

## **BOROUGH OF TOTOWA**

### **MINUTES OF THE MAYOR AND COUNCIL**

**August 9, 2022**

**PRESENT:** Mayor John Coiro, presiding, Councilwoman Debra Andriani, Councilman Anthony Picarelli, Councilman William Bucher, Councilman John Capo, Councilman Patrick Fierro, Municipal Clerk Joseph Wassel and Municipal Attorney Kristin Corrado.

**ABSENT:** Council President Lou D'Angelo.

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 Councilwoman Andriani, seconded by Councilman Picarelli to dispense with the regular order of business in order to hold a public hearing on Ordinance Nos. 07-2022 & 08-2022 as advertised. On roll call vote, all members of the Council present voted in the affirmative.

Municipal Clerk Wassel announced that Ordinance Nos. 07-2022 & 08-2022 have been advertised for public hearing for Tuesday, August 9, 2022.

Municipal Clerk Wassel read the legal notice and title of Ordinance No. 07-2022.

There was a motion by Councilwoman Andriani, 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 wished to be heard on Ordinance No. 07-2022.

CITIZENS HEARD:

There were no citizens who wished to be heard.

There was a motion by Councilwoman Andriani, seconded by Councilman Picarelli 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. 07-2022 by title:

**ORDINANCE NO. 07-2022**

**AN ORDINANCE TO AMEND THE CODE OF THE BOROUGH OF TOTOWA  
CHAPTER 75 ENTITLED "POLICE DEPARTMENT", ARTICLE XII,  
"GENERAL RULES", SECTION 80, "OUTSIDE EMPLOYMENT REGULATED;  
EMPLOYMENT OF OFF-DUTY POLICE"**

There was a motion by Councilwoman Andriani, seconded by Councilman Picarelli to adopt Ordinance No. 07-2022 on second and final reading. On roll call vote, all members of the Council present voted in the affirmative.

Municipal Clerk Wassel read the legal notice and title of Ordinance No. 08-2022.

There was a motion by Councilwoman Andriani, 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 wished to be heard on Ordinance No. 08-2022.

CITIZENS HEARD:

There were no citizens who wished to be heard.

There was a motion by Councilwoman Andriani, seconded by Councilman Picarelli 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. 08-2022 by title:

**ORDINANCE NO. 08-2022**

**AN ORDINANCE OF THE BOROUGH OF TOTOWA, COUNTY OF PASSAIC, NEW JERSEY APPROVING AN APPLICATION FOR A LONG-TERM TAX EXEMPTION AND AUTHORIZING EXECUTION OF A FINANCIAL AGREEMENT WITH MINNISINK ROAD URBAN RENEWAL, LLC FOR PROPERTY IDENTIFIED ON THE BOROUGH TAX MAPS AS BLOCK 154, LOT 19.07, C0002 AND TERMINATING THE FINANCIAL AGREEMENT WITH LIVIA PROPCO TOTOWA URBAN RENEWAL, LLC FOR SUCH PROPERTY**

There was a motion by Councilwoman Andriani, seconded by Councilman Picarelli to adopt Ordinance No. 08-2022 on second and final reading. On roll call vote, all members of the Council present voted in the affirmative.

There was a motion by Councilwoman Andriani, 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.

There were no reports.

CITIZENS HEARD:

There were no citizens who wished to be heard.

There was a motion by Councilwoman Andriani, seconded by Councilman Picarelli to approve the Minutes of the Mayor and Council for the meeting of July 26, 2022. On roll call vote, all members of the Council present voted in the affirmative. Councilman Capo abstained from the voting.

#### COMMITTEE ON FINANCE:

There was a motion by Councilman Picarelli, seconded by Councilman Capo to approve Resolution No. 2022-17 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 Capo to adopt the following Resolution Authorizing Extension Of Grace Period For Payment Of 3<sup>rd</sup> Quarter 2022 Taxes. On roll call vote, all members of the Council present voted in the affirmative.

#### RESOLUTION NO. 102-2022

#### RESOLUTION AUTHORIZING EXTENSION OF GRACE PERIOD FOR PAYMENT OF 3<sup>RD</sup> QUARTER 2022 TAXES

WHEREAS, the 3<sup>rd</sup> Quarter tax payment is normally due on August 1, with a 10 day grace period; and

WHEREAS, the Borough of Totowa will not be able to print and mail out the 2022 Final/2023 Preliminary Tax Bills on time because of a delay; and

WHEREAS, the Borough of Totowa by law must allow the taxpayers a period of 25 days from the date of the mailing of the tax bill to make payment.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Totowa do hereby extend the grace period for the 3<sup>rd</sup> Quarter taxes to September 13, 2022.

BE IT FURTHER RESOLVED, that tax payments received after the extended grace period of September 13, 2022 will be charged interest back to the original due date of August 1, 2022 as required by law.

There was a motion by Councilman Picarelli, seconded by Councilman Capo to acknowledge receipt of the Report of Audit for the year ended December 31, 2021 and that the recommendations will be reviewed by the Governing Body. 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 Councilman Picarelli, seconded by Councilman Capo to appoint Irine Upritchard as Acting Court 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 Irine Upritchard as Acting Court Administrator for a term ending December 31, 2022.

There was a motion by Councilman Picarelli, seconded by Councilman Capo 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 Councilman Picarelli, seconded by Councilman Capo to hire Christina Fattal as a Part Time Certified Court Administrator and Gianna DiStasi as a Part Time Court Clerk to assist with Court nights. On roll call vote, all members of the Council present voted in the affirmative.

#### COMMITTEE ON PUBLIC SAFETY:

There was a motion by Councilman Capo, seconded by Councilman Bucher to approve a Junior Firefighter Application for Ryan M. DeNunzio 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:

A letter was received from the St. James Italian Society requesting permission to use the Municipal Parking Lot on Monday, August 15, 2022 for a trip to Atlantic City for the Feast of the Assumption. There was a motion by Councilman Capo, seconded by Councilwoman Andriani to grant permission. On roll call vote, all members of the Council present voted in the affirmative.

COMMITTEE ON LIAISON & INSPECTION:

There was a motion by Councilwoman Andriani, seconded by Councilman Bucher to adopt the following Resolution Authorizing The Provision Of A Grant Pursuant To The Borough Of Totowa Affordability Assistance Program For The Tenant Of An Affordable Housing Unit Located At Sunset Ridge At Totowa, 617 Preakness Avenue, Apartment 106. On roll call vote, all members of the Council present voted in the affirmative.

RESOLUTION NO. 103-2022

RESOLUTION AUTHORIZING THE PROVISION OF A GRANT PURSUANT TO THE  
BOROUGH OF TOTOWA AFFORDABILITY ASSISTANCE PROGRAM FOR THE  
TENANT OF AN AFFORDABLE HOUSING UNIT LOCATED AT  
SUNSET RIDGE AT TOTOWA, 617 PREAKNESS AVENUE, APARTMENT 106

WHEREAS, Applicant, Lorenzo Sanchez ("Tenant") will be renting Apartment 106, Sunset Ridge at Totowa, 617 Preakness Avenue, Totowa, New Jersey 07512 ("Unit"), a property governed by the statutes, ordinances, rules and regulations restricting occupancy and use of the property as an affordable housing unit; and

WHEREAS, the Tenant is eligible for an Affordability Assistance Grant through the Borough of Totowa's Affordability Assistance Program to pay for four month's rent for the Unit; and

WHEREAS, the Borough of Totowa's Affordable Housing Administrative Agent, Community Grants, Planning & Housing, LLC, ("CGP&H") has reviewed the Tenant's application and qualified the Tenant for the requested assistance; and

WHEREAS, the amount of the requested grant for the four month's rent will be paid directly to the Landlord, (\$3,460.00) by the Borough of Totowa; and

WHEREAS, the Borough of Totowa is willing, pursuant to the Affordability Assistance Program, to extend a grant in the amount of \$3,460.00; and

WHEREAS, the funding for the grant will be from the Borough of Totowa Affordable Housing Trust Fund.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Totowa does hereby authorize the following:

1. The Borough of Totowa is hereby authorized, pursuant to the Borough of Totowa's Affordability Assistance Program, to provide the Tenant with a grant to be used to pay four month's rent for the Unit.
2. The Mayor, Municipal Clerk, Borough Attorney, CFO and such other staff and officials as may be appropriate are authorized to take such steps as may reasonably be required to implement this resolution, including issuance of the grant amount.

BE IT FURTHER RESOLVED, that the Municipal Council of the Borough of Totowa does hereby authorize the Mayor and Municipal Clerk to execute any and all necessary instruments relating thereto.

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. 09-2022**

**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 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. 10-2022**

**AN ORDINANCE TO AMEND THE CODE OF THE BOROUGH OF TOTOWA  
CHAPTER 75 ENTITLED "POLICE DEPARTMENT"**

There was a motion by Councilman Fierro, seconded by Councilman Picarelli to adopt the following Resolution Opposing The Proposed Increases To The State Health Benefits Program. On roll call vote, all members of the Council present voted in the affirmative.

**RESOLUTION NO. 104-2022**

**RESOLUTION OPPOSING THE PROPOSED INCREASES TO THE  
STATE HEALTH BENEFITS PROGRAM**

WHEREAS, the State Health Benefits Program (SHBP), governed by N.J.S.A. 52:14-17.25 et seq., offers medical, prescription drug, and dental coverage to qualified State and participating local government public employees, retirees, and eligible dependents; and

WHEREAS, all SHBP plans are self-funded meaning that the money paid out for benefits comes directly from a SHBP fund supplied by the State, participating local employers, and member premiums; and

WHEREAS, the Division of Pensions and Benefits is responsible for the daily administrative activities of the SHPB, the State Health Benefits Commission is the executive organization responsible for overseeing the SHBP; and

WHEREAS, the State Health Benefits Commission, comprised of state officials and union representatives, annually consider the calendar year premium levels for the Local Government Employer Group of the SHBP based on recommendations found in the Rate Setting Recommendation Analysis of the Local Government Employee Group; and

WHEREAS, the preliminary rate increase for the 2023 Local Government Employer Group is 22.8%, which includes a 21.6% increase for Active, a 13% increase in Early Retiree, and a 0.7% increase for Medicare Retiree; and

WHEREAS, subsequent news accounts has Department of Treasury noting "rates for active members and early retirees would likely be increase between 12-20% across the various plans for the upcoming year"; and

WHEREAS, such proposed exorbitant rate increases will fall upon the local property taxpayer along with the local public employees at a time where there is record inflation, and

WHEREAS, the proposed premium increase for most active employees will take thousands more out of their paychecks annually and lead to huge costs for local governments that will translate into higher property tax bills for struggling families.

NOW, THEREFORE, BE IT RESOLVED, that the governing body of the Borough of Totowa in the County of Passaic call on the State Health Benefit Commission to reconsider the rate increase and strike a rate increase that is appropriate in the current economic conditions.

BE IT FURTHER RESOVLED, that the governing body of the Borough of Totowa in the County of Passaic urge the legislature to adopt legislation expanding the composition of the State Health Benefits Commission to include representatives from both municipal and county government management.

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to Governor Murphy, State Treasurer Muoio, Senate President Scutari, Assembly Speaker Coughlin, Senator Kristin M. Corrado, Assemblyman Kevin J. Rooney, Assemblyman Christopher DePhillips and New Jersey State League of Municipalities.

There was a motion by Councilman Fierro, seconded by Councilman Picarelli to carry the Resolution Authorizing The Renewal Of Division Of Alcoholic Beverage Control Liquor Licenses For The 2022 – 2023 License Term. 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 the Application For Social Affair Permit from the State Of New Jersey Division Of Alcoholic Beverage Control for the Macedonian Orthodox Church “St. Nikola” to be held on September 10 & 11, 2022 from 12:00 p.m. – 9:00 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 the Application For Social Affair Permit from the State Of New Jersey Division Of Alcoholic Beverage Control for the Totowa Borough Republican Organization for Sunday, September 11, 2022 from 12:00 – 6:00 p.m. to be held at the recreational areas at The PAL. 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 Councilwoman Andriani, seconded by Councilman Picarelli that the meeting be adjourned. On roll call vote, all members of the Council present voted in the affirmative.

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Joseph Wassel, RMC  
Municipal Clerk