

## BOROUGH OF TOTOWA

### MINUTES OF THE MAYOR AND COUNCIL

April 8, 2025

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

**ABSENT:** Councilman John Capo and Councilman Sanders Reynoso.

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.

Councilman Picarelli: Remarked he had the opportunity to attend the school play – Alice In Wonderland – last week, along with Senator Kristin Corrado, and congratulated Superintendent Patricia Capitelli and Supervisor of Curriculum and Instruction Aldo Deodina, who directed the play, on putting on a great play.

**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 March 25, 2025. 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. 2025-09 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 To Introduce The 2025 Municipal Budget. On roll call vote, all members of the Council present voted in the affirmative.

#### RESOLUTION NO. 51-2025

#### RESOLUTION TO INTRODUCE THE 2025 MUNICIPAL BUDGET

BE IT RESOLVED, that the following statements of revenues and appropriations attached hereto constitute the local Budget of the Borough of Totowa, Passaic County, New Jersey for the year 2025.

BE IT FURTHER RESOLVED, that the said Budget be published in The North Jersey Herald News in the issue of May 2, 2025, and that a hearing on the Budget will be held at the Municipal Building on May 13, 2025 at 7:30 P.M. or as soon thereafter as the matter may be reached.

There was a motion by Councilman Picarelli, seconded by Councilman D'Angelo to adopt the following Resolution Of The Borough Of Totowa Certifying Compliance With The United States Equal Employment Opportunity Commission's "Enforcement Guidance On The Consideration Of Arrest And Conviction Records In Employment Decisions Under Title VII Of The Civil Rights Act Of 1964". On roll call vote, all members of the Council present voted in the affirmative.

RESOLUTION NO. 52-2025

RESOLUTION OF THE BOROUGH OF TOTOWA CERTIFYING COMPLIANCE  
WITH THE UNITED STATES EQUAL EMPLOYMENT OPPORTUNITY  
COMMISSION'S "ENFORCEMENT GUIDANCE ON THE CONSIDERATION  
OF ARREST AND CONVICTION RECORDS IN EMPLOYMENT DECISIONS  
UNDER TITLE VII OF THE CIVIL RIGHTS ACT OF 1964"

WHEREAS, N.J.S.A. 40A:4-5 as amended by P.L. 2017, c.183 requires the governing body of each municipality and county to certify that their local unit's hiring practices comply with the United States Equal Employment Opportunity Commission's "Enforcement Guidance on the Consideration of Arrest and Conviction Records in Employment Decisions Under Title VII of the Civil Rights Act of 1964," *as amended*, 42 U.S.C. § 2000e *et seq.*, (April 25, 2012) before submitting its approved annual budget to the Division of Local Government Services in the New Jersey Department of Community Affairs; and

WHEREAS, the members of the governing body have familiarized themselves with the contents of the above-referenced enforcement guidance and with their local unit's hiring practices as they pertain to the consideration of an individual's criminal history, as evidenced by the group affidavit form of the governing body attached hereto.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Totowa, hereby states that it has complied with N.J.S.A. 40A:4-5, as amended by P.L. 2017, c.183, by certifying that the local unit's hiring practices comply with the above-referenced enforcement guidance and hereby directs the Clerk to cause to be maintained and available for inspection a certified copy of this resolution and the required affidavit to show evidence of said compliance.

There was a motion by Councilman Picarelli, seconded by Councilman D'Angelo to approve payment of the 2<sup>nd</sup> Quarter 2025 Budget Allotment to the Borough of Totowa Public Library in the amount of \$400,745. 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 Bucher to approve a grade increase for Patrol Officer Nicholas Macaluso from Grade 2 Patrol Officer to Grade 1 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 Bucher to adopt the following Resolution Authorizing The Purchase And Delivery Of Portable Radios For The Police Department. On roll call vote, all members of the Council present voted in the affirmative.

RESOLUTION NO. 53-2025

RESOLUTION AUTHORIZING THE PURCHASE AND DELIVERY OF  
PORTABLE RADIOS FOR THE BOROUGH OF TOTOWA POLICE DEPARTMENT

WHEREAS, the Borough of Totowa Police Chief has requested that six (6) new portable radios be purchased for use by 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 the new radios; and

WHEREAS, the Mayor and Council of the Borough of Totowa desire to authorize the purchase of six (6) new portable radios; and

WHEREAS, State of New Jersey Contract No. 83898 has been awarded to Northeast Communications, 244 East Union Turnpike, Wharton, New Jersey 07885 for the purchase and delivery of portable radios and all related equipment; and

WHEREAS, pursuant to the applicable New Jersey State laws, the purchase of the police radios 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 of six (6) Motorola R7 portable radios and all related equipment from Northeast Communications in the amount of \$8,476.80.

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.

COMMITTEE ON PUBLIC WORKS:

There was no report.

COMMITTEE ON ENGINEERING & PUBLIC PROPERTY:

A letter was received from the Totowa Seniors requesting permission to use the Municipal Parking Lot on Monday, April 14, 2025 for a bus trip to Camp Hope in West Milford. There was a motion by Councilman Picarelli, seconded by Councilman D'Angelo 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 Councilman Bucher, seconded by Councilman Fierro to adopt the following Resolution Opposing Legislation That Would Preempt Local Planning And Permit Conversion Of Certain Office Parks And Retail Centers To Mixed-Use Developments. On roll call vote, all members of the Council present voted in the affirmative.

RESOLUTION NO. 54-2025

RESOLUTION OPPOSING LEGISLATION THAT WOULD PREEMPT LOCAL  
PLANNING AND PERMIT CONVERSION OF CERTAIN OFFICE PARKS  
AND RETAIL CENTERS TO MIXED-USE DEVELOPMENTS

WHEREAS, New Jersey has long history of maintaining the principles of home rule, established in the state constitution, which has provided our residents with the most meaningful direct access to strong local governments; and

WHEREAS, municipalities bring a distinctive responsiveness and ability to shape policy to respond to the needs of communities; and

WHEREAS, local control and decision making reflective of the community empowers the residents and taxpayers of each municipality to carefully tailor local policies that reflect its unique geography, economy, needs, and priorities; and

WHEREAS, SCS-1408/A-2757 require municipal planning boards to permit the conversion of eligible properties, so-called “stranded assets” into mixed-use developments, effectively bypassing the existing variance procedure and preempting local zoning; and

WHEREAS, an eligible property is defined as an office park that is at least 50,000 square feet or a retail center of at least 15,000 square feet; and has a vacancy rate of at least 25% rate for at least 18 months immediately preceding the application; or has suffered an economic downturn over the immediately preceding 3 years, demonstrated by evidence of a quantifiable loss in revenue such that the developer’s expenses for the premises have exceeded revenues by at least 30% or more each year; and

WHEREAS, the committee amendments eliminated the 2-year sunset in the original bill, meaning that this would be a permanent preemption of local planning; and

WHEREAS, a mixed-use development, which may include the demolition of existing structures, that is subject to a preemptive conversion shall be considered a permitted use and not require a variance, provided that the development otherwise complies with zoning requirements in the municipality’s mixed-use zone; the application proposes at least two types of uses, one of which shall be residential, and no use shall be industrial; at least 20% of the residential units to be constructed shall be reserved as very-low-income housing, low-income housing, or moderate-income housing, at least 50% within each bedroom distribution are low-income units, at least 13% of the low income units are very-low income units; and must comply with the Uniform Housing Affordability Controls in N.J.S.A. 52:27D-301 et seq.; and

WHEREAS, the bill establishes the criteria to follow if there are multiple mixed-use zones and legislates mixed-use zones if the municipality does not have a mixed-use zone, likely to result in costly litigation; and

WHEREAS, SCS-1408/A-2757 is based on the unnecessary and unwarranted preemption of local master planning as currently any such application can be made through the variance process or a redevelopment process; and

WHEREAS, the criteria in the bill is ripe for litigation and unintended consequences that could likely turn into a backdoor means to challenge approved affordable housing plans and expose municipalities to litigation; and

WHEREAS, this legislation and the erosion of local autonomy threatens to undermine home rule that is critical for local officials to adopt policies that are the most beneficial to the community and that our residents have long come to expect from their municipal government.

NOW, THEREFORE, BE IT RESOLVED, that the Borough of Totowa hereby urges the legislature to reject SCS-1408/A-2757 and preserve local autonomy in municipal planning.

BE IT FURTHER RESOLVED, that copies of this resolution be forwarded to Senator Kristin M. Corrado, Assemblymembers Christopher DePhillips and Al Barlas, Senate President Nicholas Scutari, Assembly Speaker Craig Coughlin, the Lieutenant Governor Tahesha Way, the Governor of the State of New Jersey Phillip Murphy, and New Jersey State League of Municipalities.

There was a motion by Councilman Bucher, seconded by Councilman Fierro to adopt the following Resolution Authorizing Electrical Upgrades At The Totowa Municipal Swimming Pool. On roll call vote, all members of the Council present voted in the affirmative.

RESOLUTION NO. 55-2025

RESOLUTION AUTHORIZING ELECTRICAL UPGRADES  
AT THE TOTOWA SWIMMING POOL

WHEREAS, the Superintendent for the Borough of Totowa Department of Public Works (“DPW”) has recommended that various electrical upgrades be undertaken at the Totowa Swimming Pool; and

WHEREAS, the recommended upgrades include the removal and replacement of panels and breakers on the Pool’s main 100 AMP panel as well as the installation of new ELCI devices on the Pool pump circuits; and

WHEREAS, the Borough of Totowa DPW Superintendent has solicited quotes from licensed electrical contractors to provide the necessary upgrade services; and

WHEREAS, K. Hanrahan Enterprises, Inc., 20-21 Wagaraw Road, Hawthorne, New Jersey 07410, License No. 6215a, has submitted a proposal dated April 2, 2025 to perform the required electrical services in the amount of \$14,247.02, a copy of which is on file in the office of the Borough of Totowa Municipal Clerk; and

WHEREAS, the DPW Superintendent has reviewed the proposal and advised that K. Hanrahan Enterprises, Inc. has the necessary experience to perform the electrical upgrades; and

WHEREAS, the Mayor and Council of the Borough of Totowa desire to authorize the electrical upgrades at the Totowa Municipal Swimming Pool to ensure the safety and well-being of the Pool members and employees; and

WHEREAS, pursuant to the applicable New Jersey State laws, the authorization of this service will not exceed the public bidding threshold and may be authorized without public bidding.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Totowa do hereby accept the proposal submitted by K. Hanrahan Enterprises, Inc. to perform the electrical upgrades at the Totowa Swimming Pool in the amount of \$14,247.02.

BE IT FURTHER RESOLVED, that the Mayor and Council of the Borough of Totowa do hereby authorize K. Hanrahan Enterprises, Inc. to provide the materials and perform the services set forth in their proposal.

A letter from the Totowa PAL inviting the Mayor and Council to attend their Baseball & Softball Opening Day Ceremony on April 12, 2025 at 10:00 a.m. was received and filed.

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. 06-2025**

**CALENDAR YEAR 2025 ORDINANCE TO EXCEED THE  
MUNICIPAL BUDGET APPROPRIATION LIMITS AND  
TO ESTABLISH A CAP BANK (N.J.S.A. 40A:4-45.14)**

There was a motion by Councilman Fierro, seconded by Councilman Picarelli to approve Raffle License Application Nos. 2424 & 2425 for Silk City Pearls, Inc. for a Tricky Tray and On-Premise 50-50 to be held on October 25, 2025 at the Barnyard & 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. 2426 for the BPOE #2111 Passaic Valley Elks for an Instant Raffle to be held during May 1 to December 31, 2025 at the Elks Lodge. 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. 2427 for the Roots & Wings Foundation for an On-Premise 50-50 to be held on May 7, 2025 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. 2428 & 2429 for the Academy of St. James of the Marches for a Tricky Tray and On-Premise 50-50 to be held on May 9, 2025. 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