

BOROUGH OF TOTOWA

MINUTES OF THE MAYOR AND COUNCIL

July 24, 2018

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

ABSENT: Councilman William Bucher.

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 have a swearing in ceremony to administer the Oath of Allegiance and Office to Lieutenant Carmen Veneziano being promoted to the rank of Captain of the Borough of Totowa Police Department. On roll call vote, all members of the Council present voted in the affirmative.

Mayor Coiro asked Lieutenant Carmen Veneziano to approach the dais to take the Oath of Allegiance and Office for the rank of Captain.

Mayor Coiro asked Public Safety Committee Chairman, Council President D'Angelo and Police Chief Robert Coyle to join him, then thanked everyone for coming and remarked that it hasn't been too long ago since we promoted you to Lieutenant, but then with Mark Tolomeo retiring and your work as Lieutenant and in the Detective Bureau we felt that you were qualified and that it was the right time.

Mayor Coiro administered the Oath of Allegiance and Office to Captain Carmen Veneziano with his wife Rose by his side and his children Brandon and Gabriella holding the Bible.

A badge symbolic to the rank of Captain was presented to Captain Carmen Veneziano by Police Chief Robert Coyle.

Council President D'Angelo congratulated Captain Veneziano and his family in Italian.

Police Chief Coyle thanked the Mayor and Council, Borough Clerk Wassel, Borough Attorney Corrado and the administration for moving forward with this promotion. Chief Coyle congratulated Captain Veneziano and proceeded to give a little background and history on Carmen.

Captain Veneziano thanked the Mayor and Council, Chief Coyle, his wife and kids, family, friends and all the other officers who came out tonight.

Congratulations were extended to Captain Carmen Veneziano by the rest of the Council, Borough Clerk Wassel and Borough Attorney Corrado.

Mayor Coiro called for a recess, so all in attendance could also offer their congratulations to Captain Veneziano.

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: Announced that our concert series continues tomorrow night at 7:00 p.m. featuring Greg Calderone and said that last week's concert with The Cameos was packed.

CITIZENS HEARD:

Mike Mahometa, 269 Lincoln Avenue: Thanked DPW Superintendent Jim Niland for having the berm installed at the PAL behind his home and said that he will be awaiting the planting of trees.

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 10, 2018. On roll call vote, all members of the Council present voted in the affirmative. 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. 2018-16 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 the Treasurer to issue refunds to various property owners pursuant to State Tax Court judgments. On roll call vote, all members of the 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 of the Borough of Totowa is authorized to refund this amount.

<u>BLK</u>	<u>LOT</u>	<u>PROPERTY/OWNER</u>	<u>PAYABLE TO</u>	<u>YEAR</u>	<u>FROM</u>	<u>TO</u>	<u>AMOUNT</u>	
10.01	6	20 Campus Road Vital Signs Inc	Janata, Lacap & Hazen, LLP as Attorney for the Plaintiff Mail To: Crossroads Corporate Center One International Blvd. Suite 400 PMB #4 Mahwah, NJ 07495	2016	13,841,300	10,000,000	\$90,232.14	
10.01	6	20 Campus Road Vital Signs Inc	(same as above)	2017	13,841.300	10,000,000	\$90,616.27	
							Total check	\$ 180,848.41
177	5	Lackawanna Avenue EAM Realty Company, LP	McKirdy, Riskin, Olson & Dellapelle, Attorneys for the Plaintiff, EAM Realty Company Mail To: McKirdy, Riskin, Olson & Dellapelle Attorneys at Law 136 South Street P.O. Box 2379 Morristown, NJ 07962-2379	2015 2016 2017 2018	4,305,200 4,305,200 4,305,200 4,305,200	3,500,000 3,500,000 3,750,000 4,000,000	\$18,390.77 \$18,914.15 \$13,097.17 (no refund) Credit on taxes, once tax rate is struck	
							Total check	\$50,402.09

There was a motion by Councilman Picarelli, seconded by Councilman D'Angelo to acknowledge receipt of the Report of Audit for the year ended December 31, 2017 and that the recommendations will be reviewed by the Governing Body. 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 a grade increase for Patrol Officer Joseph Parlegreco from Grade 3 Patrol Officer to Grade 2 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 Councilwoman Palazzo, seconded by Councilman Picarelli to adopt the following Resolution Authorizing A Settlement In Litigation Filed In The Superior Court Of New Jersey, Law Division, Passaic County, Special Civil Part. On roll call vote, all members of the Council present voted in the affirmative.

RESOLUTION NO. 83-2018

RESOLUTION AUTHORIZING A SETTLEMENT IN LITIGATION FILED IN THE
SUPERIOR COURT OF NEW JERSEY, LAW DIVISION, PASSAIC COUNTY,
SPECIAL CIVIL PART BEARING DOCKET NO. PAS-DC-006843-18

WHEREAS, by Resolution No. 124-2016 dated August 23, 2016, the Mayor and Council of the Borough of Totowa authorized the Borough of Totowa to enter into a contract with by Longo Electrical-Mechanical, Inc., One Harry Shupe Boulevard, New Jersey 07885 for the purchase and installation of a Supervisory Control And Data Acquisition System ("SCADA") in the amount of \$42,800.00; and

WHEREAS, on June 13, 2018, the Borough of Totowa was served with a complaint entitled Longo Electrical-Mechanical, Inc. vs. Borough of Totowa, filed in the Superior Court of New Jersey, Law Division, Passaic County, Special Civil Part bearing Docket No. PAS-DC-006843-18; and

WHEREAS, a settlement has been reached by the parties in this matter.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Totowa authorize a settlement in the pending litigation entitled Longo Electrical-Mechanical, Inc. vs. Borough of Totowa, filed in the Superior Court of New Jersey, Law Division, Passaic County, Special Civil Part bearing Docket No. PAS-DC-006843-18.

There was a motion by Councilwoman Palazzo, seconded by Councilman Picarelli to approve Payment Estimate No. 1 in the amount of \$177,090.49 to Cifelli & Son General Contracting, Inc. for the Hobart Place and Gordon Avenue 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 Councilwoman Palazzo, seconded by Councilman Picarelli to hire Giovanni Madrid as a Department of Public Works Laborer. On roll call vote, all members of the Council present voted in the affirmative.

COMMITTEE ON ENGINEERING & PUBLIC PROPERTY:

A letter was received from the American Legion Memorial Post No. 227 requesting permission to use the Municipal Parking Lot on Saturday, August 25, 2018 for a bus trip 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.

COMMITTEE ON LIAISON & INSPECTION:

There was a motion by Councilwoman Andriani, seconded by Councilwoman Palazzo to adopt the following Resolution Of The Borough Of Totowa Authorizing The Payment Of Terminal Leave Benefits To Allen Del Vecchio. On roll call vote, all members of the Council present voted in the affirmative.

RESOLUTION NO. 84-2018

RESOLUTION OF THE BOROUGH OF TOTOWA AUTHORIZING THE
PAYMENT OF TERMINAL LEAVE BENEFITS TO ALLEN DEL VECCHIO

WHEREAS, Allen Del Vecchio began his employment with the Borough of Totowa as a Laborer – Grade C in the Department of Public Works on November 16, 1971; and

WHEREAS, Allen Del Vecchio continued his employment in the Department of Public Works until he was appointed as Fire Official on July 16, 1985; and

WHEREAS, Allen Del Vecchio retired from the Borough of Totowa as Fire Official effective May 1, 2018; and

WHEREAS, the policy of the Borough of Totowa is that employees with twenty-five (25) years of service are entitled to a maximum of one hundred thirty (130) days of Terminal Leave to be paid upon retirement; and

WHEREAS, the Terminal Leave amount is calculated at the amount of sick day benefits, not to exceed one hundred thirty (130) days or eighty-seven (87) days for those employees under the Pitman/12 Hour Shift Schedule, at the daily rate of pay of the last twelve (12) months of service upon retirement; and

WHEREAS, Allen Del Vecchio has accumulated one hundred thirty (130) unused sick days and has completed more than twenty-five (25) years of service as an employee of the Borough of Totowa; and

WHEREAS, since Allen Del Vecchio began his employment with the Borough of Totowa in the Department of Public Works and employees of the Department of Public Works are entitled to a maximum of one hundred thirty (130) days, it is hereby determined that Allen Del Vecchio be entitled to his full amount of accumulated days; and

WHEREAS, Allen Del Vecchio does hereby waive any other claim and/or claims for any salary, benefits and/or other compensation.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Totowa that Allen Del Vecchio is granted one hundred thirty (130) days of accumulated sick leave (Terminal Leave) for a total amount of Sixty-Two Thousand Five Hundred Ninety-Eight and 00/100 (\$62,598.00). Said monies are given in full and final consideration of any and all claims that Allen Del Vecchio may have against the Borough of Totowa.

Upon the recommendation of the Committee, there was a motion by Councilwoman Andriani, seconded by Councilwoman Palazzo to appoint Joseph Murray as a Deputy Zoning Officer and a Property Maintenance Inspector. On roll call vote, all members of the Council present voted in the affirmative.

MAYOR'S APPOINTMENT

I, Mayor John Coiro, with the advice and consent of the Council do hereby appoint Joseph Murray as a Deputy Zoning Officer and a Property Maintenance Inspector for a term ending December 31, 2018

There was a motion by Councilwoman Andriani, seconded by Councilwoman Palazzo to confirm the appointment. On roll call vote, all members of the Council present voted in the affirmative.

There was a motion by Councilwoman Andriani, seconded by Councilwoman Palazzo to approve Change Order No. 2 for a net increase of \$3,500 and Payment Estimate No. 4 (Final) in the amount of \$10,084.80 to All State Technology, Inc. for the Municipal Pool Rehabilitation. On roll call vote, all members of the Council present voted in the affirmative.

COMMITTEE ON LEGISLATION & ORDINANCES:

There was a motion by Councilwoman Palazzo, seconded by Councilman Picarelli to adopt the following Resolution Authorizing The Renewal Of Division Of Alcoholic Beverage Control License Number 1612-33-002-005 For The 2018 – 2019 License Term. On roll call vote, all members of the Council present voted in the affirmative.

RESOLUTION NO. 85-2018

RESOLUTION AUTHORIZING THE RENEWAL OF DIVISION OF ALCOHOLIC BEVERAGE CONTROL LICENSE NUMBER 1612-33-002-005 FOR THE 2018 – 2019 LICENSE TERM

WHEREAS, the liquor licenses that had been issued by the Borough of Totowa during the year 2017 – 2018 expired on June 30, 2018; and

WHEREAS, The 46 Lounge, LLC, license number 1612-33-002-005 filed their Retail Renewal Application For 2018 – 2019 License Term on June 28, 2018; 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 and Municipal fees were not paid and the Borough of Totowa did not receive a Tax Clearance Certificate for The 46 Lounge, LLC prior to June 26, 2018 which was the last Council Meeting before the June 30, 2018 expiration date; and

WHEREAS, on June 28, 2018, The 46 Lounge, LLC filed an application and received an Ad Interim Permit to operate for an additional eighteen (18) days; and

WHEREAS, on July 18, 2018, The 46 Lounge, LLC filed a second application and received an Ad Interim Permit to operate for an additional nineteen (19) days; and

WHEREAS, on July 17, 2018, 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 2018 – 2019 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 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 BPOE #2111 Passaic Valley Elks to be held on August 11, 2018 from 6:00 p.m. – 11:59 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 Councilwoman Andriani by that the meeting be adjourned. On roll call vote, all members of the Council present voted in the affirmative.

Joseph Wassel, RMC
Municipal Clerk