D'Angelo, seconded by Councilman Capo to approve the fireman's application, the purchase of fireman's equipment and authorize a fireman's physical for Robert Szydowski for Riverview Park Fire Co. No. 3. On roll call vote, all members of the Council present voted in the affirmative.

COMMITTEE ON PUBLIC WORKS:

There was no report.

COMMITTEE ON ENGINEERING & PUBLIC PROPERTY:

A letter was received from the Passaic Valley Sewerage Commission along with a check in the amount of \$7,376.66 for the Municipal Rebate Incentive Program. There was a motion by Councilman Capo, seconded by Councilwoman Andriani to accept the funds. 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 HVAC And Boiler Preventative Maintenance Agreement. On roll call vote, all members of the Council present voted in the affirmative.

RESOLUTION NO. 45-2023

RESOLUTION AUTHORIZING HVAC AND BOILER PREVENTATIVE MAINTENANCE AGREEMENT

WHEREAS, the Borough of Totowa Municipal Clerk has recommended that the Borough of Totowa initiate a Preventative Maintenance Program for the HVAC systems located at various municipal owned buildings; and

WHEREAS, these buildings include the Borough of Totowa Municipal Complex, Community Center, DPW building, Fire Rescue Firehouse and Lincoln Avenue Firehouse; and

WHEREAS, 454 Mechanical, LLC, 14 Masklee Court, Totowa, New Jersey 07512 has submitted a proposal to perform the HVAC preventative maintenance services for the sum of \$7,175.00 plus materials, a copy of which is on file in the office of Borough of Totowa Municipal Clerk; and

WHEREAS, the Maintenance Program includes four maintenance visits per year, pressurized coil cleaning of all air-conditioning equipment and boiler maintenance annually; and

WHEREAS, the Mayor and Council of the Borough of Totowa desire to establish an HVAC Preventative Maintenance Program for the Borough of Totowa municipal owned buildings; and

WHEREAS, pursuant to the applicable New Jersey State laws, the preventative maintenance services may be authorized without public bidding.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Totowa do hereby accept the proposal submitted by 454 Mechanical, LLC for HVAC Preventative Maintenance services for the Borough of Totowa municipal owned buildings in accordance with 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.

COMMITTEE ON LIAISON & INSPECTION:

There was no report.

COMMITTEE ON LEGISLATION & ORDINANCES:

There was a motion by Councilman Fierro, seconded by Councilman Picarelli to approve Raffle License Application Nos. 2304 & 2305 for the Passaic Valley Elks BPOE #2111 for a Tricky Tray and On-Premise 50/50 to be held on April 14, 2023. On roll call vote, all members of the Council present voted in the affirmative.

There was a motion by Councilman Fierro, seconded by Councilman Picarelli to approve Raffle License Application No. 2306 for the Passaic Valley Elks BPOE #2111 for an Off-Premise 50/50 to be held on July 28, 2023. 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