

BOROUGH OF TOTOWA

MINUTES OF THE MAYOR AND COUNCIL

March 12, 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.

There was a motion by Councilman D'Angelo, seconded by Councilman Picarelli to dispense with the regular order of business in order to hold a public hearing on the 2024 Passaic County Open Space and Farmland Preservation Trust Fund grant application for the installation of upgraded playground equipment and rubberized safety surface at the Washington Park Playground as advertised. On roll call vote, all members of the Council present voted in the affirmative.

Municipal Clerk Wassel announced that the 2024 Passaic County Open Space and Farmland Preservation Trust Fund grant application for the Washington Park Playground Project has been advertised for public hearing for Tuesday, March 12, 2024.

Municipal Clerk Wassel read the Open Space Public Hearing Notice.

There was a motion by Councilman D'Angelo, seconded by Councilman Picarelli to open the public hearing. On roll call vote, all members of the Council present voted in the affirmative.

Mayor Coiro asked if any citizens wish to be heard on the 2024 Open Space grant application.

CITIZENS HEARD:

There were no citizens who wished to be heard.

There was a motion by Councilman D'Angelo, seconded by Councilman Picarelli to close the public hearing. 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 Picarelli to adopt the following Resolution Authorizing A Grant Application To The Passaic County Open Space, Farmland And Historic Preservation Trust Fund For The Washington Park Playground Project By The Borough Of Totowa. On roll call vote, all members of the Council present voted in the affirmative.

RESOLUTION NO. 53-2024

**RESOLUTION AUTHORIZING A GRANT APPLICATION
TO THE PASSAIC COUNTY OPEN SPACE, FARMLAND
AND HISTORIC PRESERVATION TRUST FUND FOR THE
WASHINGTON PARK PLAYGROUND PROJECT
BY THE BOROUGH OF TOTOWA**

WHEREAS, the Passaic County Board of County Commissioners (hereafter "Board") provide grants to municipalities and qualified non-profit corporations for the assistance in acquisition, development, stewardship and historic preservation from the Passaic County Open Space, Farmland and Historic Preservation Trust Fund (hereafter "Trust Fund"); and

WHEREAS, the BOROUGH OF TOTOWA desires to further the public interest by obtaining funding in the amount of \$193,763 from the Board for the County to fund the WASHINGTON PARK PLAYGROUND PROJECT at a cost of \$193,763; and

WHEREAS, the Board shall determine if the application is complete and in conformance with the scope and intent of the Trust Fund program and the rules and regulations established pursuant to R20170349, and any subsequent Resolutions passed by the Board governing the administration of the Trust Fund.

NOW, THEREFORE, BE IT RESOLVED, BY THE GOVERNING BODY OF THE BOROUGH OF TOTOWA AS FOLLOWS:

1. The MAYOR OF THE BOROUGH OF TOTOWA is authorized to make application, provide all required information and documents as required, and correspond as necessary for a grant to the Passaic County Open Space, Farmland and Historic Preservation Trust Fund.
2. That the MAYOR OF THE BOROUGH OF TOTOWA is hereby authorized to execute a grant agreement and any amendment thereto with the County of Passaic for the WASHINGTON PARK PLAYGROUND PROJECT.
3. That, if the funds provided by the County are less than the total project cost specified above, the applicant has the balance of funding necessary to complete the project.
4. That, the applicant agrees to comply with all applicable federal, State, County, and local laws, rules, and regulations in its performance of the project.
5. That this Resolution shall take effect immediately.

There was a motion by Councilman D'Angelo, seconded by Councilman Picarelli 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.

Councilman D'Angelo: 1) Said that today is Law Enforcement Appreciation Day and thanked our Police Department; 2) Thanked our Fire Department for rescuing a woman from her car in the floodwaters along Riverview Drive, with the assistance of our Department of Public Works this past Monday.

Councilman Reynoso: Stated that our Fire Department had their annual dinner over the weekend and thanked them for the donation that they made to the family of Sophie and said they were very grateful.

CITIZENS HEARD:

There were no citizens who wished to be heard.

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 February 27, 2024. On roll call vote, all members of the Council present voted in the affirmative. Councilman Fierro and Councilman Reynoso abstained from the voting.

COMMITTEE ON FINANCE:

There was a motion by Councilman Picarelli, seconded by Councilman D'Angelo to approve Resolution No. 2024-06 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 pursuant to State Tax Court judgments. On roll call vote, all members of the Council present voted in the affirmative.

RESOLUTION

WHEREAS, there has been a State Tax Court Judgment to reduce the evaluation on the following.

NOW, THEREFORE, BE IT RESOLVED, that the Treasurer of the Borough of Totowa is authorized to refund this amount.

<u>Block</u>	<u>Lot</u>	<u>Property/Owner</u>	<u>Payable To:</u>	<u>Year</u>	<u>From</u>	<u>To</u>	<u>Amount</u>
174	16	Totowa Associates 11 Furler St	Wolf Vespasiano LLC Attorney Trust Account	2023	576,000	496,600	\$2,058.84

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

RESOLUTION NO. 54-2024

RESOLUTION AUTHORIZING SETTLEMENT OF THE 2023 TAX APPEAL 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.

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 Abill Realty Corp. V. Borough Of Totowa. On roll call vote, all members of the Council present voted in the affirmative.

RESOLUTION NO. 55-2024

RESOLUTION AUTHORIZING SETTLEMENT OF THE 2023 TAX APPEAL
ENTITLED ABILL REALTY CORP. 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 Damiano Dilorio 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 approve the Fire Department TSAP for 2023. On roll call vote, all members of the Council present voted in the affirmative.

COMMITTEE ON PUBLIC WORKS:

There was a motion by Councilman Bucher, seconded by Councilman Fierro to approve Change Order No. 1 for a net decrease of \$6,990.48 and Payment Estimate No. 1 (Final) in the amount of \$218,344.13 to American Asphalt & Trucking, LLC for the Maltese Drive Improvements. 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 Councilman Reynoso to approve Change Order No. 2 for a net increase of \$138,877.00 and Payment Estimate No. 7 in the amount of \$98,000.00 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.

COMMITTEE ON LIAISON & INSPECTION:

There was no report.

COMMITTEE ON LEGISLATION & ORDINANCES:

There was a motion by Councilman Fierro, seconded by Councilman Picarelli to approve the Application For Social Affair Permit from the State Of New Jersey Division Of Alcoholic Beverage Control for the Passaic Valley Elks BPOE #2111 to be held on March 15, 2024 from 4:00 p.m. – 11:59 p.m. 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. 2374 for the Passaic Valley Elks BPOE #2111 for an Off-Premise Merchandise to be held on April 29, 2024. 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. 2375 & 2376 for the Totowa Parent Teacher Organization for a Tricky Tray and On-Premise 50/50 to be held on May 10, 2024 at Washington Park School. 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