

## BOROUGH OF TOTOWA

### MINUTES OF THE MAYOR AND COUNCIL

**April 12, 2022**

**PRESENT:** Mayor John Coiro, presiding, Council President Lou D'Angelo, Councilwoman Debra Andriani, Councilman Anthony Picarelli, Councilman William Bucher, Councilman John Capo, Councilman Patrick Fierro, 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 everyone to remain standing and offer a moment of silence for Larry Sperling, a volunteer fire fighter and former Fire Chief who passed away recently.

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

Municipal Clerk Wassel 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.

Councilwoman Andriani: Mentioned the following: 1) This past Saturday we had the Bunny Breakfast at The Barnyard and it was a success with over 300 people; 2) This Friday, Public Health Nurse Darlene Walsh will host her annual Blood Drive; 3) Next Saturday will be the Library Rummage Sale and Senator Kristin Corrado's Food Drive;

4) Next Sunday will be the Annual Car Show.

Mayor Coiro: Stated that he was at the PAL today for a ceremony to accept a big check from the Federal Government in the amount of \$649,000 for the lights at the PAL fields.

CITIZENS HEARD:

Mike Mahometa, 269 Lincoln Avenue: Said the DPW did a great job with the plowing and spreading salt during the winter snowstorms. Also noted that along Riverview Drive down by Norwood Terrace the embankment is washing away.

There was a motion by Councilman D'Angelo, seconded by Councilman Picarelli to approve the Minutes of the Mayor and Council for the meeting of March 22, 2022. On roll call vote, all members of the Council present voted in the affirmative. Councilwoman Andriani abstained from the voting.

COMMITTEE ON FINANCE:

There was a motion by Councilman Picarelli, seconded by Councilman D'Angelo to approve Resolution No. 2022-09 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 due to overpayment of 1<sup>st</sup> Quarter 2022 taxes. On roll call vote, all members of the Council present voted in the affirmative.

RESOLUTION

WHEREAS, there has been a duplicate payment of 1st quarter 2022 taxes on the property listed below; and

WHEREAS, the taxpayer is entitled to a refund; and

WHEREAS, the chart sets forth the refund as follows:

Block	Lot	Property Owner	Payable To:	Overpayment
9.05	17	47 Huntington Terr Plaxico & Tiffany Burress	Plaxico & Tiffany Burress	\$7,378.06

NOW, THEREFORE BE IT RESOLVED, that the overpayment shall be refunded to the taxpayer, as stated above, and the Treasurer is authorized to issue separate checks for the refunds, which shall be paid to the stated property or taxing authority.

There was a motion by Councilman Picarelli, seconded by Councilman D'Angelo to adopt the following resolution authorizing the Treasurer to issue a refund to Richard Tea, 2 Continental Circle, Block 9.10, Lot 58 due to a 100% Exemption for a 100% permanent and total disability. On roll call vote, all members of the Council present voted in the affirmative.

#### RESOLUTION

WHEREAS, Richard Tea, 2 Continental Circle, Block 9.10, Lot 58 has applied for a 100% exemption for a 100% permanent and total disability; and

WHEREAS, he meets all the requirements for the exemption; and

WHEREAS, the 100% disability became effective on October 1, 2021, and he applied for exemption on March 16, 2022; and

WHEREAS, he paid the property taxes from March 16, 2022 to March 31, 2022 in the amount of \$787.18, and is now entitled to a refund of \$787.18.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Totowa that the Treasurer is authorized to refund \$787.18 to Richard Tea and upon paying the refund due to the Taxpayer, this property will be exempted from future tax payments.

There was a motion by Councilman Picarelli, seconded by Councilman D'Angelo to adopt the following Resolution To Introduce The 2022 Municipal Budget. On roll call vote, all members of the Council present voted in the affirmative.

#### RESOLUTION NO. 50-2022

## RESOLUTION TO INTRODUCE THE 2022 MUNICIPAL BUDGET

BE IT RESOLVED, that the following statements of revenues and appropriations attached hereto constitute the local Budget of the Borough of Totowa, Passaic County, New Jersey for the year 2022.

BE IT FURTHER RESOLVED, that the said Budget be published in The North Jersey Herald and News in the issue of April 29, 2022, and that a hearing on the Budget will be held at the Municipal Building on May 10, 2022 at 7:30 P.M. or as soon thereafter as the matter may be reached.

There was a motion by Councilman Picarelli, seconded by Councilman D'Angelo to adopt the following Resolution Authorizing The Purchase And Delivery Of One Ford Explorer 4WD SUV For The Borough Of Totowa Building Department. On roll call vote, all members of the Council present voted in the affirmative.

### RESOLUTION NO. 51-2022

#### RESOLUTION AUTHORIZING THE PURCHASE AND DELIVERY OF ONE FORD EXPLORER 4WD SUV FOR THE BOROUGH OF TOTOWA BUILDING DEPARTMENT

WHEREAS, the Borough of Totowa Construction Code Official has requested the purchase of one new Ford Explorer 4WD SUV to be used by the Building Department staff; and

WHEREAS, the Mayor and Council of the Borough of Totowa have determined that there is a need for this vehicle to be used by the Borough of Totowa Building Department and be added to the Building Department fleet; and

WHEREAS, the Mayor and Council of the Borough of Totowa desire to authorize the purchase and delivery of one new 2022 Ford Explorer 4WD SUV; and

WHEREAS, Morris County Cooperative Pricing Council Contract No. MCCPC #15C-3 has been awarded to Route 23 Automall, 1301 Route 23 South, Butler, New Jersey 07405 for the purchase and delivery of one 2022 Ford Explorer 4WD SUV and all related equipment; and

WHEREAS, Route 23 Automall has submitted a proposal for the purchase and delivery of one 2022 Ford Explorer 4WD SUV in the amount of \$30,555.00, 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 purchase of this vehicle 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 purchase and delivery of one 2022 Ford Explorer 4WD SUV in the amount of \$30,555.00.

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

There was a motion by Councilman Picarelli, seconded by Councilman D'Angelo to approve payment of the 2<sup>nd</sup> Quarter 2022 Budget Allotment to the Borough of Totowa Public Library in the amount of \$235,144. 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 Nicholas Macaluso from Grade 5 Patrol Officer to Grade 4 Patrol Officer. On roll call vote, all members of the Council present voted in the affirmative.

There was a motion by Councilman D'Angelo, seconded by Councilman Capo to adopt the following Resolution Authorizing The Borough Of Totowa To Enter Into A Traffic Signal Agreement Route 46 WB Ramp B And Minnisink Road (C.R. 642) With The State Of New Jersey, County Of Passaic And Manzo Doren Organization Of Totowa. On roll call vote, all members of the Council present voted in the affirmative.

#### RESOLUTION NO. 52-2022

#### RESOLUTION AUTHORIZING THE BOROUGH OF TOTOWA TO ENTER INTO A TRAFFIC SIGNAL AGREEMENT ROUTE 46 WB RAMP B AND MINNISINK ROAD (C.R. 642) WITH THE STATE OF NEW JERSEY, COUNTY OF PASSAIC AND MANZO DOREN ORGANIZATION OF TOTOWA, LLC

WHEREAS, Manzo Doren Organization of Totowa, LLC, (the "Developer"), 351 West Broadway, Paterson, New Jersey 07522 is the owner of the property identified as Block

171, Lots 2.01, 19, 20, 21 and 22 on the official tax map of the Borough of Totowa and located on a road known as Route 46 M.P. 57.02 in the Borough of Totowa, County of Passaic; and

WHEREAS, a traffic condition exists at the intersection of Route 46 WB Ramp B and Minnisink Road (M.P. 57.02) in the Borough of Totowa, in the County of Passaic, which requires the revision of the existing semi-actuated traffic control signal with pedestrian push buttons, vehicle detection and intersection lighting, hereinafter referred to as the traffic signal system; and

WHEREAS, the Developer, the Borough of Totowa and the County of Passaic have expressed a willingness to cooperate with the State of New Jersey in achieving the overall objective of safe and efficient movement of traffic on said highway; and

WHEREAS, the State of New Jersey has proposed a form of Agreement pertaining to the installation, maintenance and operation of the traffic signal system.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Totowa do hereby authorize the Borough of Totowa to enter into an Agreement with the State of New Jersey, acting through its Commissioner of Transportation, for the purpose of aforesaid, and a copy of said Agreement is attached hereto and made a part hereof.

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 instruments relating thereto.

**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 Appointment Of An Affordable Housing Administrative Agent For The Borough Of Totowa. On roll call vote, all members of the Council present voted in the affirmative.

RESOLUTION NO. 53-2022

RESOLUTION AUTHORIZING THE APPOINTMENT OF AN AFFORDABLE HOUSING ADMINISTRATIVE AGENT FOR THE BOROUGH OF TOTOWA

WHEREAS, the Borough of Totowa has petitioned the Superior Court of New Jersey for a Declaratory Judgment that its adopted Housing Element and Fair Share Plan is compliant with its constitutional obligation to provide its fair share of the regional need for very-low, low, and moderate income housing; and

WHEREAS, the Borough of Totowa's adopted Housing Element and Fair Share Plan will result in the creation of housing units affordable to and intended for occupancy solely by qualified very-low, low, and moderate income households; and

WHEREAS, the Administrative Agent shall assist the Borough of Totowa with complying with the State of New Jersey's affordable housing regulations in the areas of income qualifications, affordable rents and sale prices and affirmative marketing plans; and

WHEREAS, these comprehensive Affordable Housing services may only be provided by an individual or firm that has been certified by the New Jersey Department of Community Affairs; and

WHEREAS, the Borough of Totowa solicited proposals from firms qualified to serve as the Affordable Housing Administrative Agent for the Borough of Totowa; and

WHEREAS, the Borough of Totowa did receive proposals at its Municipal Building on March 18, 2022; and

WHEREAS, Community Grants, Planning & Housing, 101 Interchange Plaza, Suite 301, Cranbury, New Jersey 08512 has submitted a proposal to provide the required professional services, a copy of which is on file in the office of the Borough of Totowa Municipal Clerk; and

WHEREAS, the firm of Community Grants, Planning & Housing possesses the necessary experience and expertise to provide the professional administrative services; and

WHEREAS, for providing the required services, the Borough of Totowa will compensate Community Grants, Planning & Housing in accordance with the Fee Schedule set forth in their proposal; and

WHEREAS, the term of this contract shall be for a period effective as of April 12, 2022 and terminating on December 31, 2022; and

WHEREAS, the professional affordable housing administrative agent services shall be awarded as a fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.4 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 enter into a contract with Community Grants, Planning & Housing to serve as the Affordable Housing Administrative Agent to the Borough of Totowa and provide professional services.

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 Fierro, 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. 02-2022**

**CALENDAR YEAR 2022 ORDINANCE TO EXCEED THE MUNICIPAL  
BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK  
(N.J.S.A. 40A:4-45.14)**

There was a motion by Councilman Fierro, seconded by Councilman Picarelli to adopt the following Resolution In Support Of The People Of Ukraine And Their Sovereignty. On roll call vote, all members of the Council present voted in the affirmative.

**RESOLUTION NO. 54-2022**

**RESOLUTION IN SUPPORT OF THE PEOPLE OF UKRAINE  
AND THEIR SOVEREIGNTY**



WHEREAS, on January 21, 1990, more than 300,000 Ukrainians formed a human chain between Kyiv and Ivano-Frankivsk in an effort to bring forth unity and independence from the Soviet Union; and

WHEREAS, on December 1, 1991, a national referendum in support of independence was voted upon by more than 90 percent of Ukrainian citizens, with majorities in every region; and

WHEREAS, under the guise of military exercises, the Russian military conducted a large-scale buildup in and around Ukraine in March and April 2021, leaving significant military equipment behind; and

WHEREAS, subsequent thereto, in October 2021, the Russian military conducted an even larger military buildup that culminated in approximately 190,000 forces by the time of Russia's renewed full-scale incursion on February 24, 2022; and

WHEREAS, on February 21, 2022, the State Duma of Russia passed a bill that was approved by President Vladimir Putin to officially recognize the self-proclaimed Luhansk People's Republic and Donetsk People's Republic as independent, and then ordered troops into those territories after recognizing their independence; and

WHEREAS, on February 24, 2022, Russian forces, enabled by Belarus, launched its unprovoked full-scale renewed invasion of the peaceful, independent country of Ukraine; and

WHEREAS, it is the right of all countries to decide its own future, foreign policy and security arrangements free from outside interference and/or coercion; and

WHEREAS, also on February 24, 2022, the G7 issued a statement condemning the "large-scale military aggression by the Russian Federation against the territorial integrity, sovereignty and independence of Ukraine"; and

WHEREAS, on February 25, 2022, the North Atlantic Treaty Organization (NATO) condemned "in the strongest possible terms Russia's horrifying attack on Ukraine", called on Russia "to turn back from the path of violence and aggression" and reaffirmed an "iron-clad" commitment to Article 5; and

WHEREAS, the European Commission, France, Germany, Italy, the United Kingdom and Canada, along with the United States, committed to coordinated economic sanctions, including severe restrictions against Russia's Central Bank and full blocking sanctions against Vladimir Putin; and

WHEREAS, United States leadership is integral to nations around the world in condemning and imposing costs on the Russian Federation for its illegal, full-scale, renewed invasion of Ukraine; and

WHEREAS, it has been reported that Russian forces have targeted civilians which would constitute war crimes and crimes against humanity; and

WHEREAS, the United States, along with allies in Europe, the Indo-Pacific and others around the world, has been actively responding to Russia's unprovoked war of aggression against Ukraine with critical military, humanitarian and financial support for Ukraine and the Ukrainian people; and

WHEREAS, the State of New Jersey has numerous residents of Ukrainian decent, some of whom are located in the Borough of Totowa and neighboring communities; and

WHEREAS, it is in the best interests of the residents of the Borough of Totowa to support the people of Ukraine in protecting their sovereignty.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Totowa does hereby offer the following:

- Unequivocally supports Ukraine's sovereignty and territorial integrity;
- Affirms the continued use of peaceful methods including sanctions by the United States (as well as its allies and partners) to fully isolate the Putin regime economically for its unprovoked aggression against Ukraine;
- Supports the resistance by the Ukrainian people as long as the Russian Federation continues to violate Ukraine's sovereignty and territorial integrity;
- Declares that the war in Ukraine, a democratic country, represents the frontline of democracy and freedom versus authoritarianism represented by Putin's government;
- Supports the State of New Jersey's suspension of relationships with businesses and financial institutions backed by the Russian government; and
- Stands steadfastly, staunchly, proudly and fervently behind the Ukrainian people in their fight against the authoritarian Putin regime; and

BE IT FURTHER RESOLVED that the Borough Clerk shall forward certified copies of this Resolution to Governor Phil Murphy, members of the Legislature representing the 40<sup>th</sup> Legislative District, and the New Jersey State League of Municipalities.

There was a motion by Councilman Fierro, seconded by Councilman Picarelli to approve Raffle License Application Nos. 2264 & 2265 for the PTA Bloomingdale for a Tricky Tray and On-Premise 50/50 to be held on May 20, 2022 at The Barnyard & Carriage House. On roll call vote, all members of the Council present voted in the affirmative.

There was a motion by Councilman Fierro, seconded by Councilman Picarelli to approve Raffle License Application Nos. 2266 & 2267 for the HSA Fairfield for a Tricky Tray and On-Premise 50/50 to be held on April 28, 2022 at The Grand. 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.

---

Joseph Wassel, RMC  
Municipal Clerk