

BOROUGH OF TOTOWA

MINUTES OF THE MAYOR AND COUNCIL

January 9, 2024

PRESENT: Mayor John Coiro, presiding, Council President Lou D'Angelo, Councilman Anthony Picarelli, Councilman William Bucher, Councilman John Capo, Councilman Patrick Fierro, Councilman Sanders Reynoso, 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 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.

Mayor Coiro: Congratulated our Attorney Kristin Corrado on being sworn in today as Senator for another 4 years.

Councilman Reynoso: Said that at the end of December we had a drive by with our decorated Fire Trucks and Salomone Bros. decorated trucks for one of our young residents, Sophie and thanked Vinnie Marciano and Carolyn Fontanella for arranging it.

CITIZENS HEARD:

Paul Bastante: Said he is a film producer, part time actor and owner of Silk City Films, which specializes in historical documentaries of local towns. Stated he just recently completed one on Wayne and said it was very successful and he was here to let the Mayor and Council know that he wants to do one on Totowa and would like to have their blessing. Commented that he would be using a drone along with contemporary filming techniques, and would like to talk to the Mayor and Council, do some ride-a-longs, etc. Questions were asked by Mayor Coiro, Council President D'Angelo, Councilman Capo and Councilman Reynoso and a conversation ensued.

There was a motion by Councilman Picarelli, seconded by Councilman Bucher to approve the Minutes of the Mayor and Council for the meeting of December 12, 2023. On roll call vote, all members of the Council present voted in the affirmative. Councilman D'Angelo abstained from the voting.

There was a motion by Councilman D'Angelo, seconded by Councilman Picarelli to approve the Minutes of the Mayor and Council for the Reorganization Meeting of January 1, 2024. On roll call vote, all members of the Council present voted in the affirmative.

COMMITTEE ON FINANCE:

There was a motion by Councilman Picarelli, seconded by Councilman D'Angelo to approve Resolution No. 2024-02 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 Tax Collector to process the cancellation of any property tax refund, delinquency or charge and fee imposed by the municipality of less than \$10.00 for the year 2023. On roll call vote, all members of the Council present voted in the affirmative.

RESOLUTION

WHEREAS, there are taxpayers who have a property tax refund, delinquency or charge and fee imposed by the municipality of less than \$10.00 on their accounts regarding property taxes for the year 2023; and

WHEREAS, the Governing Body of the Borough of Totowa may authorize a municipal employee to process the cancellation of any property tax refund, delinquency or charge and fee imposed by the municipality of less than \$10.00.

NOW, THEREFORE, BE IT RESOLVED, by the Governing Body of the Borough of Totowa that the Tax Collector is hereby authorized to process the cancellation of any property tax refund, delinquency or charge and fee imposed by the municipality of less than \$10.00 for the year 2023.

There was a motion by Councilman Picarelli, seconded by Councilman D'Angelo to carry the Resolution Authorizing Settlement Of The 2022 & 2023 Tax Appeals Entitled Totowa Beacon V. Borough Of Totowa for further information from our Tax Attorney. 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 2023 Tax Appeal Entitled Totowa Plaza Route 46 LLC V. Borough Of Totowa. On roll call vote, all members of the Council present voted in the affirmative.

RESOLUTION NO. 27-2024

RESOLUTION AUTHORIZING SETTLEMENT OF THE 2023 TAX APPEAL ENTITLED TOTOWA PLAZA ROUTE 46 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 Capo to approve a grade increase for Patrol Officer Fina Matranga from Grade 5 to Grade 4. 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 approve the Junior Firefighter Application for Mathew Sebastian Ulloa for Fire Rescue. On roll call vote, all members of the Council present voted in the affirmative.

COMMITTEE ON PUBLIC WORKS:

There was no report.

COMMITTEE ON ENGINEERING & PUBLIC PROPERTY:

There was a motion by Councilman Capo, seconded by Councilman Reynoso to adopt the following Resolution Authorizing The Sale Of Real Property And Reservation Of Rights For The Property Identified As Block 170.02, Lot 2 In The Borough Of Totowa. On roll call vote, all members of the Council present voted in the affirmative.

RESOLUTION NO. 28-2024

RESOLUTION AUTHORIZING THE SALE OF REAL PROPERTY AND RESERVATION OF RIGHTS FOR THE PROPERTY IDENTIFIED AS BLOCK 170.02, LOT 2 IN THE BOROUGH OF TOTOWA

WHEREAS, the Borough of Totowa owns property identified as Block 170.02, Lot 2 on the official Tax Map of the Borough of Totowa and located at 200 West End Road (the "Property"); and

WHEREAS, the Property measures approximately 389,426 square feet (8.94 acres) in total land area and is located in the 1-3 Restricted Industry Zone; and

WHEREAS, N.J.S.A. 40A:12-13(a) authorizes local government units to sell real property owned by the governmental unit, not needed for public use, by open public sale at auction to the highest bidder; and

WHEREAS, the Mayor and Council of the Borough have determined that this property is not needed for public use; and

WHEREAS, the property was previously subdivided into 3 contiguous lots identified as Parcel A, Parcel B and Parcel C; and

WHEREAS, by Resolution No. 60-2010 dated June 15, 2010, the Mayor and Council of the Borough of Totowa authorized the leasing of Parcel A and B; and

WHEREAS, by Resolution No. 105-2011 dated December 13, 2011 and Resolution No. 106-2011 dated December 13, 2011, the Mayor and Council of the Borough of Totowa authorized land leases for Parcels A and B which will expire in 2027; and

WHEREAS, the Mayor and Council have determined that the 3 contiguous parcels shall be publicly sold as one lot; and

WHEREAS, N.J.S.A. 40A:12-13(a) also provides that the Governing Body may fix a minimum price for the public sale of real property; and

WHEREAS, the Borough Council has determined that \$10,500,000.00 is the fair market value for the Property and the buyer shall be responsible for all of the costs of the Borough in this sale; and

WHEREAS, bids will be solicited for the sale of the property identified as Block 170.02, Lot 2 on the official Tax Map of the Borough of Totowa and located at 200 West End Road; and

WHEREAS, pursuant to the provisions of N.J.S.A. 40A:12-14(a), the governing body may fix a minimum sale price with the reservation of the right to reject all bids where the highest bid is not accepted; and

WHEREAS, N.J.S.A. 40A:12-14(a) further provides that upon completion of the bidding the highest bid may be accepted, or all of the bids may be rejected.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Totowa do hereby authorize the sale of the property identified as Block 170.02, Lot 2 on the official Tax Map of the Borough of Totowa and located at 200 West End Road.

BE IT FURTHER RESOLVED, that the Mayor and Council of the Borough of Totowa do hereby establish a minimum sales price of \$10,500,000.00 for the Property.

BE IT FURTHER RESOLVED, that the Mayor and Council of the Borough of Totowa do hereby reserve the right to reject all bids where the highest bid is not accepted.

BE IT FURTHER RESOLVED, that the advertisement for the public sale of this Property shall include notice of the minimum rent and the reservation of rights.

COMMITTEE ON LIAISON & INSPECTION:

MAYOR'S APPOINTMENT

I, Mayor John Coiro, do hereby appoint Robert W. Coyle as Planning Board Commissioner Class IV (Alt. 2) for a two-year unexpired term ending December 31, 2025.

The above appointment is a Mayor's appointment and does not require Council consent or confirmation.

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. 01-2024

AN 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 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. 02-2024

**AN ORDINANCE OF THE BOROUGH OF TOTOWA AUTHORIZING
THE PUBLIC SALE OF MUNICIPAL OWNED PROPERTY IDENTIFIED
AS BLOCK 170.02, LOT 2 ON THE OFFICIAL TAX MAP OF THE
BOROUGH OF TOTOWA PURSUANT TO N.J.S.A. 40A:12-13(A)**

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. 03-2024

**AN ORDINANCE TO AMEND THE CODE OF THE BOROUGH OF TOTOWA
CHAPTER 72 ENTITLED "PERSONNEL POLICIES", ARTICLE IV, "HOLIDAYS
AND VACATIONS", SECTION 20, "HOLIDAYS DESIGNATED"**

Councilman D'Angelo mentioned that today is Law Enforcement Appreciation Day and acknowledged Police Chief Carmen Veneziano, Captain George DiPasquale and Detective Sergeant Gary Bierach who were in attendance.

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