

BOROUGH OF TOTOWA

MINUTES OF THE MAYOR AND COUNCIL

July 9, 2019

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

ABSENT: Councilman Anthony Picarelli and Councilman John Capo.

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 Yankees Baseball Team players and coaches as Little League Division Champions of the Passaic Valley Baseball League and to hold a public hearing on Ordinance Nos. 09-2019 & 10-2019 as advertised. On roll call vote, all members of the Council present voted in the affirmative.

Mayor Coiro announced that it 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 he knows this team did very well because we heard it from Coach Bucher. 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 Nicole Melissant, then Coaches Len Melissant, Bill Bucher, Mark Monteyne and Dan Palazzo and presented each with a Sports Award Certificate. Asked Nicole to give a synopsis of their season, who deferred to her father Len who gave the overview of their season and said they had good leadership with a total team effort. 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 Nos. 09-2019 & 10-2019 have been advertised for public hearing for Tuesday, July 9, 2019.

Municipal Clerk Wassel read the legal notice and the title of Ordinance No. 09-2019.

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. 09-2019.

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. 09-2019 by title:

ORDINANCE NO. 09-2019

**AN ORDINANCE TO AMEND THE CODE OF THE BOROUGH OF TOTOWA
TO REPEAL CHAPTER 289 ENTITLED "PEDDLING AND SOLICITING"**

There was a motion by Councilman D'Angelo, seconded by Councilwoman Andriani to adopt Ordinance No. 09-2019 on second and final reading. On roll call vote, all members of the Council present voted in the affirmative.

Municipal Clerk Wassel read the legal notice and the title of Ordinance No. 10-2019.

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. 10-2019.

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. 10-2019 by title:

ORDINANCE NO. 10-2019

**AN ORDINANCE TO AMEND THE CODE OF THE BOROUGH OF TOTOWA
CHAPTER 415 ENTITLED "ZONING AND LAND USE", PART 4, "ZONING",
ARTICLE XVI, "REGULATIONS APPLICABLE TO ALL DISTRICTS",
SECTION 123, "CONFORMANCE REQUIRED"**

There was a motion by Councilman D'Angelo, seconded by Councilwoman Andriani to adopt Ordinance No. 10-2019 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: Mentioned that tomorrow night is the second night of the concert series with The Counterfeiters performing.

CITIZENS HEARD:

John Florida, 460 Riverview Drive: 1) Asked how long does it take to remedy problems with his neighbors, who have poison ivy, trees/branches, grape vines, etc. growing over his walkway. Said it has been three years and it is the house to his right (if looking at his house). Mayor Coiro: Instructed Construction Code Official Allan Burghardt to go there tomorrow. 2) Said that he has a problem with his sewer line because the County Engineer messed up and his line is tied into his neighbors and when he had a back-up the town had to go into his neighbor's yard in order to clean out his line. Stated that the sewer cost him \$3,000 and said that he had a letter from former Mayor Sam Cherba and former Sewer Superintendent Ernie Paese told him he was crazy because he can't be tied into his neighbor's line. Mayor Coiro: Asked if we can check our records. Borough Attorney Corrado: Stated she will check with the Passaic County Register of Deeds to inquire if they have any such letter on file.

Mike Mahometa, 269 Lincoln Avenue: Advised that a large pine tree on the berm at the PAL has died and asked if it can be removed and replaced.

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 June 25, 2019. On roll call vote, all members of the Council present voted in the affirmative. Councilman Bucher and Councilwoman Palazzo abstained from the voting.

COMMITTEE ON FINANCE:

There was a motion by Councilman D'Angelo, seconded by Councilwoman Andriani to approve Resolution No. 2019-15 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 D'Angelo, seconded by Councilwoman Andriani to adopt the following resolution to effectuate the redemption of Tax Sale Certificate #15-00003 for 15 Greene Avenue, Block 82, Lot 11. On roll call vote, all members of the Council present voted in the affirmative.

RESOLUTION

Tax Sale Certificate Number 15-00003
Block 82, Lot 11

Property: 15 Greene Avenue, Totowa, New Jersey 07512
Owner: Martha Eckel

WHEREAS, at the Municipal Tax Sale on October 22, 2015, a lien was sold on Block 82, Lot 11; and

WHEREAS, this lien known as Tax Sale Certificate Number 15-00003, was sold to U.S. Bank As Custodian BV001 Trust & Creditors for a 0% redemption fee and a premium of \$23,100; and

WHEREAS, Martha Eckel, the owner of the property, has effected redemption of Tax Sale Certificate Number 15-00003 in the amount of \$53,536.91 as of July 2, 2019.

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 \$53,536.91 payable to U.S. Bank As Custodian BV001 Trust & Creditors for the redemption of Tax Sale Certificate Number 15-00003.

BE IT FURTHER RESOLVED, that the Mayor and Council do hereby authorize the Treasurer to issue a check in the amount of \$23,100 (premium) to the aforementioned Lien Holder.

There was a motion by Councilman D'Angelo, seconded by Councilwoman Andriani to approve payment of the 3rd Quarter 2019 Budget Allotment to the Borough of Totowa Public Library in the amount of \$177,365.00. On roll call vote, all members of the Council present voted in the affirmative.

COMMITTEE ON PUBLIC SAFETY:

A letter was received from Riverview Park Fire Company requesting permission to take Engine 973 to the following Wet Downs: Saturday, July 13, 2019 in Elmwood Park and Saturday, July 27, 2019 in Saddle Brook. There was a motion by Councilman D'Angelo, seconded by Councilman Bucher to grant permission. 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 Councilwoman Palazzo to adopt the following Resolution To Submit A Grant Application And Execute A Grant Agreement With The New Jersey Department Of Transportation For The 2020 Municipal Aid Application For The Craig Court, Dey Hill Trail And Commerce Way Improvement Project. On roll call vote, all members of the Council present voted in the affirmative.

RESOLUTION NO. 82-2019

RESOLUTION TO SUBMIT A GRANT APPLICATION AND EXECUTE A GRANT AGREEMENT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR THE 2020 MUNICIPAL AID APPLICATION FOR THE CRAIG COURT, DEY HILL TRAIL AND COMMERCE WAY IMPROVEMENT PROJECT

WHEREAS, the Borough of Totowa continues to develop projects that will improve access and maintenance on public roads; and

WHEREAS, the Borough of Totowa's Engineer has provided plans specifically designed to address and improve traffic flow/safety issues and maintenance on our roads; and

WHEREAS, the Borough of Totowa has submitted plans to the State of New Jersey, Department of Transportation for Municipal Aid in the past and will continue to do so in the future; and

WHEREAS, the Borough of Totowa has identified Craig Court, Dey Hill Trail and Commerce Way in desperate need of repair.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Totowa, in the County of Passaic, State of New Jersey formally approves the grant application for the Craig Court, Dey Hill Trail and Commerce Way Improvement Project.

BE IT FURTHER RESOLVED, that the Mayor and Municipal Clerk are hereby authorized to submit an electronic grant application identified as "MA-2020-Totowa Borough-Craig Court, Dey Hill Trail and Commerce Way Improvement Project-00268" to the New Jersey Department of Transportation on behalf of the Borough of Totowa.

BE IT FURTHER RESOLVED, that the Mayor and Municipal Clerk are hereby authorized to sign the grant agreement on behalf of the Borough of Totowa and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

COMMITTEE ON ENGINEERING & PUBLIC PROPERTY:

There was a motion by Councilwoman Andriani, seconded by Councilman D'Angelo to adopt the following 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. 83-2019

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

WHEREAS, the Borough of Totowa Department of Public Works ("DPW") Superintendent has advised that the roofing system at the roof between the Library and Municipal Building has deteriorated and has recommended that this section of the roofing system be removed and replaced; 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 roofing system; and

WHEREAS, the Mayor and Council of the Borough of Totowa desire to authorize the removal and replacement of the roofing system at the roof between the Library and Municipal Building; and

WHEREAS, James Joseph Construction Co., Inc., 177 McBride Avenue, Paterson, New Jersey 07501 has submitted a proposal for the removal and replacement of the roofing system at the roof between the Library and Municipal Building in the amount of \$14,250.00, 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, the removal and replacement of the roofing system at the roof between the Library and Municipal Building 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 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 Municipal Clerk and DPW Superintendent to execute any and all instruments relating thereto.

A letter was received from the Do-Good House requesting permission to use the Municipal Parking Lot on Tuesday, July 16, 2019 for a trip to Yankee Stadium. There was a motion by Councilwoman Andriani, seconded by Councilman D'Angelo 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 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. 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 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