

BOROUGH OF TOTOWA

MINUTES OF THE MAYOR AND COUNCIL

November 14, 2023

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

ABSENT: Councilman William Bucher.

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: 1) Said that though the final, final results aren't in yet, congratulated our Attorney Kristin Corrado on her reelection to the Senate and her running mates election victories to the Assembly; 2) Congratulated our local Council winners, Sanders Reynoso who is here tonight and Billy Bucher on their election victories.

Councilman D'Angelo: Echoed the Mayor's sentiments.

Councilman Reynoso: 1) Thanked our residents for their overall support for him and Billy

and congratulated Kristin on being reelected as our Senator; 2) Reminded everyone about the upcoming Turkey Trot and that there will be a fundraiser Strides for Sophie – a local girl – to help offset some of her medical expenses; 3) Mentioned that on Saturday, November 25th the Fire Departments from Totowa, West Paterson and Little Falls will hold their annual Holiday Parade.

CITIZENS HEARD:

Iram Granados, 36 William Place: Said that his neighbor is replacing his sanitary sewer line and it isn't being replaced correctly which will cause the road to sink. Mayor Coiro: Told Mr. Granados that he knew that he called his office, so he contacted the Construction Official, who informed him that Sewer Department personnel were onsite and told the property owner what needed to be done. A conversation ensued between Mr. Granados and Mayor Coiro. Mayor Coiro: Informed Mr. Granados that he would again contact our Construction Official to get some clarification on this situation and let him know.

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 October 24, 2023. On roll call vote, all members of the Council present voted in the affirmative. 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. 2023-23 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 a tax refund for Carlos Viera, 228 Totowa Road, Block 19, Lot 15 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, Carlos Viera, 228 Totowa Road, Block 19 Lot 15 was granted 100% exemption for a 100% permanent and total disability; and

WHEREAS, his 100% exemption became effective January 4, 2023; and

WHEREAS, Corelogic paid 1st, 2nd, 3rd, and 4th quarter taxes in the amount of \$7,087.57; and

WHEREAS, Carlos Viera is entitled to a refund in the amount \$7,087.57.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Totowa that the Treasurer is authorized to refund \$7,087.57 to Carlos Viera.

There was a motion by Councilman Picarelli, seconded by Councilman D'Angelo to adopt the following Resolution Authorizing Settlement Of The 2021, 2022 & 2023 Tax Appeals Entitled Ratan Totowa LLC V. Borough Of Totowa. On roll call vote, all members of the Council present voted in the affirmative.

RESOLUTION NO. 108-2023

RESOLUTION AUTHORIZING SETTLEMENT OF THE 2021, 2022 & 2023 TAX APPEALS ENTITLED RATAN TOTOWA 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.

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 Abukuwaik Ghada V. Borough Of Totowa. On roll call vote, all members of the Council present voted in the affirmative.

RESOLUTION NO. 109-2023

RESOLUTION AUTHORIZING SETTLEMENT OF THE 2023 TAX APPEAL ENTITLED ABUKUWAIK GHADA 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 2020, 2021, 2022 & 2023 Tax Appeals Entitled Totowa Associates V. Borough Of Totowa. On roll call vote, all members of the Council present voted in the affirmative.

RESOLUTION NO. 110-2023

RESOLUTION AUTHORIZING SETTLEMENT OF THE 2020, 2021, 2022 & 2023 TAX APPEALS ENTITLED TOTOWA ASSOCIATES 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 To Acknowledge Receipt Of And Accept The 2022 Audit Corrective Action Plan. On roll call vote, all members of the Council present voted in the affirmative.

RESOLUTION NO. 111-2023

RESOLUTION TO ACKNOWLEDGE RECEIPT OF AND ACCEPT
THE 2022 AUDIT CORRECTIVE ACTION PLAN

WHEREAS, by Resolution No. 21-2023 dated January 1, 2023, the Mayor and Council of the Borough of Totowa authorized the firm of Lerch, Vinci & Bliss, LLP, 17-17 Route 208, Fair Lawn, New Jersey 07410, to serve as the Municipal Auditor for the Borough of Totowa; and

WHEREAS, the professional services to be provided by the Municipal Auditor include but are not limited to auditing the financial statements for the Borough of Totowa; preparing the unaudited annual financial statement; review and certification of the annual budget; and preparing the annual debt statement and performing all general auditing services as needed; and

WHEREAS, the Municipal Auditor has completed the Borough of Totowa, Passaic County, New Jersey Report of Audit Year Ended December 31, 2022; and

WHEREAS, the Municipal Clerk and Chief Financial Officer/Treasurer prepared the 2022 Audit Corrective Action Plan based on the recommendations listed in the Audit Report, a copy of which is on file in the office of the Borough of Totowa Municipal Clerk; and

WHEREAS, copies of the 2022 Audit Corrective Action Plan have been distributed to the Mayor and Council of the Borough of Totowa and the Recommendations and 2022 Audit Corrective Action Plan have been forwarded to all affected personnel.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Totowa do hereby acknowledge receipt of and accept the 2022 Audit Corrective Action Plan as prepared by the Municipal Clerk and Chief Financial Officer/Treasurer.

There was a motion by Councilman Picarelli, seconded by Councilman D'Angelo to acknowledge receipt and discussion of the 2023 Municipal Best Practices Inventory. Mayor Coiro announced that we scored a 34.50 and a score of 29 + results in no aid being withheld from the municipality. The Worksheet was certified by Chief Administrative Officer/Municipal Clerk Joseph Wassel (C-0791) and Chief Financial Officer Lisa Nash (N-931). 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 carry the Resolution Authorizing The Purchase And Installation Of Office Furniture For The Totowa Police Department Detective Bureau. 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 Romeo Luis Beco for Fire Rescue Company No. 4. 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 approve Payment Estimate No. 4 in the amount of \$472,240.93 to Pact Two, LLC for the William Place Pump Station Improvements. On roll call vote, all members of the Council present voted in the affirmative.

A letter was received from Fire Chief Rich Schopperth advising of this year's Annual Holiday Parade and requesting permission to use the Municipal Parking Lot on Saturday, November 25, 2023. There was a motion by Councilman Capo, seconded by Councilman Reynoso to grant permission. On roll call vote, all members of the Council present voted in the affirmative.

A letter was received from the Totowa Seniors requesting permission to use the Municipal Parking Lot on Monday, March 4, 2024 for a trip to Wind Creek Casino in Bethlehem, PA. There was a motion by Councilman Capo, seconded by Councilman Reynoso 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 Councilman Fierro, seconded by Councilman Picarelli to adopt the following Resolution Authorizing The Mayor Of The Borough Of Totowa To Sign Letters To The Board Of Public Utilities In Support Of And On Behalf Of Community Solar Project Applications. On roll call vote, all members of the Council present voted in the affirmative.

RESOLUTION NO. 112-2023

RESOLUTION AUTHORIZING THE MAYOR OF THE BOROUGH OF TOTOWA TO
SIGN LETTERS TO THE BOARD OF PUBLIC UTILITIES IN SUPPORT OF
AND ON BEHALF OF COMMUNITY SOLAR PROJECT APPLICATIONS

WHEREAS, solar energy is an abundant, renewable, and non-polluting energy resource;
and

WHEREAS, it is the intention of the Borough of Totowa to support community solar development for the purpose of achieving the multiple economic, health, environmental, and educational benefits of solar energy, while maintaining the community character, design standards, and livability; and

WHEREAS, solar energy facilities and technologies can be positioned in the Borough of Totowa and implemented to ensure the maximum use of solar energy in the community;
and

WHEREAS, the arrangement of solar energy facilities can greatly reduce the cost and consumption of energy while lowering carbon emissions and reducing fossil fuel conceptions; and

WHEREAS, in order to ensure our residents and businesses enjoy the many benefits of community solar development, the Mayor and Council of the Borough of Totowa wish to participate in the New Jersey Community Solar Program by supporting applications before the Board of Public Utilities.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough Council of the Borough of Totowa, County of Passaic, State of New Jersey, supports community solar development and authorizes the Mayor to execute all requests for a letter in support of projects proposed in the Borough of Totowa for community solar development.

BE IT FURTHER RESOLVED, that the Borough of Totowa's "support" of an application before the Board of Public Utilities for a community solar development project does not signify or imply "approval" of the project. Any and all necessary and ordinary approvals from Borough departments, boards, committees, and/or other agencies are the responsibility of the applicant.

BE IT FURTHER RESOLVED, that a copy of each signed letter shall be filed in the Municipal Clerk's office, the Department of Community Development, with a copy to each member of the Municipal Council.

There was a motion by Councilman Fierro, seconded by Councilman Picarelli to approve Raffle License Application Nos. 2340 & 2341 for the Organization of Chinese Americans – New Jersey Chapter for a Tricky Tray and On-Premise 50/50 to be held on December 9, 2023 at The Grand. 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 No. 2342 for the Silk City Pearls, Inc. for an On-Premise 50/50 to be held on April 20, 2024 at The Grand. 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. 2343 & 2344 for the Most Blessed Sacrament RC Church for a Tricky Tray and On-Premise 50/50 to be held on December 2, 2023 at The Barnyard and 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 No. 2345 for the Wayne Hills Baseball Booster Club for a Tricky Tray to be held on December 7, 2023 at The Barnyard and Carriage House. 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