

BOROUGH OF TOTOWA

MINUTES OF THE MAYOR AND COUNCIL

September 8, 2015

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, Deputy Municipal Clerk Kathryn Wasilewski and Municipal Attorney Robert Corrado.

ABSENT: Municipal Clerk Joseph Wassel.

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

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

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

The Deputy 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 Puglise, seconded by Councilman D'Angelo to dispense with the regular order of business in order to enable the Mayor and Council to present Sports Award Certificates to the 2015 PAL U11 Travel Soccer undefeated champions of the Morris County Soccer Association players and coaches. On roll call vote, all members of the Council present voted in the affirmative.

Mayor Coiro went to the front of the dais and announced that it is always nice when one of our Totowa teams defeats another town's team and that we really enjoy when we can have our youth teams here at a meeting and present them with certificates for winning their league championship. Mayor Coiro began by calling up each coach and presenting them with a Sports Award Certificate. Mayor Coiro then asked one of the coaches to give a synopsis of the season. Mayor Coiro continued by calling up each player and presenting them with a Sports Award Certificate. Mayor Coiro then commented on behalf of the Mayor and Council he congratulated them all and said that he hopes to see them back again next year. Mayor Coiro announced that there would be a short recess. Pictures were taken.

There was a motion by Councilman Puglise, seconded by Councilman D'Angelo 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 Deputy Municipal Clerk or the Municipal Attorney wished to address the Council.

Councilwoman Andriani: Announced that 1) Yesterday Labor Day was the last day at the Totowa Pool and said it was a successful summer; 2) That on October 17th we will sponsor a Health Fair at the PAL and asked that it be put on the new LED sign and the website.

CITIZENS HEARD:

There were no citizens who wished to be heard.

There was a motion by Councilman Puglise, seconded by Councilman D'Angelo to approve the Minutes of the Mayor and Council for the meeting of August 25, 2015. On roll call vote, all members of the Council present voted in the affirmative. Councilwoman Andriani and Councilman Bucher abstained from the voting.

COMMITTEE ON FINANCE:

There was a motion by Councilman Picarelli, seconded by Councilman D'Angelo to approve Resolution No. 2015-19 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 To Acknowledge Receipt Of And Accept The 2014 Audit Corrective Action Plan. On roll call vote, all members of the Council present voted in the affirmative.

RESOLUTION NO. 109-2015

RESOLUTION TO ACKNOWLEDGE RECEIPT OF AND ACCEPT
THE 2014 AUDIT CORRECTIVE ACTION PLAN

WHEREAS, by Resolution No. 20-2015 dated January 1, 2015, the Mayor and Council of the Borough of Totowa authorized the firm of Lerch, Vinci & Higgins, LLP, 17-17 Route 208, Fair Lawn, New Jersey 07410, to serve as the Municipal Auditor for the Borough of Totowa; and

WHEREAS, the professional services to be provided by the Municipal Auditor include but are not limited to auditing the financial statements for the Borough of Totowa; preparing the unaudited annual financial statement; review and certification of the annual budget; and preparing the annual debt statement and performing all general auditing services as needed; and

WHEREAS, the Municipal Auditor has completed the Borough of Totowa, Passaic County, New Jersey Report of Audit Year Ended December 31, 2014; and

WHEREAS, the Municipal Clerk and Chief Financial Officer/Treasurer prepared the 2014 Audit Corrective Action Plan based on the recommendations listed in the Audit Report, a copy of which is on file in the office of the Borough of Totowa Municipal Clerk; and

WHEREAS, copies of the 2014 Audit Corrective Action Plan have been distributed to the Mayor and Council of the Borough of Totowa and the Recommendations and 2014 Audit Corrective Action Plan have been forwarded to all Department Heads.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Totowa do hereby acknowledge receipt of and accept the 2014 Audit Corrective Action Plan as prepared by the Municipal Clerk and Chief Financial Officer/Treasurer.

A letter of resignation was received from Court Administrator Georgeann A. Gosnell effective November 6, 2015. There was a motion by Councilman Picarelli, seconded by Councilman D'Angelo to accept her resignation. On roll call vote, all members of the Council present voted in the affirmative.

COMMITTEE ON PUBLIC SAFETY:

There was a motion by Councilman Puglise, seconded by Councilwoman Fontanella to adopt the following Resolution Authorizing Emergency Repairs To Borough Of Totowa Fire Department Truck 1. On roll call vote, all members of the Council present voted in the affirmative.

RESOLUTION NO. 110-2015

RESOLUTION AUTHORIZING EMERGENCY REPAIRS TO
BOROUGH OF TOTOWA FIRE DEPARTMENT TRUCK 1

WHEREAS, the Fire Chief of the Borough of Totowa Volunteer Fire Department has advised the Mayor and Council of the Borough of Totowa that the electrical system for one of the Fire Department Fleet Trucks failed while responding to an alarm in Passaic, New Jersey; and

WHEREAS, more specifically, the alternator and regulator for Fire Truck 1, a Smeal Aerial Truck bearing VIN No. 4S7AT9D01SC016959, needs to be removed and replaced; and

WHEREAS, the Borough of Totowa Fire Chief has solicited quotes from licensed and certified fire apparatus repair vendors to perform the necessary repairs to Fire Truck 1; and

WHEREAS, Stewart & Stevenson – Atlantic Detroit Diesel - Allison Division, 180 Route 17, Lodi, New Jersey 07644 has submitted a proposal to install a new C630 alternator and A2-121 regulator for Fire Truck 1 in the amount of \$5,063.35, a copy of which is on file in the office of the Municipal Clerk; and

WHEREAS, the Fire Chief for the Borough of Totowa Fire Department has reviewed the proposal and recommended that the Borough of Totowa proceed with the installation of the new alternator and regulator as quickly as possible in order to return Fire Truck I to the Fire Department Fleet; and

WHEREAS, the absence of Borough of Totowa Fire Truck 1 from the Borough of Totowa Volunteer Fire Department fleet is a situation that adversely affects the public health, safety and welfare of the residents of the Borough of Totowa and requires the immediate repair of the electrical system for Borough of Totowa Fire Truck 1; and

WHEREAS, the Mayor and Council of the Borough of Totowa desire to authorize the installation of the new alternator and regulator for Fire Truck 1 of the Borough of Totowa Fire Department Fleet; and

WHEREAS, pursuant to the applicable New Jersey State laws, the authorization of these emergency repair services may be awarded 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 Stewart & Stevenson for the installation of a new C630 alternator and A2-121 regulator in the amount of \$5,063.35.

BE IT FURTHER RESOLVED, that the Mayor and Council of the Borough of Totowa do hereby authorize by Stewart & Stevenson to provide the materials and perform the services as set forth in their proposal.

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

A letter from Richard H. Lane, Jr. thanking Police Chief Robert Coyle, Captain Scott Titus and the Police Officers that assisted in the funeral detail for his father on August 15, 2015 was received and filed, with copies to be placed in their personnel jackets.

COMMITTEE ON PUBLIC WORKS:

There was a motion by Councilman D'Angelo, seconded by Councilman Puglise to adopt the following Resolution Authorizing Professional Engineering Services For The Hobart Place Improvements. On roll call vote, all members of the Council present voted in the affirmative.

RESOLUTION NO. 111-2015

RESOLUTION AUTHORIZING PROFESSIONAL ENGINEERING SERVICES FOR THE HOBART PLACE IMPROVEMENTS

WHEREAS, the Borough of Totowa has received a Municipal Aid Grant from the New Jersey Department of Transportation ("NJDOT") for various improvements for Hobart Place including the installation of replacement concrete vertical curb, installation of ADA compliant curb ramps, the milling and resurfacing of the roadway and associated site

improvements; and

WHEREAS, the Mayor and Council of the Borough of Totowa desire to retain the services of a professional engineering firm to provide design services, preparing bid documents, assisting in the bidding process and supervising construction of the Hobart Place Improvement Project; and

WHEREAS, Richard A. Alaimo Engineering Associates has submitted a proposal for the Hobart Place Improvement Project at a cost not to exceed Thirty-Eight Thousand and 00/100 Dollars (\$38,000.00), 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 on September 8, 2015 did examine the proposal submitted by Richard A. Alaimo Engineering Associates; and

WHEREAS, pursuant to the applicable New Jersey State laws, these professional services may be awarded 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 Richard A. Alaimo Engineering Associates for professional engineering services for the Hobart Place Improvements in the amount of Thirty-Eight Thousand and 00/100 Dollars (\$38,000.00).

BE IT FURTHER RESOLVED, that the Mayor and Council of the Borough of Totowa do hereby authorize Richard A. Alaimo Engineering Associates to perform the professional services as set forth in their proposal.

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

There was a motion by Councilman D'Angelo, seconded by Councilman Puglise to adopt the following State Of New Jersey, Department Of Environmental Protection, Green Acres Program Enabling Resolution. On roll call vote, all members of the Council present voted in the affirmative.

RESOLUTION NO. 112-2015

STATE OF NEW JERSEY, DEPARTMENT OF ENVIRONMENTAL PROTECTION, GREEN ACRES ENABLING RESOLUTION

WHEREAS, the New Jersey Department of Environmental Protection, Green Acres Program, ("State"), provides loans and/or grants to municipal and county governments and grants to nonprofit organizations for assistance in the acquisition and development of lands for outdoor recreation and conservation purposes; and

WHEREAS, the Borough of Totowa desires to further the public interest by obtaining a grant of \$325,000.00 from the State to fund the following project:

1612-12-015 Flood Acquisition Project

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Totowa authorize the Municipal Clerk of the Borough of Totowa to:

- (a) make application for such a loan and/or such a grant;
- (b) provide additional application information and furnish such documents as may be required;
- (c) act as authorized correspondent of the above named applicant.

WHEREAS, the State shall determine if the application is complete and in conformance with the scope and intent of the Green Acres Program, and notify the applicant of the funding award; and

WHEREAS, the applicant is willing to use the State's funds in accordance with such rules, regulations and applicable statutes, and is willing to enter into an agreement with the State for the above named project.

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

1. The Mayor of the Borough of Totowa is hereby authorized to execute an agreement and any amendment thereto with the State known as 1612-12-015 Flood Acquisition Project.
2. The applicant has its matching share of the project, if a match is required, in the amount of \$925,000.00.
3. In the event that State's funds are less than the total project specified above, the applicant has the balance of funding necessary to complete the project; and
4. The applicant agrees to comply with all the applicable federal, state and local laws and regulations in its performance of this project.
5. This resolution shall take effect immediately.

Upon the recommendation of DPW Superintendent Jim Niland, there was a motion by Councilman D'Angelo, seconded by Councilman Puglise to approve a grade increase for DPW Laborer Steve Filan from Grade 2 to Grade 1, effective September 9, 2015. On roll call vote, all members of the Council present voted in the affirmative.

COMMITTEE ON ENGINEERING & PUBLIC PROPERTY:

There was a motion by Councilwoman Fontanella, seconded by Councilwoman Andriani to approve the 2015 Open Space & Farmland Preservation Trust Fund Agreement between the Borough of Totowa and County of Passaic for the Lincoln Fields Tennis Court II. On roll call vote, all members of the Council present voted in the affirmative.

There was a motion by Councilwoman Fontanella, seconded by Councilwoman Andriani to adopt the following Resolution Authorizing The Borough Of Totowa To Register And Enter Into An Agreement With Public Surplus. On roll call vote, all members of the Council present voted in the affirmative.

RESOLUTION NO. 113-2015

RESOLUTION AUTHORIZING THE BOROUGH OF TOTOWA TO REGISTER AND ENTER INTO AN AGREEMENT WITH PUBLIC SURPLUS

WHEREAS, pursuant to N.J.S.A. 40A:11-35, any contracting unit by resolution of its governing body may authorize the sale of its personal property not needed for public use; and

WHEREAS, the Mayor and Council of the Borough periodically authorize the disposition of various items no longer needed for public use; and

WHEREAS, the Borough of Totowa has conducted live public auctions in the past with limited success; and

WHEREAS, the Mayor and Council of the Borough of Totowa desire to use an internet based surplus auction system which will allow their Department Heads to manage their surplus inventory while complying with all governmental rules and regulations; and

WHEREAS, The Public Group, LLC, 1503 S. 40 E, Ste 350, Provo, Utah 84606, also known as Public Surplus, is an internet based company that facilitates online auctions for governmental entities system to sell their surplus goods and other property; and

WHEREAS, the Mayor and Council of the Borough of Totowa desire to authorize the Borough of Totowa to register and enter into an agreement with Public Surplus to provide online auction services for the municipality.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Totowa do hereby authorize the Borough of Totowa to register and enter into a Seller's Agreement with Public Surplus.

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.

COMMITTEE ON LIAISON & INSPECTION:

There was a motion by Councilwoman Andriani, seconded by Councilman Bucher to adopt the following Resolution Authorizing Supplemental Proposal For Redevelopment Planning Services For The North Jersey Developmental Center Site. On roll call vote, all members of the Council present voted in the affirmative.

RESOLUTION NO. 114-2015

RESOLUTION AUTHORIZING SUPPLEMENTAL PROPOSAL FOR
REDEVELOPMENT PLANNING SERVICES FOR THE NORTH JERSEY
DEVELOPMENTAL SITE

WHEREAS, the Local Redevelopment and Housing Law, *N.J.S.A. 40A:12A-1, et seq.*, as amended (the "Redevelopment Law"), authorizes municipalities to determine whether certain parcels of land in the municipality constitute areas in need of redevelopment; and

WHEREAS, to determine whether certain parcels of land constitute an area in need of redevelopment, under the Redevelopment Law, the Municipal Council must authorize the Planning Board to conduct a preliminary investigation of the area and make recommendations to the Municipal Council; and

WHEREAS, by Resolution No. 107-2015 dated August 25, 2015, the Mayor and Council of the Borough of Totowa authorized and directed the Borough of Totowa Planning Board to conduct an investigation with respect to the property commonly known as Block 154, Lot 19 on the tax map of the Borough of Totowa, State of New Jersey (the "Study Area"), to determine whether the Study Area meets the criteria set

forth in the Redevelopment Law and should be designated as an area in need of redevelopment; and

WHEREAS, by Resolution No. 42-2015 dated February 24, 2015 and Resolution No. 50-2015 dated March 24, 2015, the Mayor and Council of the Borough of Totowa authorized Totowa's Municipal Engineer, Richard A. Alaimo Engineering Associates, 200 High Street, Mt. Holly, New Jersey 08060 to undertake professional planning services in connection with the North Jersey Developmental Center ("NJDC") facilities located at 169 Minnisink Road, Totowa, New Jersey which is the property also referred to as the Study Area; and

WHEREAS, the professional planning tasks included but were not limited to preparing a Preliminary Assessment Report; preparing an Environmental Opportunities and Constraints Analysis; outlining land redevelopment opportunities for the site; and preparing the Request For Proposal ("RFP") document; and

WHEREAS, the original scope of work proposed for the redevelopment planning was focused on identifying redevelopment potential to be utilized by the State of New Jersey in assessing the value of the property; and

WHEREAS, the Mayor and Council of the Borough of Totowa desire the Municipal Engineer to assist with the investigation of the Study Area; and

WHEREAS, Richard A. Alaimo Engineering Associates has submitted a proposal to undertake additional redevelopment planning services and assist the Borough of Totowa Planning Board with the preliminary investigation of the Study Area at a cost not to exceed the sum of \$25,000.00, a copy of which is on file with the Borough of Totowa Municipal Clerk; and

WHEREAS, these additional tasks include but are not limited to preparation of a Preliminary Investigation to formally designate the Study Area as an "area in need of redevelopment"; preparation of a draft Redevelopment Plan; preparation of an RFP including a draft Redeveloper agreement; assisting with the bidding process for the Borough of Totowa; development of evaluation criteria; review and evaluation of bids; and preparation of the final evaluation report and formal designation; and

WHEREAS, the Mayor and Council of the Borough of Totowa on September 8, 2015 did examine the proposal submitted by Richard A. Alaimo Engineering Associates; and
WHEREAS, the Mayor and Council of the Borough of Totowa desire to have the additional redevelopment planning services be undertaken and completed for the NJDC site; and

WHEREAS, pursuant to the applicable New Jersey State laws, these professional services may be awarded without public bidding.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Totowa do hereby accept the supplemental proposal submitted by Richard A. Alaimo Engineering Associates for professional redevelopment planning services for the NJDC site in the amount of \$25,000.00.

BE IT FURTHER RESOLVED, that the Mayor and Council of the Borough of Totowa do hereby authorize Richard A. Alaimo Engineering Associates to perform the professional services as set forth in their proposal.

COMMITTEE ON LEGISLATION & ORDINANCES:

There was a motion by Councilman Bucher, seconded by Councilman Picarelli to approve the Ice Cream Vendors License Application for Elizabeth Mancuso as Operator, trading as Mainland. 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. 1864 & 1865 for Helpful Hands, Northeast Regional Early Intervention Collaborative, Inc. for a Casino Night and Off-Premise 50/50, respectively, to be held on November 14, 2015 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. 1866 & 1867 for Angels of Animals, Inc. for a Tricky Tray and Off-Premise 50/50, respectively, to be held on October 22, 2015 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 No. 1868 for the Diane D'Apolito May Beyond The Rainbow Charitable Foundation for a Casino Night to be held on October 10, 2015 at the PAL. 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 No. 1869 for the BPOE #2111 Passaic Valley Elks for a Tricky Tray to be held on September 27, 2015. 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 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.

Kathryn Wasilewski
Deputy Municipal Clerk