

BOROUGH OF TOTOWA

MINUTES OF THE MAYOR AND COUNCIL

December 13, 2016

PRESENT: Mayor John Coiro, presiding, Council President Phil Puglise, Councilman Lou D'Angelo Councilwoman Carolyn Fontanella, Councilwoman Debra Andriani, Councilman Anthony Picarelli, Councilman William Bucher, Municipal Clerk Joseph Wassel and Municipal Attorney Robert 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.

There were no reports.

CITIZENS HEARD:

Lisa Verhagen, 10 Knollwood Road: Read a prepared statement, passed out copies of the Planning Board resolution and photos of violations and gave some history going back to June 2010 when she and some of her neighbors attended the Planning Board

meeting regarding Progressive Car Wash/Car Care Center. She said that there are numerous issues which go against their resolution approvals—from operating hours, noise, debris along the property line, disposal of oil and cleaning products, blocking the sidewalk, lights onto neighbors property, public urination, fencing, etc.—and are the same issues from six years ago and now are actually worse. She then said that Progressive has also installed a new sign advertising car sales. She asked that the issues be addressed and that the resolution be enforced. Mayor Coiro: Told her that we will go through the resolution with the Building Department and the Planning Board Attorney and have these issues resolved.

Mike Mahometa, 269 Lincoln Avenue: Thanked the Mayor and Council for dressing up the town with the lighted Christmas Wreaths and the lighted Christmas Tree and said it looks great.

There was a motion by Councilman D'Angelo, seconded by Councilwoman Fontanella to approve the Minutes of the Mayor and Council for the meeting of November 29, 2016. On roll call vote, all members of the Council present voted in the affirmative. Councilman Puglise abstained from the voting.

COMMITTEE ON FINANCE:

There was a motion by Councilman Picarelli, seconded by Councilman D'Angelo to approve Resolution No. 2016-25 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. 2016-26 Authorizing Transfer Of 2016 Budget Appropriations. 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 have been State Tax Court judgments to reduce the evaluation on the following.

NOW, THEREFORE, BE IT RESOLVED, that the Treasurer of the Borough of Totowa is authorized to refund these amounts.

<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>
179.01	1	55 King Road Adam-King Properties	"Michael I. Schneck, Trustee for Adam-King Properties LLC"	2012	4,695,000	4,000,000	\$14,317.00
				2013	4,695,000	4,000,000	\$14,615.85
				2014	4,695,000	4,000,000	\$14,747.90
				2015	4,695,000	4,000,000	\$15,873.80
				2016	4,695,000	4,000,000	\$16,325.55
						Total Check	

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 #16-00001 for 11 Jackson Road, Block 169.02, Lot 3. On roll call vote, all members of the Council present voted in the affirmative.

RESOLUTION

Certificate of Sale #16-00001
Block 169.02, Lot 3

PROPERTY: 11 Jackson Road.
Totowa, N.J. 07512
OWNER: Crosstate Ent, LLC

WHEREAS, at the Municipal Tax Sale on October 20, 2016, a lien was sold on Block 169.02, Lot 3; and

WHEREAS, this lien known as Tax Sale Certificate #16-00001, was sold to MTAG as Cust for ATCF II NJ, LLC for 0% redemption fee and a \$200,000 premium; and

WHEREAS, Crosstate Ent, LLC, owner of the property, has effected redemption of Certificate #16-00001 in the amount of \$172,030.66 as of 12/13/16.

NOW, THEREFORE, BE IT RESOLVED, that the Treasurer be authorized to issue a check in the amount of \$172,030.66 payable to "MTAG as Cust for ATCF II NJ, LLC for the redemption of Tax Sale Certificate #16-00001.

BE IT FURTHER RESOLVED, that the Treasurer be authorized to issue a check in the amount of \$200,000 (premium) to the aforementioned Lien Holder.

There was a motion by Councilman Picarelli, seconded by Councilman D'Angelo to adopt the following Resolution Authorizing Purchase Of Various Items Through State Contract And County Cooperative Contracts. On roll call vote, all members of the Council present voted in the affirmative.

RESOLUTION NO. 149-2016

RESOLUTION AUTHORIZING PURCHASE OF VARIOUS ITEMS
THROUGH STATE CONTRACT AND COUNTY COOPERATIVE CONTRACTS

WHEREAS, the different Borough of Totowa Departments have requisitioned various goods and services for 2016 pursuant to the following State Contracts, Passaic County Cooperative Contracts, Morris County Cooperative Contracts and/or Bergen County Cooperative Contracts; and

<u>VENDOR</u>	<u>STATE/PCC/MCC/BCC CONTRACT</u>
AAA Emergency Supply	State Contract
Jen Electric, Inc.	Morris County Cooperative Contract
Murphy Communications	State Contract
Rachles Michele's Oil Company	State Contract

WHEREAS, the Mayor and Council of the Borough of Totowa is desirous of approving said purchases in accordance with the terms of the various State Contracts and County Cooperative Agreements; and

WHEREAS, the Mayor and Council is also desirous of authorizing these purchases from the State Contracts and County Cooperative's throughout calendar year 2016, subject to appropriate procurement controls and availability of funds; and

WHEREAS, the Finance and Administration Committee has considered this matter and recommended this resolution to the Mayor and Council for adoption.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Totowa that it hereby authorizes the purchase of the goods and/or services described above in accordance with the terms of the applicable State Contracts or County Cooperative Contracts.

BE IT FURTHER RESOLVED, that the Municipal Clerk and all other necessary officers and employees be and hereby are authorized and directed to take such further actions and sign such documents as are necessary to effectuate the purpose of this resolution, including but not limited to issuance of an appropriate Purchase Order.

There was a motion by Councilman Picarelli, seconded by Councilman D'Angelo to adopt the following Resolution Approving Disposal Services For Vegetative Waste Recycling. On roll call vote, all members of the Council present voted in the affirmative.

RESOLUTION NO. 150-2016

RESOLUTION APPROVING DISPOSAL SERVICES FOR VEGETATIVE WASTE RECYCLING

WHEREAS, the Mayor and Council of the Borough of Totowa need to dispose of the Borough's residential and municipal vegetative waste at a facility that is licensed and permitted by the State of New Jersey Department of Environmental Protection ("DEP"); and

WHEREAS, the Borough of Totowa solicits proposals from licensed and permitted disposal facilities that will dispose of vegetative materials including but not limited to leaves, brush, tree parts, stumps, wood chips and grass; and

WHEREAS, Environmental Renewal, LLC, 27 Andrews Drive, Woodland Park, New Jersey 07424 has submitted a proposal to dispose of vegetative waste at their facility in accordance with their Municipal Rate Schedule, a copy of which is on file in the office of the Borough of Totowa Municipal Clerk; and

WHEREAS, these services were utilized during the year 2016; and

WHEREAS, pursuant to the applicable New Jersey State laws, the authorization of this service may be authorized as an exception to public bidding in accordance with the Local Public Contract Law as set forth in N.J.S.A 40A:11-5, et seq.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Totowa do hereby authorize the Borough of Totowa to utilize Environmental Renewal, LLC for the disposal of vegetative waste for the Borough of Totowa in accordance with the Fee Schedule set forth in their proposal.

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

There was a motion by Councilman Picarelli, seconded by Councilman D'Angelo to adopt the following Resolution Agreeing To Renew Membership In The Garden State Municipal Joint Insurance Fund For A Period Commencing January 1, 2017 And Terminating December 31, 2019 and authorizing the Mayor and Municipal Clerk to execute the Indemnity And Trust Agreement. On roll call vote, all members of the Council present voted in the affirmative.

RESOLUTION NO. 151-2016

RESOLUTION AGREEING TO RENEW MEMBERSHIP IN THE GARDEN STATE MUNICIPAL JOINT INSURANCE FUND FOR A PERIOD COMMENCING JANUARY 1, 2017 AND TERMINATING DECEMBER 31, 2019

WHEREAS, a number of local governmental units in the State of New Jersey have joined together to form a Joint Insurance Fund as permitted by Chapter 372, P.L. 1983 (N.J.S.A. 40A:10-36 et seq.); and

WHEREAS, the statutes and regulations governing the creation and operation of a Joint Insurance Fund contain elaborate restrictions and safeguards concerning the safe and efficient administration of the public interest entrusted to such a Fund; and

WHEREAS, the Governing Body of the Borough of Totowa, has determined that membership in the Garden State Municipal Joint Insurance Fund (hereinafter referred to as the "Fund") is in the best interests of itself and its citizens; and

WHEREAS, the Governing Body of the Borough of Totowa has previously executed a resolution to join the Garden State Municipal Joint Insurance Fund subject to the acceptance of its assessment.

NOW, THEREFORE, BE IT RESOLVED, that the Governing Body of the Borough of Totowa, County of Passaic, New Jersey (hereinafter referred to as the "Municipality") does hereby resolve and agree to renew its membership in the Fund for a period not to exceed three (3) years commencing January 1, 2017 and terminating December 31, 2019 for the purpose of establishing the following types of insurance coverage (including, but not limited to):

- Workers' Compensation and Employer's Liability;
- General Liability (including Law Enforcement and Public Officials Liability);
- Motor Vehicle Liability;
- Property Damage (including Buildings, Contents, Equipment and Motor Vehicle).

BE IT FURTHER RESOLVED, that the Municipality has never defaulted on claims and has not been canceled for nonpayment of insurance premiums for a period of at least two years prior to the adoption of this Resolution.

BE IT FURTHER RESOLVED, that the Mayor and the Municipal Clerk are authorized and directed to execute the Indemnity and Trust Agreement and such other documents signifying membership in the Fund and to deliver same to the Executive Director of the Fund with the express reservation that said document shall become effective only upon approval by the New Jersey Department of Insurance and the Department of Community Affairs.

A letter from the Happy Seniors thanking the Mayor and Council for their annual contribution was received and filed.

COMMITTEE ON PUBLIC SAFETY:

There was a motion by Councilman Puglise, seconded by Councilwoman Fontanella to adopt the following Resolution Approving Participation With The State Of New Jersey Federal Grant Program Administered By The Division Of Criminal Justice, Department Of Law And Public Safety. On roll call vote, all members of the Council present voted in the affirmative.

RESOLUTION NO. 152-2016

RESOLUTION APPROVING PARTICIPATION WITH THE
STATE OF NEW JERSEY FEDERAL GRANT PROGRAM
ADMINISTERED BY THE DIVISION OF CRIMINAL JUSTICE,
DEPARTMENT OF LAW AND PUBLIC SAFETY

WHEREAS, the Mayor and Council of the Borough of Totowa wishes to apply for funding of approximately \$60,000 with a match of \$252,047 for an approximate project total cost of \$312,047 for a project under the State of New Jersey Safe and Secure Communities Program (Grant # P-7060-17); and

WHEREAS, the Mayor and Council of the Borough of Totowa has reviewed the accompanying application and has approved said request; and

WHEREAS, the project is a joint effort between the Department of Law and Public Safety and the Borough of Totowa, for the purpose described in the application.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Totowa that:

- 1) As a matter of public policy, the Mayor and Council of the Borough of Totowa wishes to participate to the fullest extent possible with the Department of Law and Public Safety.
- 2) The Attorney General of New Jersey will receive funds on behalf of the applicant.
- 3) The Division of Criminal Justice shall be responsible for the receipt and review of the applications for said funds.
- 4) The Division of Criminal Justice shall initiate allocations to the applicant as authorized by law.

A letter from Patricia Capitelli, Superintendent of Schools thanking Patrolman Daniel DiBlasio for his generous donation and installation of a bike rack was received and filed with a copy to be placed in his personnel jacket.

COMMITTEE ON PUBLIC WORKS:

There was no report.

COMMITTEE ON ENGINEERING & PUBLIC PROPERTY:

There was no report.

COMMITTEE ON LIAISON & INSPECTION:

There was a motion by Councilwoman Andriani, seconded by Councilman Bucher to adopt the following Resolution Authorizing The Installation Of An Irrigation System For The Football Field At The PAL. On roll call vote, all members of the Council present voted in the affirmative.

RESOLUTION NO. 153-2016

RESOLUTION AUTHORIZING THE INSTALLATION OF AN IRRIGATION
SYSTEM FOR THE FOOTBALL FIELD AT THE PAL

WHEREAS, the Superintendent of the Borough of Totowa Department of Public Works ("DPW") has recommended the installation of an irrigation system for the football field located at the Borough of Totowa PAL; and

WHEREAS, the Mayor and Council of the Borough of Totowa have determined that there is a need for this system; and

WHEREAS, the Mayor and Council of the Borough of Totowa desire to authorize the installation of an irrigation system for the football field; and

WHEREAS, the Superintendent of the Borough of Totowa DPW solicited quotes from licensed vendors to provide the necessary equipment and labor; and

WHEREAS, Tri County Irrigation, 40 Vreeland Avenue, Suite 101B, Totowa, New Jersey 07512 submitted a proposal dated November 23, 2016 to install the irrigation system in the amount of \$9,700.00, 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, these services may be authorized without public bidding.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Totowa do hereby authorize Tri County Irrigation to install an irrigation system at the football field at the PAL in the amount of \$9,700.00.

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 LEGISLATION & ORDINANCES:

There was a motion by Councilman Bucher, seconded by Councilman Picarelli to approve Raffle License Application Nos. 1983 & 1984 for the Pequannock Valley Rotary Club for a Tricky Tray and On-Premise 50/50 to be held on February 11, 2017 at The Bethwood. On roll call vote, all members of the Council present voted in the affirmative.

There was a motion by Councilman Bucher, seconded by Councilman Picarelli to approve Raffle License Application Nos. 1985 & 1986 for the PTO Clifton School #9, Inc. for a Tricky Tray and On-Premise 50/50 to be held on February 3, 2017 at The Bethwood. On roll call vote, all members of the Council present voted in the affirmative.

Mayor Coiro announced that as of now this will be our last meeting of the year, with the meeting scheduled for December 27, 2016 being cancelled. So that being said this will also be Council President Phil Puglise's last meeting on the Council as he will be stepping down on December 31st after being on the Council for 28 years since January 1, 1989. Mayor Coiro said that it has been great working with you over the years and that the Borough of Totowa owes you a great deal of gratitude. Council President Puglise remarked that it has been an honor and a privilege. Mayor Coiro wished everyone Happy Holidays.

There being no further business to come before the Council, there was a motion by Councilman Puglise, seconded by Councilman D'Angelo that the meeting be adjourned. On roll call vote, all members of the Council present voted in the affirmative.

Joseph Wassel, RMC
Municipal Clerk