

BOROUGH OF TOTOWA

MINUTES OF THE MAYOR AND COUNCIL

May 12, 2020

Due to the COVID-19 (Coronavirus) pandemic this meeting was live-streamed on Facebook.

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.

Mayor Coiro announced that we are live-streaming on Facebook because of the COVID-19 outbreak and the Municipal Complex being closed to the public.

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 hold a public hearing on Ordinance No. 05-2020 as advertised. On roll call vote, all members of the Council present voted in the affirmative.

Municipal Clerk Wassel announced that Ordinance No. 05-2020 has been advertised for public hearing for Tuesday, May 12, 2020.

Municipal Clerk Wassel read the legal notice and the title of Ordinance No. 05-2020.

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.

CITIZENS HEARD:

Mayor Coiro announced that we have not received any emailed questions pertaining to Ordinance No. 05-2020.

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. 05-2020 by title:

ORDINANCE NO. 05-2020

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 was a motion by Councilman D'Angelo, seconded by Councilwoman Andriani to adopt Ordinance No. 05-2020 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.

There were no reports.

CITIZENS HEARD:

Mayor Coiro announced that we have not received any emailed questions through 7:30 p.m.

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 April 28, 2020. 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 Picarelli, seconded by Councilman D'Angelo to approve Resolution No. 2020-11 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 Introduce The 2020 Municipal Budget. On roll call vote, all members of the Council present voted in the affirmative.

RESOLUTION NO. 61-2020

RESOLUTION TO INTRODUCE THE 2020 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 2020.

BE IT FURTHER RESOLVED, that the said Budget be published in The North Jersey Herald and News in the issue of May 29, 2020, and that a hearing on the Budget will be held at the Municipal Building on June 9, 2020 at 8:00 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 Settlement Of The 2017 Tax Appeal Entitled Ralph And Dorothy Venezia V. Borough Of Totowa. On roll call vote, all members of the Council present voted in the affirmative.

RESOLUTION NO. 62-2020

RESOLUTION AUTHORIZING SETTLEMENT OF THE 2017 TAX APPEAL
ENTITLED RALPH AND DOROTHY VENEZIA V. BOROUGH OF TOTOWA

WHEREAS, there have been appeals of the real property tax assessments for the stated tax years; and

WHEREAS, each Block and Lot listed therein was assessed at the amount stated therein; and

WHEREAS, the proposed Stipulation of Settlement, a copy of which is incorporated herein as if set forth at length, has been reviewed and recommended by the Borough Tax Assessor and Borough Tax Expert; and

WHEREAS, the settlement of these matters on the attached list are in the best interest of the Borough of Totowa.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Totowa, New Jersey, as follows:

1. The Borough's Tax Appeal Attorney, Raymond B. Reddin, Esq. is authorized to execute the Stipulation of Settlement on behalf of the Borough of Totowa with respect to the tax appeals on the attached list which are currently pending in the Tax Court of New Jersey.
2. All municipal officials are hereby authorized to take whatever action may be necessary to implement the terms of this Resolution and authorizes the Special Tax Counsel to enter into the Stipulation of Settlement as provided by Taxpayer.

There was a motion by Councilman Picarelli, seconded by Councilman D'Angelo to adopt the following Resolution Authorizing Settlement Of The 2017 Tax Appeal Entitled Lena DiGangi V. Borough Of Totowa. On roll call vote, all members of the Council present voted in the affirmative.

RESOLUTION NO. 63-2020

RESOLUTION AUTHORIZING SETTLEMENT OF THE 2017 TAX APPEAL
ENTITLED LENA DIGANGI V. BOROUGH OF TOTOWA

WHEREAS, there have been appeals of the real property tax assessments for the stated tax years; and

WHEREAS, each Block and Lot listed therein was assessed at the amount stated therein; and

WHEREAS, the proposed Stipulation of Settlement, a copy of which is incorporated herein as if set forth at length, has been reviewed and recommended by the Borough Tax Assessor and Borough Tax Expert; and

WHEREAS, the settlement of these matters on the attached list are in the best interest of the Borough of Totowa.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Totowa, New Jersey, as follows:

1. The Borough's Tax Appeal Attorney, Raymond B. Reddin, Esq. is authorized to execute the Stipulation of Settlement on behalf of the Borough of Totowa with respect to the tax appeals on the attached list which are currently pending in the Tax Court of New Jersey.
2. All municipal officials are hereby authorized to take whatever action may be necessary to implement the terms of this Resolution and authorizes the Special Tax Counsel to enter into the Stipulation of Settlement as provided by Taxpayer.

There was a motion by Councilman Picarelli, seconded by Councilman D'Angelo to adopt the following Resolution Authorizing Settlement Of The 2018 Tax Appeal Entitled Rosemary Monteyne V. Borough Of Totowa. On roll call vote, all members of the Council present voted in the affirmative.

RESOLUTION NO. 64-2020

RESOLUTION AUTHORIZING SETTLEMENT OF THE 2018 TAX APPEAL
ENTITLED ROSEMARY MONTEYNE V. BOROUGH OF TOTOWA

WHEREAS, there have been appeals of the real property tax assessments for the stated tax years; and

WHEREAS, each Block and Lot listed therein was assessed at the amount stated therein; and

WHEREAS, the proposed Stipulation of Settlement, a copy of which is incorporated herein as if set forth at length, has been reviewed and recommended by the Borough Tax Assessor and Borough Tax Expert; and

WHEREAS, the settlement of these matters on the attached list are in the best interest of the Borough of Totowa.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Totowa, New Jersey, as follows:

1. The Borough's Tax Appeal Attorney, Raymond B. Reddin, Esq. is authorized to execute the Stipulation of Settlement on behalf of the Borough of Totowa with respect to the tax appeals on the attached list which are currently pending in the Tax Court of New Jersey.
2. All municipal officials are hereby authorized to take whatever action may be necessary to implement the terms of this Resolution and authorizes the Special Tax Counsel to enter into the Stipulation of Settlement as provided by Taxpayer.

There was a motion by Councilman Picarelli, seconded by Councilman D'Angelo to adopt the following Resolution Authorizing The Tax Collector To Process Third Quarter "Estimated" Tax Bills Due August 1, 2020. On roll call vote, all members of the Council present voted in the affirmative.

RESOLUTION NO. 65-2020

RESOLUTION AUTHORIZING THE TAX COLLECTOR TO PROCESS THIRD
QUARTER "ESTIMATED" TAX BILLS DUE AUGUST 1, 2020

WHEREAS, in light of the disruption caused by the coronavirus outbreak, the State delayed the adoption of the State Fiscal Year 2021 Budget to September 30, 2020; and

WHEREAS, the Division of Local Government Services (DLGS) cannot certify State Aid allocations to municipal budgets until State Aid Appropriations are known; and

WHEREAS, the DLGS cannot approve municipal budgets and the County Board of Taxation cannot certify taxes until long after the June 30, 2020 deadline to process third quarter tax bills due August 1, 2020; and

WHEREAS, without an adopted 2020 Municipal Budget and without a 2020 Certified Tax Rate, the Tax Collector cannot process the 2020 Tax Levy; and

WHEREAS, the DLGS “strongly recommends” under Local Finance Notice 2020-07 “that municipalities prepare to issue estimated property tax bills for 2020”; and

WHEREAS, the Tax Collector, in consultation with the Chief Financial Officer, computed and certified an estimated Tax Levy necessary to bill third quarter taxes due on August 1, 2020.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Totowa, in the County of Passaic and the State of New Jersey that the Tax Collector is hereby authorized and directed to process estimated tax bills for the third quarter installment of 2020 taxes.

BE IT FURTHER RESOLVED, that the third quarter installment of 2020 taxes shall not be subject to interest until the latter of August 10, 2020 or the twenty-fifth (25) calendar day after the date the estimated tax bills were mailed.

BE IT FURTHER RESOLVED, that the estimated tax bills shall contain a notice specifying the date on which interest may begin to accrue.

BE IT FURTHER RESOLVED, that the Tax Collector is hereby authorized to prepare and issue estimated tax bills for the third quarter installment of 2020 based upon an annualized levy analysis totaling \$56,339,963.96.

BE IT FURTHER RESOLVED, that the Tax Collector shall proceed and take such actions as are permitted and required by P.L 1994, c.72 (N.J.S.A. 54:4-66.2 and 54:4-66.3).

PERMISSIVE ESTIMATED TAX LEVY RANGE
RANGE 5% LOWER TO 5% HIGHER THAN PREVIOUS YEAR'S LEVY

2019 TOTAL TAX LEVY	\$55,235,258.78
95% LEVY	\$52,473,495.84
105% LEVY	\$57,997,021.72
2019 TAX RATE	\$2.388
95% RATE	\$2.269
105% RATE	\$2.507

COMMITTEE ON PUBLIC SAFETY:

There was a motion by Councilman D'Angelo, seconded by Councilman Capo 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 And To Accept The Grant Funding. On roll call vote, all members of the Council present voted in the affirmative.

RESOLUTION NO. 66-2020

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
AND TO ACCEPT THE GRANT FUNDING

WHEREAS, the Mayor and Council of the Borough of Totowa wishes to apply for funding of approximately \$60,000 with a match of \$344,955 for an approximate project total cost of \$404,955 for a project under the State of New Jersey Safe and Secure Communities Program Grant # 20-1612 for the period of 01/25/2020 to 01/24/2021; 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 and to accept the grant funding.
- 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.

COMMITTEE ON PUBLIC WORKS:

Upon the recommendation of the Committee, there was a motion to appoint Sean Yennie as a Foreman of Public Works. On roll call vote, all members of the Council present voted in the affirmative.

MAYOR'S APPOINTMENT

I, Mayor John Coiro, with the advice and consent of the Council do hereby appoint Sean Yennie as a Foreman of Public Works for a one year term effective June 1, 2020 and ending December 31, 2020

There was a motion by Councilman D'Angelo, seconded by Councilwoman Andriani to confirm the appointment. On roll call vote, all members of the Council present voted in the affirmative.

COMMITTEE ON ENGINEERING & PUBLIC PROPERTY:

There was a motion by Councilman Capo, seconded by Councilwoman Andriani to adopt the following Resolution Authorizing Additional Installation Of Virus Shielding Barrier System For The Borough Of Totowa Building Department Office. On roll call vote, all members of the Council present voted in the affirmative.

RESOLUTION NO. 67-2020

RESOLUTION AUTHORIZING ADDITIONAL INSTALLATION OF
VIRUS SHIELDING BARRIER SYSTEM FOR THE
BOROUGH OF TOTOWA BUILDING DEPARTMENT OFFICE

WHEREAS, SARS-CoV-2 is the virus that causes Coronavirus Disease 19 (“Covid-19”), a contagious and at times fatal, respiratory disease; and

WHEREAS, by Executive Order No. 103 dated March 9, 2020, Governor Phil Murphy declared a Public Health Emergency and State of Emergency in the State of New Jersey in response to the Covid-19 outbreak; and

WHEREAS, by Executive Order No. 107 dated March 21, 2020, Governor Murphy further ordered that all residents of the State of New Jersey were to remain at home and closed all non-essential businesses; and

WHEREAS, in accordance with Executive Order No. 107, the Mayor and Council of the Borough of Totowa directed the Borough of Totowa to close all municipal offices to the public; and

WHEREAS, in anticipation of re-opening the municipal offices to the public, the Municipal Clerk of the Borough of Totowa had recommended that virus shielding barrier systems be installed within the various municipal offices as a measure to protect our workers from exposure to, and infection with Covid-19; and

WHEREAS, by Resolution No. 59-2020 dated April 28, 2020, the Mayor and Council of the Borough of Totowa had authorized Clear Security Systems, 759 Bloomfield Avenue, Suite 356, West Caldwell, New Jersey 07006 to provide the necessary labor and materials for the installation of virus shielding barrier systems for the Borough of Totowa Municipal Offices; and

WHEREAS, the Building Subcode Official for the Borough of Totowa has requested that the barrier be extended along the right end wall and that the pass-through window be enlarged in the Borough of Totowa Building Department Office; and

WHEREAS, Clear Security Systems has submitted a proposal dated May 5, 2020 for the additional virus shielding barrier system to be installed in the Borough of Totowa Building Department Office in the amount of \$860.00 for a new total cost of \$7,010.00 for the Building Department Office, 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 desire to authorize the installation of the extended and enlarged virus shielding barrier system for the Building Department Office for the general health, safety and well-being of both the employees and residents of the Borough of Totowa.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Totowa do hereby authorize the Clear Security Systems to provide the labor and materials for the additional installation of the virus shielding barrier system for the Borough of Totowa Building Department.

COMMITTEE ON LIAISON & INSPECTION:

A letter of resignation was received from Denise Zarek as Municipal Housing Liaison. There was a motion by Councilwoman Andriani, seconded by Councilman Bucher to accept her resignation and send her a letter of thanks. 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 Councilwoman Andriani, seconded by Councilman Bucher to appoint Judy Wright as Municipal Housing Liaison. On roll call vote, all members of the Council present voted in the affirmative.

MAYOR'S APPOINTMENT

I, Mayor John Coiro, with the advice and consent of the Council
do hereby appoint Judy Wright as Municipal Housing Liaison
for a one year term effective 18, 2020 and ending December 31, 2020

There was a motion by Councilman D'Angelo, seconded by Councilwoman Andriani to confirm the appointment. 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 Councilwoman Andriani, seconded by Councilman Bucher to appoint Allan Burghardt as Flood Plain Administrator. On roll call vote, all members of the Council present voted in the affirmative.

MAYOR'S APPOINTMENT

I, Mayor John Coiro, with the advice and consent of the Council do hereby appoint Allan Burghardt as Flood Plain Administrator for a one year term effective 18, 2020 and ending December 31, 2020

There was a motion by Councilman D'Angelo, seconded by Councilwoman Andriani to confirm the appointment. On roll call vote, all members of the Council present voted in the affirmative.

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. 06-2020

CALENDAR YEAR 2020 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 Councilwoman Palazzo, seconded by Councilman Picarelli to adopt the following Proclamation In Honor Of The 100th Birthday Of Mary E. Riker. On roll call vote, all members of the Council present voted in the affirmative.

PROCLAMATION IN HONOR OF THE 100TH BIRTHDAY OF MARY E. RIKER

WHEREAS, Mary E. Riker was born in Clifton, New Jersey on April 30, 1920 to Joseph and Syrena Temple and moved to Totowa in 1930 where her family lived on a large parcel of land located at the corner of Riverview Drive and Lackawanna Avenue and they raised chickens, goats and sheep; and

WHEREAS, Mary E. Riker graduated from Central High School in 1936 attaining the rank of #1 and went on to receive a teaching degree in English and Social Studies from the New Jersey State Teachers College at Montclair (now Montclair State University); and

WHEREAS, Mary E. Riker was hired as a teacher by the Totowa Board of Education in September of 1942 where she spent 24 years in the classroom, 5 years as a reading specialist and 9 years as Director Of Curriculum until her retirement in June of 1980; and

WHEREAS, Mary married Charles E. Riker on July 1, 1944 and they were happily married for 54 years. They raised 2 daughters, Syrena Chelednik and Carol Miller, and were blessed with 4 grandsons, Charles, Robert, Christopher and Andrew; and

WHEREAS, after retiring from teaching, Mary co-founded the Totowa Happy Seniors Group, joined the Totowa Historical Society and was an active member of the Totowa United Methodist Church; and

WHEREAS, Mary E. Riker moved to Little Falls in 1995 and became active in the Little Falls Jolly Seniors, Little Falls Chapter of the Eastern Star and the Little Falls Methodist Church where she taught Sunday school for many years; and

WHEREAS, Mary spends her time reading, knitting, doing crossword puzzles, baking and watching her favorite channel, The Food Network; and

WHEREAS, the Mayor and Council of the Borough of Totowa wish to publicly honor Mary E. Riker on her 100th birthday.

NOW, THEREFORE, BE IT PROCLAIMED, by the Mayor and Council of the Borough of Totowa, County of Passaic and State of New Jersey that special recognition be given to Mark E. Riker as she celebrates her 100th birthday.

BE IT FURTHER PROCLAIMED, that this Proclamation be made a part of the permanent records of the Borough of Totowa.

There was a motion by Councilwoman Palazzo, seconded by Councilman Picarelli to approve the Applications to Amend Raffle License Application Nos. 2186 & 2187 for Rosemarie's Rescue Ranch to change the date from May 14, 2020 to September 24, 2020. On roll call vote, all members of the Council present voted in the affirmative.

Mayor Coiro reminded everyone that our next Council Meeting will be in two weeks on May 26th, which will be our Youth Week Meeting and will be held virtually on Zoom.

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