

## **BOROUGH OF TOTOWA**

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

**July 12, 2016**

**PRESENT:** Mayor John Coiro, presiding, Council President Phil Puglise, Councilman Lou D'Angelo, Councilwoman Carolyn Fontanella, Councilwoman Debra Andriani, Councilman Anthony Picarelli, Councilman William Bucher, Municipal Clerk Joseph Wassel and Alternate Municipal Attorney Kristin Corrado.

**ABSENT:** Municipal Attorney Robert Corrado.

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.

The Municipal Clerk 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 Puglise, seconded by Councilman D'Angelo to dispense with the regular order of business in order to enable the Mayor and Council to present Sports Award Certificates to the 2016 Passaic Valley Baseball Little League Champion Totowa Orioles players and coaches and to hold a public hearing on Ordinance No. 14-2016 as advertised. On roll call vote, all members of the Council present voted in the affirmative.

Mayor Coiro went to the front of the dais and asked Councilman "Coach" Bucher to join him. Mayor Coiro announced that it is always nice when one of our Totowa teams

defeats another town's team and that we are really happy to have most of you back again this year after winning the Farm League championship last year and now winning their Little League championship. Mayor Coiro asked Coach Bucher to give a synopsis of the season. Coach Billy Bucher gave a synopsis of the season and then thanked all the parents for signing up their children and keeping them active in sports. Mayor Coiro then began by calling up each coach and presenting them with a Sports Award Certificate. Mayor Coiro commented that it must be great to have this many coaches. Mayor Coiro continued by calling up each player and presenting them with a Sports Award Certificate. Coach Bucher then handed out their trophies to the players. Mayor Coiro then remarked on behalf of the Mayor and Council that he congratulated them all and said that last year he told you to come back this year and you did, so now I'm going to ask you back again next year. Mayor Coiro announced that there would be a short recess. Pictures were taken.

Municipal Clerk Wassel announced that Ordinance No. 14-2016 has been advertised for public hearing for Tuesday, July 12, 2016.

Municipal Clerk Wassel read the legal notice and the title of Ordinance No. 14-2016.

There was a motion by Councilman Puglise, seconded by Councilman D'Angelo 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. 14-2016.

CITIZENS HEARD:

There were no citizens who wished to be heard.

There was a motion by Councilman Puglise, seconded by Councilman D'Angelo 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. 14-2016 by title:

**ORDINANCE NO. 14-2016**

**AN ORDINANCE TO AMEND THE CODE OF THE BOROUGH OF TOTOWA  
CHAPTER 43 ENTITLED "FIRE DEPARTMENT"**

There was a motion by Councilman Puglise, seconded by Councilman D'Angelo to adopt Ordinance No. 14-2016 on second and final reading. On roll call vote, all members of the Council present voted in the affirmative.

There was a motion by Councilman Puglise, seconded by Councilman D'Angelo 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 Councilman Puglise, seconded by Councilman D'Angelo to approve the Minutes of the Mayor and Council for the meeting of June 28, 2016. On roll call vote, all members of the Council present voted in the affirmative. Councilwoman Andriani abstained from the voting.

**COMMITTEE ON FINANCE:**

There was a motion by Councilman Picarelli, seconded by Councilman D'Angelo to approve Resolution No. 2016-15 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 Of The Mayor And Borough Council Of The Borough Of Totowa In The County Of Passaic Authorizing Settlement Of The 2014, 2015 And 2016 Tax Appeals Entitled Gamma Realty Company V. Borough Of Totowa, Docket Nos.: 002048-2014; 000839-2015; 003644-2016 Of The Tax Assessment Of Block 158, Lot 3.01, Known As 40 Vreeland Avenue In The Borough Of Totowa, Passaic County, New Jersey. On roll call vote, all members of the Council present voted in the affirmative.

RESOLUTION NO. 93-2016

RESOLUTION OF THE MAYOR AND BOROUGH COUNCIL OF THE BOROUGH OF TOTOWA IN THE COUNTY OF PASSAIC AUTHORIZING SETTLEMENT OF THE 2014, 2015 AND 2016 TAX APPEALS ENTITLED GAMMA REALTY COMPANY V. BOROUGH OF TOTOWA, DOCKET NOS.: 002048-2014; 000839-2015; 003644-2016 OF THE TAX ASSESSMENT OF BLOCK 158, LOT 3.01, KNOWN AS 40 VREELAND AVENUE IN THE BOROUGH OF TOTOWA, PASSAIC COUNTY, NEW JERSEY

WHEREAS, appeals of the real property tax assessments for tax years 2014, 2015 and 2016 on Block 158, Lot 3.01 have been filed by the Taxpayer, Gamma Realty Company; 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 said matter as more fully set forth below is in the best interest of the Borough of Totowa.

NOW, THEREFORE, BE IT RESOLVED, by the Borough of Totowa, New Jersey, as follows:

1. Settlement of the 2014-2016 tax appeals is hereby authorized as follows:

40 Vreeland Avenue  
 Block 158, Lot 3.01  
Years: 2014, 2015, 2016

	<u>Original Assessment</u>	<u>County Board Judgment</u>	<u>Settlement Amount</u>
Land:	\$3,578,100	N/A	\$3,578,100
Imprvts:	\$2,421,900	N/A	\$1,721,900
Total:	\$6,000,000	N/A	\$5,300,000

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 Of The Mayor And Borough Council Of The Borough Of Totowa In The County Of Passaic Authorizing Settlement Of The 2009, 2010, 2011, 2012, 2013, 2014 And 2015 Tax Appeals Entitled Adolfo & Maria Grambone V. Borough Of Totowa, Docket Nos.: 013620-2009; 013740-2010; 013060-2011; 013646-2012; 010844-2013; 009792-2014; 009960-2015 Of The Tax Assessment Of Block 89, Lot 6, Known As 162 Mitchell Avenue In The Borough Of Totowa, Passaic County, New Jersey. On roll call vote, all members of the Council present voted in the affirmative.

#### RESOLUTION NO. 94-2016

RESOLUTION OF THE MAYOR AND BOROUGH COUNCIL OF THE BOROUGH OF TOTOWA IN THE COUNTY OF PASSAIC AUTHORIZING SETTLEMENT OF THE 2009, 2010, 2011, 2012, 2013, 2014 AND 2015 TAX APPEALS ENTITLED ADOLFO & MARIA GRAMBONE V. BOROUGH OF TOTOWA, DOCKET NOS.: 013620-2009; 013740-2010; 013060-2011; 013646-2012; 010844-2013; 009792-2014; 009960-2015 OF THE TAX ASSESSMENT OF BLOCK 89, LOT 6, KNOWN AS 162 MITCHELL AVENUE IN THE BOROUGH OF TOTOWA, PASSAIC COUNTY, NEW JERSEY

WHEREAS, appeals of the real property tax assessments for tax years 2009, 2010, 2011, 2012, 2013, 2014, 2015 on Block 89, Lot 6 have been filed by the Taxpayers, Adolfo and Maria Grambone; 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 said matter as more fully set forth below is in the best interest of the Borough of Totowa.

NOW, THEREFORE, BE IT RESOLVED, by the Borough of Totowa, New Jersey, as follows:

1. Settlement of the 2009-2010 tax appeals is hereby authorized as follows:

162 Mitchell Avenue  
Block 89, Lot 6

Years: 2009, 2010

	<u>Original Assessment</u>	<u>County Board Judgment</u>	<u>Settlement Amount</u>
Land:	\$226,100	\$226,100	\$226,100
Imprvts:	\$342,800	\$342,800	\$275,700
Total:	\$568,900	\$568,900	\$501,800

2. Settlement of the 2011 tax appeal is hereby authorized as follows:

162 Mitchell Avenue  
Block 89, Lot 6  
Year: 2011

	<u>Original Assessment</u>	<u>County Board Judgment</u>	<u>Settlement Amount</u>
Land:	\$162,000	\$162,000	WITHDRAWN
Imprvts:	\$339,800	\$339,800	WITHDRAWN
Total:	\$501,800	\$501,800	WITHDRAWN

3. Settlement of the 2012-2013 tax appeals is hereby authorized as follows:

162 Mitchell Avenue  
Block 89, Lot 6  
Years: 2012-2013

	<u>Original Assessment</u>	<u>County Board Judgment</u>	<u>Settlement Amount</u>
Land:	\$162,000	\$162,000	\$162,000
Imprvts:	\$339,800	\$339,800	\$293,000
Total:	\$501,800	\$501,800	\$455,000

4. Settlement of the 2014 tax appeal is hereby authorized as follows:

162 Mitchell Avenue  
Block 89, Lot 6  
Year: 2014

	<u>Original Assessment</u>	<u>County Board Judgment</u>	<u>Settlement Amount</u>
Land:	\$162,000	\$162,000	\$162,000
Imprvts:	\$339,800	\$339,800	\$313,000

Total:           \$501,800                               \$501,800                               \$475,000

5. Settlement of the 2015 tax appeal is hereby authorized as follows:

162 Mitchell Avenue  
 Block 89, Lot 6  
Year: 2015

	<u>Original Assessment</u>	<u>County Board Judgment</u>	<u>Settlement Amount</u>
Land:	\$162,000	\$162,000	WITHDRAWN
Imprvts:	\$339,800	\$339,800	WITHDRAWN
Total:	\$501,800	\$501,800	WITHDRAWN

6. 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 Of The Mayor And Borough Council Of The Borough Of Totowa In The County Of Passaic Authorizing Settlement Of The 2009, 2010, 2011, 2012, 2013, 2014 And 2015 Tax Appeals Entitled Adolfo & Maria Grambone V. Borough Of Totowa, Docket Nos.: 013621-2009; 013738-2010; 013055-2011; 013645-2012; 010845-2013; 009793-2014; 009961-2015 Of The Tax Assessment Of Block 111, Lot 6, Known As 52 Bogert Street In The Borough Of Totowa, Passaic County, New Jersey. On roll call vote, all members of the Council present voted in the affirmative.

RESOLUTION NO. 95-2016

RESOLUTION OF THE MAYOR AND BOROUGH COUNCIL OF THE BOROUGH OF TOTOWA IN THE COUNTY OF PASSAIC AUTHORIZING SETTLEMENT OF THE 2009, 2010, 2011, 2012, 2013, 2014 AND 2015 TAX APPEALS ENTITLED ADOLFO & MARIA GRAMBONE V. BOROUGH OF TOTOWA, DOCKET NOS.: 013621-2009; 013738-2010; 013055-2011; 013645-2012; 010845-2013; 009793-2014; 009961-2015 OF THE TAX ASSESSMENT OF BLOCK 111, LOT 6, KNOWN AS 52 BOGERT STREET IN THE BOROUGH OF TOTOWA, PASSAIC COUNTY, NEW JERSEY

WHEREAS, appeals of the real property tax assessments for tax years 2009, 2010, 2011, 2012, 2013, 2014 and 2015 on Block 111, Lot 6 have been filed by the Taxpayers, Adolfo and Maria Grambone; 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 said matter as more fully set forth below is in the best interest of the Borough of Totowa.

NOW, THEREFORE, BE IT RESOLVED, by the Borough of Totowa, New Jersey, as follows:

1. Settlement of the 2009-2010 tax appeals is hereby authorized as follows:

52 Bogert Street  
Block 111, Lot 6  
Years: 2009, 2010

	<u>Original Assessment</u>	<u>County Board Judgment</u>	<u>Settlement Amount</u>
Land:	\$212,400	\$212,400	\$212,400
Imprvts:	\$333,000	\$333,000	\$281,700
Total:	\$545,400	\$545,400	\$494,100

2. Settlement of the 2011 tax appeal is hereby authorized as follows:

52 Bogert Street  
Block 111, Lot 6  
Year: 2011

	<u>Original Assessment</u>	<u>County Board Judgment</u>	<u>Settlement Amount</u>
Land:	\$148,800	\$148,800	WITHDRAWN
Imprvts:	\$345,300	\$345,300	WITHDRAWN
Total:	\$494,100	\$494,100	WITHDRAWN

3. Settlement of the 2012-2013 tax appeals is hereby authorized as follows:

52 Bogert Street  
Block 111, Lot 6  
Years: 2012-2013

	<u>Original Assessment</u>	<u>County Board Judgment</u>	<u>Settlement Amount</u>
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Land:	\$148,800	\$148,800	\$148,800
Imprvts:	\$345,300	\$345,300	\$306,200
Total:	\$494,100	\$494,100	\$455,000

4. Settlement of the 2014 tax appeal is hereby authorized as follows:

52 Bogert Street  
Block 111, Lot 6  
Year: 2014

	<u>Original Assessment</u>	<u>County Board Judgment</u>	<u>Settlement Amount</u>
Land:	\$148,800	\$148,800	\$148,800
Imprvts:	\$345,300	\$345,300	\$326,200
Total:	\$494,100	\$494,100	\$475,000

5. Settlement of the 2015 tax appeal is hereby authorized as follows:

52 Bogert Street  
Block 111, Lot 6  
Year: 2011

	<u>Original Assessment</u>	<u>County Board Judgment</u>	<u>Settlement Amount</u>
Land:	\$148,800	\$148,800	WITHDRAWN
Imprvts:	\$345,300	\$345,300	WITHDRAWN
Total:	\$494,100	\$494,100	WITHDRAWN

6. 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 Of The Mayor And Borough Council Of The Borough Of Totowa In The County Of Passaic Authorizing Settlement Of The 2009, 2010, 2011, 2012, 2013, 2014 And 2015 Tax Appeals Entitled David Perelman V. Borough Of Totowa And Hemasco Realty, LLC V. Borough Of Totowa, Docket Nos.: 011172-2009; 008064-2010; 001740-2011; 008779-2012; 005626-2013; 005451-2014; 001395-2015 Of The Tax Assessment Of Block 175, Lot 4.01, Known As 80 Furler Street In The Borough Of Totowa, Passaic County, New Jersey. On roll call vote, all members of the Council present voted in the affirmative.

RESOLUTION NO. 96-2016

RESOLUTION OF THE MAYOR AND BOROUGH COUNCIL OF THE BOROUGH OF TOTOWA IN THE COUNTY OF PASSAIC AUTHORIZING SETTLEMENT OF THE 2009, 2010, 2011, 2012, 2013, 2014 AND 2015 TAX APPEALS ENTITLED DAVID PERELMAN V. BOROUGH OF TOTOWA AND HEMASCO REALTY, LLC V. BOROUGH OF TOTOWA, DOCKET NOS.: 011172-2009; 008064-2010; 001740-2011; 008779-2012; 005626-2013; 005451-2014; 001395-2015 OF THE TAX ASSESSMENT OF BLOCK 175, LOT 4.01, KNOWN AS 80 FURLER STREET IN THE BOROUGH OF TOTOWA, PASSAIC COUNTY, NEW JERSEY

WHEREAS, appeals of the real property tax assessments for tax years 2009, 2010, 2011, 2012, 2013, 2014 and 2015 on Block 175, Lot 4.01 have been filed by the Taxpayers, David Perelman and Hemasco Realty, LLC; 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 said matter as more fully set forth below is in the best interest of the Borough of Totowa.

NOW, THEREFORE, BE IT RESOLVED, by the Borough of Totowa, New Jersey, as follows:

1. Settlement of the 2009 and 2010 tax appeals is hereby authorized as follows:

80 Furler Street  
Block 175, Lot 4.01  
Years: 2009, 2010

	<u>Original Assessment</u>	<u>County Board Judgment</u>	<u>Settlement Amount</u>
Land:	\$1,289,400	N/A	\$1,289,400
Imprvts:	\$ 800,000	N/A	\$ 610,000
Total:	\$2,090,100	N/A	\$1,900,000

2. Settlement of the 2011-2015 tax appeals is hereby authorized as follows:

80 Furler Street  
Block 175, Lot 4.01  
Years: 2011, 2012, 2013, 2014, 2015

	<u>Original Assessment</u>	<u>County Board Judgment</u>	<u>Settlement Amount</u>
Land:	\$1,151,300	N/A	\$1,151,300
Imprvts:	\$ 785,400	N/A	\$ 698,700
Total:	\$1,936,700	N/A	\$1,850,000

- 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 Of The Mayor And Borough Council Of The Borough Of Totowa In The County Of Passaic Authorizing Settlement Of The 2012, 2013, 2014, 2015 And 2016 Tax Appeals Entitled Ullman Family Partnership V. Borough Of Totowa, Docket Nos.: 010653-2012; 005387-2013; 007223-2014; 000020-2015; 000858-2016 Of The Tax Assessment Of Block 175, Lot 3.02, Known As 130 Furler Street In The Borough Of Totowa, Passaic County, New Jersey. On roll call vote, all members of the Council present voted in the affirmative.

#### RESOLUTION NO. 97-2016

RESOLUTION OF THE MAYOR AND BOROUGH COUNCIL OF THE BOROUGH OF TOTOWA IN THE COUNTY OF PASSAIC AUTHORIZING SETTLEMENT OF THE 2012, 2013, 2014, 2015 AND 2016 TAX APPEALS ENTITLED ULLMAN FAMILY PARTNERSHIP V. BOROUGH OF TOTOWA, DOCKET NOS.: 010653-2012; 005387-2013; 007223-2014; 000020-2015; 000858-2016 OF THE TAX ASSESSMENT OF BLOCK 175, LOT 3.02, KNOWN AS 130 FURLER STREET IN THE BOROUGH OF TOTOWA, PASSAIC COUNTY, NEW JERSEY

WHEREAS, appeals of the real property tax assessments for tax years 2012, 2013, 2014, 2015 and 2016 on Block 175, Lot 3.02 have been filed by the Taxpayer, Ullman Family Partnership; 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 said matter as more fully set forth below is in the best interest of the Borough of Totowa.

NOW, THEREFORE, BE IT RESOLVED, by the Borough of Totowa, New Jersey, as follows:

1. Settlement of the 2012-2013 tax appeals is hereby authorized as follows:

130 Furler Street  
Block 175, Lot 3.02  
Years: 2012, 2013

	<u>Original Assessment</u>	<u>County Board Judgment</u>	<u>Settlement Amount</u>
Land:	\$ 768,800	N/A	WITHDRAWN
Imprvts:	\$ 544,500	N/A	WITHDRAWN
Total:	\$1,313,300	N/A	WITHDRAWN

2. Settlement of the 2014 tax appeal is hereby authorized as follows:

130 Furler Street  
Block 175, Lot 3.02  
Year: 2014

	<u>Original Assessment</u>	<u>County Board Judgment</u>	<u>Settlement Amount</u>
Land:	\$ 768,800	N/A	\$ 768,800
Imprvts:	\$ 544,500	N/A	\$ 506,200
Total:	\$1,313,300	N/A	\$1,275,000

3. Settlement of the 2015 tax appeal is hereby authorized as follows:

130 Furler Street  
Block 175, Lot 3.02  
Year: 2015

	<u>Original Assessment</u>	<u>County Board Judgment</u>	<u>Settlement Amount</u>
Land:	\$ 768,800	N/A	\$ 768,800
Imprvts:	\$ 544,500	N/A	\$ 431,200
Total:	\$1,313,300	N/A	\$1,200,000

4. Settlement of the 2016 tax appeal is hereby authorized as follows:

130 Furler Street  
Block 175, Lot 3.02  
Year: 2014

	<u>Original Assessment</u>	<u>County Board Judgment</u>	<u>Settlement Amount</u>
Land:	\$ 768,800	N/A	\$ 768,800
Imprvts:	\$ 544,500	N/A	\$ 381,200
Total:	\$1,313,300	N/A	\$1,150,000

5. 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 Of The Mayor And Borough Council Of The Borough Of Totowa In The County Of Passaic Authorizing Settlement Of The 2013, 2014, 2015 And 2016 Tax Appeals Entitled Union Blvd Rlty Corp C/O Silvano, D V. Borough Of Totowa, Docket Nos.: 004681-2013; 000436-2014; 001597-2015; 000360-2016 Of The Tax Assessment Of Block 145, Lot 12, Known As 547 Union Boulevard In The Borough Of Totowa, Passaic County, New Jersey. On roll call vote, all members of the Council present voted in the affirmative.

#### RESOLUTION NO. 98-2016

RESOLUTION OF THE MAYOR AND BOROUGH COUNCIL OF THE BOROUGH OF TOTOWA IN THE COUNTY OF PASSAIC AUTHORIZING SETTLEMENT OF THE 2013, 2014, 2015 AND 2016 TAX APPEALS ENTITLED UNION BLVD RLTY CORP C/O SILVANO, D V. BOROUGH OF TOTOWA, DOCKET NOS.: 004681-2013; 000436-2014; 001597-2015; 000360-2016 OF THE TAX ASSESSMENT OF BLOCK 145, LOT 12, KNOWN AS 547 UNION BOULEVARD IN THE BOROUGH OF TOTOWA, PASSAIC COUNTY, NEW JERSEY

WHEREAS, appeals of the real property tax assessments for tax years 2013, 2014, 2015 and 2016 on Block 145, Lot 12 have been filed by the Taxpayer, Union Blvd Rlty Corp c/o Silva; 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 said matter as more fully set forth below is in the best interest of the Borough of Totowa.

NOW, THEREFORE, BE IT RESOLVED, by the Borough of Totowa, New Jersey, as follows:

1. Settlement of the 2013-2016 tax appeals is hereby authorized as follows:

547 Union Boulevard  
Block 145, Lot 12  
Years: 2013, 2014, 2015, 2016

	<u>Original Assessment</u>	<u>County Board Judgment</u>	<u>Settlement Amount</u>
Land:	\$ 624,000	N/A	\$ 624,000
Imprvts:	\$ 897-900	N/A	\$ 376,000
Total:	\$1,521,900	N/A	\$1,000,000

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 Of The Mayor And Borough Council Of The Borough Of Totowa In The County Of Passaic Authorizing Settlement Of The 2009, 2010, 2011, 2012, 2013, 2014, And 2015 Tax Appeals Entitled Adolfo & Maria Grambone V. Borough Of Totowa, Docket Nos.: 013622-2009; 013742-2010; 013033-2011; 013647-2012; 010846-2013; 009791-2014; 009962-2015 Of The Tax Assessment Of Block 154, Lot 43, Known As 34 Rutherford Court In The Borough Of Totowa, Passaic County, New Jersey. On roll call vote, all members of the Council present voted in the affirmative.

#### RESOLUTION NO. 99-2016

RESOLUTION OF THE MAYOR AND BOROUGH COUNCIL OF THE BOROUGH OF TOTOWA IN THE COUNTY OF PASSAIC AUTHORIZING SETTLEMENT OF THE 2009, 2010, 2011, 2012, 2013, 2014, AND 2015 TAX APPEALS ENTITLED ADOLFO & MARIA GRAMBONE V. BOROUGH OF TOTOWA, DOCKET NOS.: 013622-2009; 013742-2010; 013033-2011; 013647-2012; 010846-2013; 009791-2014; 009962-2015 OF THE TAX ASSESSMENT OF BLOCK 154, LOT 43, KNOWN AS 34 RUTHERFORD COURT IN THE BOROUGH OF TOTOWA, PASSAIC COUNTY, NEW JERSEY

WHEREAS, appeals of the real property tax assessments for tax years 2009, 2010, 2011, 2012, 2013, 2014 and 2015 on Block 154, Lot 43 have been filed by the Taxpayers, Adolfo and Maria Grambone; 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 said matter as more fully set forth below is in the best interest of the Borough of Totowa.

NOW, THEREFORE, BE IT RESOLVED, by the Borough of Totowa, New Jersey, as follows:

1. Settlement of the 2009-2010 tax appeals is hereby authorized as follows:

34 Rutherford Court  
 Block 154, Lot 43  
Years: 2009, 2010

	<u>Original Assessment</u>	<u>County Board Judgment</u>	<u>Settlement Amount</u>
Land:	\$252,800	\$252,800	\$252,800
Imprvts:	\$298,300	\$298,300	\$237,400
Total:	\$551,100	\$551,100	\$490,200

2. Settlement of the 2011 tax appeal is hereby authorized as follows:

34 Rutherford Court  
 Block 154, Lot 43  
Year: 2011

	<u>Original Assessment</u>	<u>County Board Judgment</u>	<u>Settlement Amount</u>
Land:	\$164,400	\$164,400	WITHDRAWN
Imprvts:	\$325,800	\$325,800	WITHDRAWN
Total:	\$490,200	\$490,200	WITHDRAWN

3. Settlement of the 2012-2015 tax appeals is hereby authorized as follows:

34 Rutherford Court  
 Block 154, Lot 43

Years: 2012, 2013, 2014, 2015

	<u>Original Assessment</u>	<u>County Board Judgment</u>	<u>Settlement Amount</u>
Land:	\$164,400	\$164,400	\$164,400
Imprvts:	\$325,800	\$325,800	\$278,600
Total:	\$490,200	\$490,200	\$443,000

4. 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 Of The Borough Of Totowa Endorsing The "Fairness Formula" As Introduced By Governor Christie To Promote Fair Funding For Totowa Borough Students And To Relieve The Unfair Property Tax Burden. On roll call vote, all members of the Council present voted in the affirmative.

#### RESOLUTION NO. 100-2016

#### RESOLUTION OF THE BOROUGH OF TOTOWA ENDORSING THE "FAIRNESS FORMULA" AS INTRODUCED BY GOVERNOR CHRISTIE TO PROMOTE FAIR FUNDING FOR TOTOWA BOROUGH STUDENTS AND TO RELIEVE THE UNFAIR PROPERTY TAX BURDEN

WHEREAS, the Borough of Totowa Public Schools and the Passaic Valley Regional High School District receive State funding pursuant to the funding formula known as the School Funding Reform Act; and

WHEREAS, the State of New Jersey does not fully fund the program as currently constructed; and

WHEREAS, recent figures demonstrate the State funds school districts at a Statewide average of 85.3% of what is called for under the funding formula; and

WHEREAS, Borough of Totowa Public Schools and the Passaic Valley Regional High School District have been consistently underfunded according to which they are entitled under the funding formula; and

WHEREAS, in order to operate its local and regional school systems, the Borough of Totowa has had no alternative but to raise supplemental funding through a local school tax based upon real estate owned within the Borough; and

WHEREAS, utilizing real estate taxes to subsidize the school systems places an undue and unfair burden upon owners of property within the Borough, particularly since those same taxpayers are overfunding other school districts by way of allocation of New Jersey State taxes through the School Funding Reform Act; and

WHEREAS, Governor Christie has introduced a "Fairness Formula" in which each District will receive an equal amount of State aid per student, and, in so doing, will provide substantial property tax relief to owners of real property within the Borough of Totowa and allow for the Borough's schools to operate on a more fiscally responsible basis and provide the tools and staffing to provide a quality education to our Borough's students; and

WHEREAS, Governor Christie's "Fairness Formula" for the coming school year would result in each district receiving \$6,599.00 in State aid for each student enrolled; and

WHEREAS, such an equitable redistribution of State aid based upon number of pupils educated in a given school district is expected to yield a local tax savings in the amount of \$1,601.00 for the average property owner in the Borough of Totowa; and

WHEREAS, the Mayor and Council of the Borough of Totowa wishes to take action to foster and improve the health, safety, welfare and education of its local population.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Totowa, in the County of Passaic and State of New Jersey, do hereby endorse the "Fairness Formula" as introduced by Governor Chris Christie as a means of approaching a fair level of funding for local schools and provide relief from overly burdensome property taxes experienced by owners of real property in the Borough of Totowa.

There was a motion by Councilman Picarelli, seconded by Councilman D'Angelo to approve payment of the 3<sup>rd</sup> Quarter 2016 Budget Allotment to the Borough of Totowa Public Library in the amount of \$185,674.00. On roll call vote, all members of the Council present voted in the affirmative.

COMMITTEE ON PUBLIC SAFETY:

There was a motion by Councilman Puglise, seconded by Councilwoman Fontanella to adopt the following Resolution Authorizing The Purchase And Delivery Of One Multifunction Copying Machine For The Borough Of Totowa Police Department. On roll call vote, all members of the Council present voted in the affirmative.

RESOLUTION NO. 101-2016

RESOLUTION AUTHORIZING THE PURCHASE AND DELIVERY OF  
ONE MULTIFUNCTION COPYING MACHINE FOR THE  
BOROUGH OF TOTOWA POLICE DEPARTMENT

WHEREAS, the Borough of Totowa Police Chief has requested that a new multifunction copying machine be purchased for the Borough of Totowa Police Department; and

WHEREAS, the Mayor and Council of the Borough of Totowa have determined that there is a need for this equipment to be used by the employees and Officers of the Borough of Totowa Police Department; and

WHEREAS, the Mayor and Council of the Borough of Totowa desire to authorize the purchase of the multifunction copying machine; and

WHEREAS, State of New Jersey Contract No. A40467 has been awarded to Atlantic Tomorrow's Office, 200 Broadacres Drive, Bloomfield, New Jersey 07003 for the purchase of one (1) Savin MP 3054SP multifunction copying machine; and

WHEREAS, pursuant to the applicable New Jersey State laws, the purchase of this multifunction copying machine 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 (1) Savin MP 3054SP multifunction copying machine from Atlantic Tomorrow's Office in the amount of \$3,956.00.

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

A letter from the Happy Seniors thanking the Mayor and Council for the lunch provided by the Municipal Drug Alliance on June 21, 2016, along with John Waryas for serving and Captain Mark Tolomeo for his presentation was received and filed, with copies being placed in their personnel jackets.

#### COMMITTEE ON PUBLIC WORKS:

Upon the recommendation of DPW Superintendent Jim Niland, there was a motion by Councilman D'Angelo, seconded by Councilman Puglise to approve a grade increase for DPW Laborer Mike Baron from Grade 1-C to Grade 1-B. On roll call vote, all members of the Council present voted in the affirmative.

Upon the recommendation of DPW Superintendent Jim Niland, there was a motion by Councilman D'Angelo, seconded by Councilman Puglise to approve a grade increase for DPW Laborer Josko Huljev from Grade 3 to Grade 2. On roll call vote, all members of the Council present voted in the affirmative.

#### COMMITTEE ON ENGINEERING & PUBLIC PROPERTY:

A letter was received from the American Legion Memorial Post No. 227 requesting permission to use the Municipal Parking Lot on Saturday, August 27, 2016 for their fundraiser to Atlantic City. There was a motion by Councilwoman Fontanella, seconded by Councilwoman Andriani to grant permission. On roll call vote, all members of the Council present voted in the affirmative.

There was a motion by Councilwoman Fontanella, seconded by Councilwoman Andriani to authorize the Borough Clerk and Borough Attorney to prepare the specifications and advertise for the receipt of bids for a new fire alarm system for the Municipal Complex. 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 Full Refund Of 2016 Board Of Recreation Summer Camp Fee. On roll call vote, all members of the Council present voted in the affirmative.

RESOLUTION NO. 102-2016

RESOLUTION AUTHORIZING FULL REFUND OF 2016  
BOARD OF RECREATION SUMMER CAMP FEE

WHEREAS, the Borough of Totowa Board of Recreation hosts an annual summer camp for the youth of the community; and

WHEREAS, by Resolution No. 54-2016 dated April 12, 2016, the Mayor and Council of the Borough of Totowa, after conferring with the Board of Recreation and for good cause shown, approved the 2016 Fee schedule for the Board of Recreation Summer Camp; and

WHEREAS, Joseph Siecieska, 193 Dewey Avenue, Totowa, New Jersey 07512 has requested a full refund due to the fact that his child will not be able to attend the Board of Recreation Summer Camp this year; and

WHEREAS, the Borough of Totowa Board of Recreation Commissioners have recommended the return of the full Camp membership fee in the amount of \$230.00; and

WHEREAS, the Mayor and Council of the Borough of Totowa desire to authorize the full refund of the fee for the 2016 Board of Recreation Summer Camp membership in the amount of \$230.00.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Totowa do hereby authorize the refund of \$230.00 to Joseph Siecieska for the full membership fee paid to the Borough of Totowa for the 2016 Board of Recreation Summer Camp.

BE IT FURTHER RESOLVED, that the Borough of Totowa Municipal Clerk is hereby authorized to issue a check in the amount of \$230.00 to Joseph Siecieska, 193 Dewey Avenue, Totowa, New Jersey 07512.

A letter of resignation was received from Shade Tree Commissioner Linda Schopperth. There was a motion by Councilwoman Andriani, seconded by Councilman Bucher to accept her resignation and send her a letter of thanks. On roll call vote, all members of the Council present voted in the affirmative.

#### COMMITTEE ON LEGISLATION & ORDINANCES:

There was a motion by Councilman Bucher, seconded by Councilman Picarelli to approve Ice Cream Vendors License Application for Julie Trauerts as Owner/Operator, trading as Mainland. On roll call vote, all members of the Council present voted in the affirmative.

There was a motion by Councilman Bucher, seconded by Councilman Picarelli to adopt the following Resolution Authorizing Massage Establishment License For JGN Massage, LLC Doing Business As Elements Therapeutic Massage. On roll call vote, all members of the Council present voted in the affirmative.

#### RESOLUTION NO. 103-2016

##### RESOLUTION AUTHORIZING MASSAGE ESTABLISHMENT LICENSE FOR JGN MASSAGE, LLC DOING BUSINESS AS ELEMENTS THERAPEUTIC MASSAGE

WHEREAS, JGN Massage, LLC doing business as Elements Therapeutic Massage (“Elements Therapeutic Massage”) has approval to operate a massage establishment in a portion of the premises located at 650 Union Boulevard, Totowa, New Jersey; and

WHEREAS, in accordance with the requirements set forth in Chapter 250 entitled “Massage Establishments” in the Borough of Totowa Code Book, Elements Therapeutic Massage has submitted an application dated June 22, 2016 to the Borough of Totowa for a Massage Establishment License; and

WHEREAS, the Borough of Totowa Police Department has conducted a thorough investigation of the applicant in accordance with Section 250-6 of the Borough of Totowa Code Book; and

WHEREAS, the Borough of Totowa Police Chief has cleared the license for approval pursuant to his Memorandum dated July 7, 2016; and

WHEREAS, after reviewing the application and report issued by the Borough of Totowa Police Department, the Mayor and Council of the Borough of Totowa have determined that the Elements Therapeutic Massage has complied with all the requirements for a Massage Establishment License in the Borough of Totowa.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Totowa do hereby approve the Massage Establishment License application for JGN Massage, LLC doing business as Elements Therapeutic Massage and authorize the Borough of Totowa Municipal Clerk to issue a Massage Establishment License effective July 12, 2016 through June 30, 2017.

BE IT FURTHER RESOLVED, that Elements Therapeutic Massage is required to continue to comply with all applicable laws, ordinances, rules and regulations and said license must be renewed annually on or before July 1<sup>st</sup> each year.

There was a motion by Councilman Bucher, seconded by Councilman Picarelli to adopt the following Resolution Authorizing Massage Therapist Licenses for JGN Massage, LLC Doing Business As Elements Therapeutic Massage. On roll call vote, all members of the Council present voted in the affirmative.

#### RESOLUTION NO. 104-2016

##### RESOLUTION AUTHORIZING MASSAGE THERAPIST LICENSES FOR JGN MASSAGE, LLC DOING BUISNESS AS ELEMENTS THERAPEUTIC MASSAGE

WHEREAS, JGN Massage, LLC doing business as Elements Therapeutic Massage (“Elements Therapeutic Massage”) has approval to operate a massage establishment in a portion of the premises located at 650 Union Boulevard, Totowa, New Jersey; and

WHEREAS, the requirements set forth in Chapter 250 entitled “Massage Establishments” in the Borough of Totowa Code Book include obtaining a Massage Establishment License for the business and Massage Therapist Licenses for employees to be issued by the Borough of Totowa Municipal Clerk; and

WHEREAS, by Resolution No. 103-2016 dated July 12, 2016, the Mayor and Council of the Borough of Totowa authorized the issuance of a Massage Establishment License application for Elements Therapeutic Massage effective July 12, 2016 through June 30, 2017; and

WHEREAS, the following individuals have submitted applications for a Massage Therapist License as employees of Elements Therapeutic Massage, 650 Union Boulevard, Totowa, New Jersey:

1. Donna Garrity, 3 Ridge Road, Wharton, New Jersey 07885
2. Judith Bevilacqua, 268 Rubertson Way, Lincoln Park, New Jersey 07035
3. Sabrina Emmolo, 251 Dewey Avenue, Totowa, New Jersey 07512
4. Dayana V. Almanzar, 24 Grant Avenue, Totowa, New Jersey 07512
5. Ingrid DeJesus, 1010 E. 25<sup>th</sup> Street, Paterson, New Jersey 07513
6. Michael Egan, 493 Morningside Ave, Fairview, New Jersey 07022
7. Raquelina Espinal, 104 Maple Avenue, Woodland Park, New Jersey 07424
8. Katie L. Martin, 46 Walray Avenue, North Haledon, New Jersey 07508
9. Anne C. Griffin, 126 Hickory Avenue, Apt. 1, Bergenfield, New Jersey 07621

WHEREAS, the above named employees of Elements Therapeutic Massage have each submitted proof of their respective clinical training in compliance with Section 250-7 of the Borough of Totowa Code Book; and

WHEREAS, the Borough of Totowa Police Department has conducted a thorough investigation of the applicants in accordance with Section 250-6 of the Borough of Totowa Code Book; and

WHEREAS, the Borough of Totowa Police Chief has cleared the licenses for approval pursuant to his Memorandum dated July 7, 2016; and

WHEREAS, after reviewing the application and report issued by the Borough of Totowa Police Department, the Mayor and Council of the Borough of Totowa have determined that the aforementioned applicants have complied with all the requirements for a Massage Therapist License in the Borough of Totowa.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Totowa do hereby approve the Massage Therapist License applications for Donna Garrity, Judith Bevilacqua, Sabrina Emmolo, Dayana V. Almanzar, Ingrid DeJesus, Michael Egan, Raquelina Espinal, Katie L. Martin and Anne C. Griffin as employees of JGN Massage, LLC doing business as Elements Therapeutic Massage and authorize the Borough of Totowa Municipal Clerk to issue Massage Therapist Licenses to each applicant effective July 12, 2016 through June 30, 2017.

BE IT FURTHER RESOLVED, that the above Massage Therapist License holders are required to comply with all applicable laws, ordinances, rules and regulations and said license must be renewed annually on or before July 1<sup>st</sup> each year.

There was a motion by Councilman Bucher, seconded by Councilman Picarelli to approve Raffle License Application No. 1938 for the St. Joseph's Wayne Hospital Auxiliary for an Off-Premise 50/50, to be held on October 19, 2016 at The Bethwood. On roll call vote, all members of the Council present voted in the affirmative.

There was a motion by Councilman Bucher, seconded by Councilman Picarelli to approve Raffle License Application Nos. 1939 & 1940 for the Preakness Hospital Auxiliary for a Tricky Tray and Off-Premise 50/50, to be held on October 13, 2016 at The Bethwood. 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 Puglise, seconded by Councilman D'Angelo 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