

## BOROUGH OF TOTOWA

### MINUTES OF THE MAYOR AND COUNCIL

January 14, 2020

**PRESENT:** Mayor John Coiro, presiding, Council President Lou D'Angelo, Councilwoman Debra Andriani, Councilman Anthony Picarelli, Councilman William Bucher, Councilman John Capo, Councilwoman Lisa Palazzo, 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.

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.

Councilman D'Angelo: Mentioned the house fire that we had on Gordon Avenue on December 28<sup>th</sup> and thanked the Fire Department, Police Department, First Aid Squad and the West Paterson and Little Falls Fire Departments who assisted on mutual aid.

Councilwoman Andriani: 1) Congratulated Mayor Coiro on becoming a grandpa to twin girls Ava Grace and Giuliana Rose from his daughter Alyssa and son-in-law Allan; 2) Congratulated Borough Clerk Wassel on his son Max becoming the Head Varsity Football Coach at Passaic Valley High School; 3) Announced that the Totowa Library

Foundation will be having their annual Italian dinner fundraiser on January 20, 2020 at The Brownstone, with American Legion Memorial Post No. 227 being honored.

#### 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 December 10, 2019. 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 approve the Minutes of the Mayor and Council for the Reorganization Meeting of January 1, 2020. 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. 2020-02 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 Tax Collector to waive and eliminate any credits or balances for any account under \$10.00 for the year 2019. On roll call vote, all members of the Council present voted in the affirmative.

#### RESOLUTION

WHEREAS, there are taxpayers who have minor credits or balances (under \$10.00) on their accounts regarding property taxes for the year 2019; and

WHEREAS, the Borough is permitted to waive payment of these small credits or balances.

NOW, THEREFORE, BE IT RESOLVED, that the Tax Collector is hereby authorized to waive and eliminate any credits or balances for any account under \$10.00 for the year 2019.

There was a motion by Councilman Picarelli, seconded by Councilman D'Angelo to adopt the following resolution to memorialize the cancellation of Tax Sale Certificate Number 18-00003. On roll call vote, all members of the Council present voted in the affirmative.

### RESOLUTION

Tax Sale Certificate Number 18-00003  
Block 44, Lot 5

Property: 40 Tracy Ave., Totowa, New Jersey 07512  
Owner: E. Gatti, C/O Anthony Gatti

WHEREAS, Block 44, Lot 5, 40 Tracy Avenue was on the Tax Sale List for delinquent taxes/water; and

WHEREAS, the property owner E. Gatti c/o Anthony Gatti had paid his taxes/water in the amount to be removed from the Tax Sale List; and

WHEREAS, the wrong code was used when entering the payments resulting in Block 44, Lot 5 remaining on Tax Sale in error; and

WHEREAS, at the Municipal Tax Sale on October 24, 2019, a lien was sold on Block 44, Lot 5; and

WHEREAS, this lien known as Tax Sale Certificate Number 18-00003, was sold to C & E Tax Lien Fund 1 for a 0% redemption fee and a premium of \$1,000.00; and

WHEREAS, on December 26, 2019 the Treasurer issued a check in the amount of \$10,445.02 payable to C & E Tax Lien Fund 1 to reimburse the lien holder for the cancellation of Tax Sale Certificate Number 18-00003.

WHEREAS, on December 26, 2019 the Treasurer also issued a check in the amount of \$1,000.00 (premium) to the aforementioned lien holder.

WHEREAS, Tax Sale Certificate Number 18-00003 needed to be cleared of record prior to year end December 31, 2019.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Totowa that this shall memorialize the actions taken on December 26, 2019 to cancel Tax Sale Certificate Number 18-00003.

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 18-00001 for 131 Hickory Hill Boulevard, Block 9.08, Lot 32. On roll call vote, all members of the Council present voted in the affirmative.

#### RESOLUTION

Tax Sale Certificate Number 18-00001  
Block 9.08, Lot 32

Property: 131 Hickory Hill Blvd., Totowa, New Jersey 07512  
Owner: 131 Totowa Realty LLC

WHEREAS, at the Municipal Tax Sale on October 24, 2019, a lien was sold on Block 9.08, Lot 32; and

WHEREAS, this lien known as Tax Sale Certificate Number 18-00001, was sold to Matthew Bariso for a 0% redemption fee and a premium of \$100.00; and

WHEREAS, 131 Totowa Realty LLC, the owner of the property, has effected redemption of Tax Sale Certificate Number 18-00001 in the amount of \$1,120.77 as of January 7, 2020.

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 \$1,120.77 payable to Matthew Bariso for the redemption of Tax Sale Certificate Number 18-00001.

BE IT FURTHER RESOLVED, that the Mayor and Council do hereby authorize the Treasurer to issue a check in the amount of \$100.00 (premium) to the aforementioned Lien Holder.

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 18-00004 for 90 Hobart Place, Block 50, Lot 4. On roll call vote, all members of the Council present voted in the affirmative.

## RESOLUTION

Tax Sale Certificate Number 18-00004  
Block 50, Lot 4

Property: 90 Hobart Pl., Totowa, New Jersey 07512  
Owner: Luis & Flor Montes DeOca

WHEREAS, at the Municipal Tax Sale on October 24, 2019, a lien was sold on Block 50, Lot 4; and

WHEREAS, this lien known as Tax Sale Certificate Number 18-00004, was sold to Matthew Bariso for a 0% redemption fee and a premium of \$100.00; and

WHEREAS, Luis & Flor Montes DeOca, the owner of the property, has effected redemption of Tax Sale Certificate Number 18-00004 in the amount of \$1,038.78 as of January 7, 2020.

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 \$1,038.78 payable to Matthew Bariso for the redemption of Tax Sale Certificate Number 18-00004.

BE IT FURTHER RESOLVED, that the Mayor and Council do hereby authorize the Treasurer to issue a check in the amount of \$100.00 (premium) to the aforementioned Lien Holder.

There was a motion by Councilman Picarelli, seconded by Councilman D'Angelo to approve payment of the 1<sup>st</sup> Quarter 2020 Budget Allotment to the Borough of Totowa Public Library in the amount of \$197,963. On roll call vote, all members of the Council present voted in the affirmative.

A letter was received from the employees of the Municipal Complex requesting permission to switch the following holidays: Lincoln's Birthday, Wednesday, February 12<sup>th</sup> for the day after Thanksgiving, Friday, November 27, 2020. There was a motion by Councilman Picarelli, seconded by Councilman D'Angelo to approve the request. On roll call vote, all members of the Council present voted in the affirmative.

#### COMMITTEE ON PUBLIC SAFETY:

There was no report.

#### COMMITTEE ON PUBLIC WORKS:

There was a motion by Councilman Bucher, seconded by Councilwoman Palazzo to approve Change Order No. 2 for a net decrease of \$23,641.11 and Payment Estimate No. 4 (Final) in the amount of \$126,152.45 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 Councilwoman Palazzo to hire Michael Bastante as a DPW Laborer. On roll call vote, all members of the Council present voted in the affirmative.

A letter was received from DPW Superintendent Jim Niland requesting permission to switch the following holidays: Lincoln's Birthday, Wednesday, February 12<sup>th</sup> for the day after Thanksgiving, Friday, November 27<sup>th</sup> and Washington's Birthday, Monday, February 17<sup>th</sup> for Monday, July 6, 2020. There was a motion by Councilman Bucher, seconded by Councilwoman Palazzo to approve the request. 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 Passaic County Board of Freeholders advising that Totowa has been awarded a FY2019 Passaic County Community Development Block Grant in the amount of \$90,000 for Sanitary Sewer Lining on Boyle Avenue between Totowa Road and Franklin Place. There was a motion by Councilman Capo, seconded by Councilwoman Andriani to accept the grant 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 The Demolition Of Dwelling At 320 Totowa Road. On roll call vote, all members of the Council present voted in the affirmative.

RESOLUTION NO. 27-2020

RESOLUTION AUTHORIZING THE DEMOLITION OF THE  
STRUCTURE LOCATED AT 320 TOTOWA ROAD

WHEREAS, by Resolution No. 75-2019 dated April 9, 2019, the Borough of Totowa purchased of property located at 320 Totowa Road in the Borough of Totowa and identified as Block 30, Lot 1 on the official tax map of the Borough of Totowa; and

WHEREAS, the Mayor and Council of the Borough of Totowa acquired this property with the intention of demolishing the existing structure and converting the property to open space for community-wide use; and

WHEREAS, the Mayor and Council of the Borough of Totowa desire to retain the services of a licensed contractor to demolish the existing dwelling structure on the property; and

WHEREAS, the demolition services include but are not limited to disconnecting and capping all existing sewer and water service connections, demolishing the dwelling structure and garage, removing and disposing of all demolition debris, and backfilling the foundation with dirt to grade as required; and

WHEREAS, the Borough of Totowa Department of Public Works ("DPW") Superintendent did solicit proposals from licensed contractors to provide these services; and

WHEREAS, F. Antonucci & Sons, Inc., 283 Edmund Avenue, Paterson, New Jersey 07502 has submitted a proposal to demolish the dwelling structure located at 320 Totowa Road and provide all related services in the amount of \$17,300.00, 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 did on January 14, 2020 examine the proposal submitted by F. Antonucci & Sons, Inc.; and

WHEREAS, pursuant to the applicable New Jersey State laws, these services may be authorized without public bidding since it will not exceed the public bidding threshold.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Totowa do hereby accept the proposal submitted by F. Antonucci & Sons, Inc. to demolish the dwelling structure located at 320 Totowa Road and provide all related services in the amount of \$17,300.00.

BE IT FURTHER RESOLVED, that the Mayor and Council of the Borough of Totowa do hereby authorize F. Antonucci & Sons, Inc. to perform the services as set forth in their proposal.

BE IT FURTHER RESOLVED, that F. Antonucci & Sons, Inc. shall comply with all Federal, State and Local laws requiring permits prior to beginning construction and shall comply with all Federal, State and Local Ordinances and laws, including Borough of Totowa Code Book Section 336-4, while performing the aforementioned services.

BE IT FURTHER RESOLVED, that F. Antonucci & Sons, Inc. shall provide the Borough of Totowa with a one (1) year warranty on all workmanship and on all materials furnished for this project.

A letter was received from the Totowa Public Library requesting permission to use the Municipal Parking Lot on Saturday, April 25, 2020 for their annual spring fundraiser. 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 no report.

#### COMMITTEE ON LEGISLATION & ORDINANCES:

There was a motion by Councilwoman Palazzo, seconded by Councilman Picarelli 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. 01-2020**

**AN 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 Councilwoman Palazzo, seconded by Councilman Picarelli to approve Raffle License Application Nos. 2188 & 2189 for Our Lady of the Valley Roman Catholic Church for a Tricky Tray and On-Premise 50/50 to be held on March 1, 2020 at The Barnyard and Carriage House. On roll call vote, all members of the Council present voted in the affirmative.

Raffle License Application No. 2190 for Holy Rosary Church for an Off-Premise 50/50 to be held on February 23, 2020 at The Grand Bethwood was withdrawn by the applicant prior to the meeting.

There was a motion by Councilwoman Palazzo, seconded by Councilman Picarelli to approve Raffle License Application No. 2191 for the Macedonian Orthodox Church St. Nikola for a Tricky Tray to be held on March 7, 2020. On roll call vote, all members of the Council present voted in the affirmative.

There was a motion by Councilwoman Palazzo, seconded by Councilman Picarelli to approve Raffle License Application Nos. 2192 & 2193 for Our Lady of the Holy Angels Church for a Tricky Tray and On-Premise 50/50 to be held on May 6, 2020 at The Grand Bethwood. 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