

BOROUGH OF TOTOWA

MINUTES OF THE MAYOR AND COUNCIL

July 25, 2023

PRESENT: Mayor John Coiro, presiding, Council President Lou D'Angelo, Councilman Anthony Picarelli, Councilman Patrick Fierro, Councilman Sanders Reynoso, Municipal Clerk Joseph Wassel and Municipal Attorney Kristin Corrado.

ABSENT: Councilman William Bucher 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.

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.

Councilman Reynoso: Announced that the regular Summer Concert scheduled for August 2nd, will now be held on Tuesday, August 1st at the PBA's National Night Out event.

CITIZENS HEARD:

There were no citizens who wished to be heard.

There was a motion by Councilman D'Angelo, seconded by Councilman Reynoso to approve the Minutes of the Mayor and Council for the meeting of July 11, 2023. On roll call vote, all members of the Council present voted in the affirmative. Councilman Picarelli and Councilman Fierro abstained from the voting.

COMMITTEE ON FINANCE:

There was a motion by Councilman Picarelli, seconded by Councilman D'Angelo to approve Resolution No. 2023-16 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 Settlement Of The 2022 And 2023 Tax Appeals Entitled Kanani V. Borough Of Totowa. On roll call vote, all members of the Council present voted in the affirmative.

RESOLUTION NO. 82-2023

RESOLUTION AUTHORIZING SETTLEMENT OF THE 2022 AND 2023 TAX APPEALS ENTITLED KANANI 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 2021 And 2022 Tax Appeals Entitled Totowa Plaza Assoc. LLC V. Borough Of Totowa. On roll call vote, all members of the Council present voted in the affirmative.

RESOLUTION NO. 83-2023

RESOLUTION AUTHORIZING SETTLEMENT OF THE 2021 AND 2022 TAX APPEALS ENTITLED TOTOWA PLAZA ASSOC. LLC 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.

COMMITTEE ON PUBLIC SAFETY:

There was a motion by Councilman D'Angelo, seconded by Councilman Picarelli to approve the Junior Firefighter Application for Jake Anthony Marretta for Riverview Park Fire Company. On roll call vote, all members of the Council present voted in the affirmative.

COMMITTEE ON PUBLIC WORKS:

There was a motion by Councilman Fierro, seconded by Councilman D'Angelo to adopt the following Resolution Authorizing The Purchase And Delivery Of One E42 R2-Series Bobcat Compact Excavator For The Department Of Public Works. On roll call vote, all members of the Council present voted in the affirmative.

RESOLUTION NO. 84-2023

RESOLUTION AUTHORIZING THE PURCHASE AND DELIVERY OF ONE E42 R2-SERIES BOBCAT COMPACT EXCAVATOR FOR THE DEPARTMENT OF PUBLIC WORKS

WHEREAS, the Borough of Totowa Department of Public Works ("DPW") Superintendent has requested the purchase of one E42 R2-Series Bobcat Compact Excavator; and

WHEREAS, the Mayor and Council of the Borough of Totowa have determined that there is a need for this equipment to be added to the DPW inventory; and

WHEREAS, the Mayor and Council of the Borough of Totowa desire to authorize the purchase and delivery of the E42 R2-Series Bobcat Compact Excavator; and

WHEREAS, Bergen County Co-op Buying Group Contract No. CK-04 has been awarded to Bobcat of North Jersey, 201 Maltese Drive, Totowa, New Jersey 07512 for the purchase and delivery of E42 R2-Series Bobcat Compact Excavators and all related equipment; and

WHEREAS, Bobcat of North Jersey has submitted a proposal for the purchase and delivery of one new 2023 E42 R2-Series Bobcat Compact Excavator in the amount of \$48,756.00, 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 equipment 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 new 2023 E42 R2-Series Bobcat Compact Excavator from Bobcat of North Jersey in the amount of \$48,756.00.

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.

COMMITTEE ON ENGINEERING & PUBLIC PROPERTY:

There was a motion by Councilman Reynoso, seconded by Councilman Picarelli to approve Payment Estimate No. 1 in the amount of \$18,216.47 to National Water Main for the FY2020 & FY2021 CDBG – Phases X & XI Sanitary Sewer Main Rehabilitation. On roll call vote, all members of the Council present voted in the affirmative.

There was a motion by Councilman Reynoso, seconded by Councilman Picarelli to add the following item to the agenda. On roll call vote, all members of the Council present voted in the affirmative.

A letter was received from residents of Raphael Road requesting permission to have a block party on August 12, 2023 from 3:00 – 10:00 p.m. between Rosengren Avenue and Mitchell Avenue. There was a motion by Councilman Reynoso, seconded by Councilman Picarelli to grant permission for the Raphael Road Block Party. On roll call vote, all members of the Council present voted in the affirmative.

COMMITTEE ON LIAISON & INSPECTION:

Upon the recommendation of the Committee, there was a motion by Councilman Reynoso, seconded by Councilman Fierro to appoint Lynn Tedeschi as a Board of Adjustment Commissioner – Alternate #1. 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 Lynn Tedeschi as a Board of Adjustment Commissioner - Alternate #1 for an unexpired term ending December 31, 2024.

There was a motion by Councilman Reynoso, seconded by Councilman Fierro 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 Councilman Fierro, seconded by Councilman Picarelli to adopt the following Resolution Designating July As Park And Recreation Month. On roll call vote, all members of the Council present voted in the affirmative.

RESOLUTION NO. 85-2023

RESOLUTION DESIGNATING JULY AS PARK AND RECREATION MONTH

WHEREAS parks and recreation are an integral part of communities throughout this country, including the Borough of Totowa; and

WHEREAS parks and recreation promote health and wellness, improving the physical and mental health of people who live near parks; and

WHEREAS parks and recreation promote time spent in nature, which positively impacts mental health by increasing cognitive performance and well-being, and alleviating illnesses such as depression, attention deficit disorders, and Alzheimer's; and

WHEREAS parks and recreation encourage physical activities by providing space for popular sports, hiking trails, swimming pools and many other activities designed to promote active lifestyles; and

WHEREAS parks and recreation are a leading provider of healthy meals, nutrition services and education; and

WHEREAS park and recreation programming and education activities, such as out-of-school time programming, youth sports and environmental education, are critical to childhood development; and

WHEREAS parks and recreation increase a community's economic prosperity through increased property values, expansion of the local tax base, increased tourism, the attraction and retention of businesses, and crime reduction; and

WHEREAS parks and recreation are fundamental to the environmental well-being of our community; and

WHEREAS parks and recreation are essential and adaptable infrastructure that makes our communities resilient in the face of natural disasters and climate change; and

WHEREAS our parks and natural recreation areas ensure the ecological beauty of our community and provide a place for children and adults to connect with nature and recreate outdoors; and

WHEREAS the U.S. House of Representatives has designated July as Parks and Recreation Month; and

WHEREAS the Mayor and Council of the Borough of Totowa hereby recognize the benefits derived from parks and recreation resources.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Totowa hereby declare that July is recognized as Park and Recreation Month in the Borough of Totowa.

There was a motion by Councilman Fierro, seconded by Councilman Picarelli to approve Raffle License Application No. 2320 for UNICO of Fairfield for an On-Premise 50-50 to be held on October 19, 2023 at Nicola's Ristorante. 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. 2321 & 2322 for St. James of the Marches Church for a Tricky Tray and On-Premise 50-50 to be held on December 3, 2023. 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 Councilman Picarelli that the meeting be adjourned. On roll call vote, all members of the Council present voted in the affirmative.

Joseph Wassel, RMC
Municipal Clerk