

## **BOROUGH OF TOTOWA**

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

**July 23, 2019**

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

**ABSENT:** 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 enable the Mayor and Council to present Sports Award Certificates to the 2019 Totowa PAL Pirates Baseball Team players and coaches as Farm League Division Champions of the Passaic Valley Baseball League and to hold a public hearing on Ordinance No. 11-2019 as advertised. On roll call vote, all members of the Council present voted in the affirmative.

Mayor Coiro announced that this is always a favorite time of ours when we can honor and recognize a Totowa team when we defeat another town's team and acknowledged that just two weeks ago at our last meeting we honored the Little League champs.

Stated that we especially like to celebrate our youth sports teams because we know the hard work and dedication that it takes and that the children have to unplug for a while and get outside and get exercise and learn about teamwork. Thanked them for representing Totowa so well and congratulated them all.

Mayor Coiro started by calling up Head Coach Carl Ricca, then Coaches Giovanni Bambara, Mike Juliano and Steve Rubestello and presented each with a Sports Award Certificate. Asked Carl to give a synopsis of their season, who gave the overview of their season and said they had a great staff, players and parents and mentioned that every player got a hit in the finals. Mayor Coiro concluded by calling up each player and presenting them with a Sports Award Certificate.

Mayor Coiro announced that we would take a short recess. Pictures were taken.

Municipal Clerk Wassel announced that Ordinance No. 11-2019 has been advertised for public hearing for Tuesday, July 23, 2019.

Municipal Clerk Wassel read the legal notice and the title of Ordinance No. 11-2019.

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. 11-2019.

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. 11-2019 by title:

## ORDINANCE NO. 11-2019

### **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. 11-2019 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: Stated that our concert series continues tomorrow night with the Infernos performing.

#### 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 July 9, 2019. On roll call vote, all members of the Council present voted in the affirmative. Councilman Picarelli and Councilman Capo abstained from the voting.

#### COMMITTEE ON FINANCE:

There was a motion by Councilman Picarelli, seconded by Councilman D'Angelo to approve Resolution No. 2019-16 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 Altice Business Services. On roll call vote, all members of the Council present voted in the affirmative.

RESOLUTION NO. 84-2019

RESOLUTION AUTHORIZING ALTICE BUSINESS SERVICES

WHEREAS, the Mayor and Council of the Borough of Totowa have determined that there is a need for new dedicated Fiber Internet Access as well as Voice services that will be viable and compatible for all of the municipal offices located within the Borough of Totowa; and

WHEREAS, the Mayor and Council of the Borough of Totowa desire to authorize these bundled Internet and Voice services; and

WHEREAS, The Educational Services Commission of New Jersey ("ESCNJ Co-op") has awarded Contract No. ESCNJ 17/18-45 to Altice Business Services, 200 Jericho Quadrangle, Jericho, New York 11753-2701 for Fiber Internet Access and Voice services; and

WHEREAS, Altice Business Services has submitted a proposal dated July 18, 2019 to provide Fiber Internet Access and Voice services for a monthly recurring charge in the amount of \$1,010.54, a copy of which is on file in the office of the Borough of Totowa Municipal Clerk; and

WHEREAS, the Mayor and Council of the Borough of Totowa desire to enter into a Service Agreement with Altice Business Services for Fiber Internet Access and Voice services for a 3 year term with a monthly recurring charge in the amount of \$1,010.54; and

WHEREAS, pursuant to the applicable New Jersey State laws, this Service Agreement 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 Services Agreement with Altice Business Services for Fiber Internet Access and Voice services for a 3 year term with a monthly recurring charge in the amount of \$1,010.54.

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.

COMMITTEE ON PUBLIC SAFETY:

There was a motion by Councilman D'Angelo, seconded by Councilman Capo to approve a grade increase for Patrol Officer Joseph Parlegreco from Grade 2 Patrol Officer to Grade 1 Patrol Officer. On roll call vote, all members of the Council present voted in the affirmative.

COMMITTEE ON PUBLIC WORKS:

There was a motion by Councilman Bucher, seconded by Councilman Picarelli to approve Payment Estimate No. 2 in the amount of \$136,218.29 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.

Upon the recommendation of the Committee, there was a motion by Councilman Bucher, seconded by Councilman Picarelli to hire Joseph Morabito as a DPW Laborer. On roll call vote, all members of the Council present voted in the affirmative.

COMMITTEE ON ENGINEERING & PUBLIC PROPERTY:

There was a motion by Councilman Capo, seconded by Councilwoman Andriani to adopt the following Resolution To Rescind The Resolution Authorizing Contract For The Removal And Replacement Of Roofing System At Roof Between Library And Municipal Building. On roll call vote, all members of the Council present voted in the affirmative.

RESOLUTION NO. 85-2019

RESOLUTION TO RESCIND THE RESOLUTION AUTHORIZING CONTRACT FOR  
THE REMOVAL AND REPLACEMENT OF ROOFING SYSTEM AT ROOF  
BETWEEN LIBRARY AND MUNICIPAL BUILDING

WHEREAS, by Resolution No. 83-2019 dated July 9, 2019, the Mayor and Council of the Borough of Totowa authorized a contract for the removal and replacement of the roofing system at the roof between the Library and Municipal Building with James Joseph Construction Co., Inc., 177 McBride Avenue, Paterson, New Jersey 07501 in the amount of \$14,250.00; and

WHEREAS, the Borough of Totowa Department of Public Works (“DPW”) Superintendent subsequently advised that some of the roof decking between the Library and Municipal Building would need to be removed and replaced prior to the installation of the new roofing system; and

WHEREAS, the proposal submitted by James Joseph Construction Co., Inc. did not include this additional work; and

WHEREAS, the increased cost associated with the removal and replacement of the metal roof decking may exceed the public bidding threshold; and

WHEREAS, the Mayor and Council of the Borough of Totowa have determined that there is a need for the removal and replacement of this section of roof decking prior to the removal and replacement of the roofing system at the roof between the Library and Municipal Building; and

WHEREAS, the Mayor and Council of the Borough of Totowa desire to rescind the contract awarded to James Joseph Construction Co., Inc. for the removal and replacement of the roofing system at the roof between the Library and Municipal Building for the aforementioned reasons.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Totowa do hereby rescind the contract for the removal and replacement of the roofing system at the roof between the Library and Municipal Building from James Joseph Construction Co., Inc. in the amount of \$14,250.00.

BE IT FURTHER RESOLVED, that the Mayor and Municipal Council of the Borough of Totowa do hereby authorize the public bidding of the removal and replacement of the roof decking as well as the removal and replacement of the roofing system at the roof between the Library and Municipal Building.

There was a motion by Councilman Capo, seconded by Councilwoman Andriani to refer a Request for the Vacation of Sherwood Avenue to the Municipal Engineer for a Review and Recommendation. 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 Borough Clerk To Set Up A Public Sale/Online Auction Of Personal Property No Longer Needed For Public Use. On roll call vote, all members of the Council present voted in the affirmative.

RESOLUTION NO. 86-2019

RESOLUTION AUTHORIZING THE BOROUGH CLERK  
TO SET UP A PUBLIC SALE/ONLINE AUCTION OF PERSONAL PROPERTY  
NO LONGER NEEDED FOR PUBLIC USE

WHEREAS, N.J.S.A. 40A:11-36 provides for the Manner and Method of Sale or Other Disposition of Personal Property; and

WHEREAS, the Mayor and Council of the Borough of Totowa may by resolution authorize the sale of its personal property not needed for public use; and

WHEREAS, the Mayor and Council of the Borough of Totowa have at this time determined that there are various vehicles, equipment and other personal property of different make and model that are no longer needed for public use; and

WHEREAS, it is in the best interest of the taxpayers of the Borough of Totowa that the Mayor and Council dispose of these items at public sale/online auction to the highest bidder.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Totowa do hereby authorize the Borough Clerk to set up a public sale/online auction for personal property no longer needed for public use.

There was a motion by Councilman Capo, seconded by Councilwoman Andriani to authorize the repair of air conditioning unit for the Council Chambers by 454 Mechanical, LLC, in the amount of \$2,975.00. On roll call vote, all members of the Council present voted in the affirmative.

COMMITTEE ON LIAISON & INSPECTION:

Upon the recommendation of the Committee, there was a motion by Councilwoman Andriani, seconded by Councilman Bucher to hire Judy Wright as an office employee for the Building Department. On roll call vote, all members of the Council present voted in the affirmative.

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. 12-2019**

**AN ORDINANCE OF THE BOROUGH OF TOTOWA AUTHORIZING THE PRIVATE SALE OF MUNICIPAL OWNED PROPERTY LOCATED AT 98 GORDON AVENUE AND FURTHER IDENTIFIED AS BLOCK 41, LOT 8 ON THE OFFICIAL TAX MAP OF THE BOROUGH OF TOTOWA, PURSUANT TO N.J.S.A. 40A:12-13(B)**

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 License Number 1612-33-002-005 For The 2019 – 2020 License Term. On roll call vote, all members of the Council present voted in the affirmative.

RESOLUTION NO. 87-2019

RESOLUTION AUTHORIZING THE RENEWAL OF DIVISION OF ALCOHOLIC BEVERAGE CONTROL LICENSE NUMBER 1612-33-002-005 FOR THE 2019 – 2020 LICENSE TERM

WHEREAS, the liquor licenses that had been issued by the Borough of Totowa during the year 2018 – 2019 expired on June 30, 2019; and

WHEREAS, state regulations requires that all licensees must 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 prior to renewing any liquor license; and

WHEREAS, the renewal application was not filed, the State fee was not paid and the Borough of Totowa did not receive a Tax Clearance Certificate for The 46 Lounge, LLC prior to June 25, 2019 which was the last Council Meeting before the June 30, 2019 expiration date; and

WHEREAS, The 46 Lounge, LLC, license number 1612-33-002-005 filed their Retail Renewal Application For 2019 – 2020 License Term on July 3, 2019 online through POSSE ABC and paid their State fee; and



WHEREAS, on July 3, 2019, The 46 Lounge, LLC filed an application and received an Ad Interim Permit to operate for an additional twenty-nine (29) days; and

WHEREAS, on July 17, 2019, the Borough of Totowa did receive a Tax Clearance Certificate for The 46 Lounge, LLC.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Totowa that the Municipal Clerk be authorized to renew the ABC Plenary Retail Consumption License For 2019 – 2020 License Term to The 46 Lounge, LLC, license number 1612-33-002-005 and that the Municipal Clerk upload a copy of this resolution and complete the renewal process on the POSSE ABC website.

There was a motion by Councilman Picarelli, seconded by Councilwoman Andriani to adopt the following Resolution Authorizing Massage Establishment License For JGN Massage, LLC Doing Business As Elements Therapeutic Massage. On roll call vote, all members of the Council present voted in the affirmative.

#### RESOLUTION NO. 88-2019

#### RESOLUTION AUTHORIZING MASSAGE ESTABLISHMENT LICENSE FOR JGN MASSAGE, LLC DOING BUSINESS AS ELEMENTS THERAPEUTIC MASSAGE

WHEREAS, JGN Massage, LLC doing business as Elements Therapeutic Massage (“Elements Therapeutic Massage”) has approval to operate a massage establishment in a portion of the premises located at 650 Union Boulevard, Totowa, New Jersey; and

WHEREAS, in accordance with the requirements set forth in Chapter 250 entitled “Massage Establishments” in the Borough of Totowa Code Book, Elements Therapeutic Massage has submitted an application to the Borough of Totowa for a Massage Establishment License; and

WHEREAS, the Borough of Totowa Police Department has conducted a thorough investigation of the applicant in accordance with Section 250-6 of the Borough of Totowa Code Book; and

WHEREAS, the Borough of Totowa Police Chief has cleared the license for approval pursuant to his Memorandum dated July 17, 2019; and

WHEREAS, after reviewing the application and report issued by the Borough of Totowa Police Department, the Mayor and Council of the Borough of Totowa have determined that the Elements Therapeutic Massage has complied with all the requirements for a Massage Establishment License in the Borough of Totowa.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Totowa do hereby approve the Massage Establishment License application for JGN Massage, LLC doing business as Elements Therapeutic Massage and authorize the Borough of Totowa Municipal Clerk to issue a Massage Establishment License effective July 23, 2019 through June 30, 2020.

BE IT FURTHER RESOLVED, that Elements Therapeutic Massage is required to continue to comply with all applicable laws, ordinances, rules and regulations and said license must be renewed annually on or before July 1<sup>st</sup> each year.

There was a motion by Councilman Picarelli, seconded by Councilwoman Andriani to adopt the following Resolution Authorizing Massage Therapist Licenses for JGN Massage, LLC Doing Business As Elements Therapeutic Massage. On roll call vote, all members of the Council present voted in the affirmative.

RESOLUTION NO. 89-2019

RESOLUTION AUTHORIZING MASSAGE THERAPIST LICENSES FOR  
JGN MASSAGE, LLC DOING BUSINESS AS ELEMENTS THERAPEUTIC MASSAGE

WHEREAS, JGN Massage, LLC doing business as Elements Therapeutic Massage (“Elements Therapeutic Massage”) has approval to operate a massage establishment in a portion of the premises located at 650 Union Boulevard, Totowa, New Jersey; and

WHEREAS, the requirements set forth in Chapter 250 entitled “Massage Establishments” in the Borough of Totowa Code Book include obtaining a Massage Establishment License for the business and Massage Therapist Licenses for employees to be issued by the Borough of Totowa Municipal Clerk; and

WHEREAS, by Resolution No. 88-2019 dated July 23, 2019, the Mayor and Council of the Borough of Totowa authorized the issuance of a Massage Establishment License application for Elements Therapeutic Massage effective July 23, 2019 through June 30, 2020; and

WHEREAS, the following individuals have submitted applications for a Massage Therapist License as employees of Elements Therapeutic Massage, 650 Union Boulevard, Totowa, New Jersey:

1. Donna Garrity, 3 Ridge Road, Wharton, New Jersey 07885
2. Judith Bevilacqua, 268 Robertson Way, Lincoln Park, New Jersey 07035
3. Sabrina Emmolo, 31 Sindle Avenue, Little Falls, New Jersey 07424
4. Haneefah Colon, 280 Stanley Place, Hackensack, New Jersey 07601
5. Ashley Cupolo, 63 Augustus Street, Bloomfield, New Jersey 07003
6. Ingrid DeJesus, 1010 E. 25<sup>th</sup> Street, Paterson, New Jersey 07513
7. Souzan Rammaha, 7016 Columbia Avenue, North Bergen, New Jersey 07047
8. Jessica Gundlach, 37 Meriline Avenue, Woodland Park, New Jersey 07424
9. Robert Simmons, 326 Park Avenue, Newark, New Jersey 07107
10. Michelle Russell, 12 John Street, Lincoln Park, New Jersey 07035
11. Joel Berke, 873 Alexandria Court, Ramsey, New Jersey 07446
12. Karen Gutierrez, 350 Baldwin Avenue, Parsippany, New Jersey 07054
13. Patty Nasello, 343 Park Avenue B3, Nutley, New Jersey 07110
14. Tiffany Pena, 110 Hammond Avenue, Apt. 2, Passaic, New Jersey 07055

WHEREAS, the above named employees of Elements Therapeutic Massage have each submitted proof of their respective clinical training in compliance with Section 250-7 of the Borough of Totowa Code Book; and

WHEREAS, the Borough of Totowa Police Department has conducted a thorough investigation of the applicants in accordance with Section 250-6 of the Borough of Totowa Code Book; and

WHEREAS, the Borough of Totowa Police Chief has cleared the licenses for approval pursuant to his Memorandum dated July 17, 2019; and

WHEREAS, after reviewing the application and report issued by the Borough of Totowa Police Department, the Mayor and Council of the Borough of Totowa have determined that the aforementioned applicants have complied with all the requirements for a Massage Therapist License in the Borough of Totowa.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Totowa do hereby approve the Massage Therapist License applications for Donna Garrity, Judith Bevilacqua, Sabrina Emmolo, Haneefah Colon, Ashley Cupolo, Ingrid DeJesus, Souzan Rammaha, Jessica Gundlach, Robert Simmons, Michelle Russell, Joel Berke, Karen Gutierrez, Patty Nasello and Tiffany Pena as employees of JGN Massage, LLC doing business as Elements Therapeutic Massage and authorize the Borough of Totowa Municipal Clerk to issue Massage Therapist Licenses to each applicant effective July 23, 2019 through June 30, 2020.

BE IT FURTHER RESOLVED, that the above Massage Therapist License holders are required to comply with all applicable laws, ordinances, rules and regulations and said license must be renewed annually on or before July 1<sup>st</sup> each year.

There was a motion by Councilman Picarelli, seconded by Councilwoman Andriani to approve Ice Cream Vendors License Application for Michael Panepinto as Owner/Operator and Marissa DiTaranto as Operator, trading as Mainland Shave Ice. 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