

BOROUGH OF TOTOWA

MINUTES OF THE MAYOR AND COUNCIL

November 11, 2025

PRESENT: Mayor John Coiro, presiding, Council President Lou D'Angelo, Councilman Anthony Picarelli, Councilman Patrick Fierro, Councilman Sanders Reynoso, Councilwoman Kristen Coiro, 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) Congratulated Council President D'Angelo and Councilwoman Coiro on their election victory and said he looks forward to continue working with them; 2) Stated that last night and today, he and a couple of the Council attended events for our Veterans and noted they were solemn, but appropriate.

Councilman Reynoso: Reminded everyone that the Turkey Trot will be held on November 23rd and the Fire Department Holiday Parade will be on November 29th.

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 October 28, 2025. On roll call vote, all members of the Council present voted in the affirmative.

COMMITTEE ON FINANCE:

There was a motion by Councilman Picarelli, seconded by Councilman D'Angelo to approve Resolution No. 2025-22 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>
170	3	Totowa VF LLC	Heinze Law PA	2023	47,000,000	42,000,000	\$129,650.00
		C/O Vornado Rlty Trst Attorney Trust Account					
		545 Route 46					
		Totowa UE LLC		2024	47,000,000	37,000,000	271,100.00
				2025	47,000,000	33,300,000	<u>401,958.00</u>
							\$802,708.00

COMMITTEE ON PUBLIC SAFETY:

Upon the recommendation of the Committee, there was a motion by Councilman D'Angelo, seconded by Councilman Picarelli that Sergeant Robert Errigo be promoted to the rank of Lieutenant and Patrol Officer Nicholas Varcadipane be promoted to the rank of Sergeant in the Borough of Totowa Police Department. 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 promote Sergeant Robert Errigo to the rank of Lieutenant and Patrol Officer Nicholas Varcadipane to the rank of Sergeant in the Borough of Totowa Police Department, effective with their swearing in ceremony on November 25, 2025.

There was a motion by Councilman D'Angelo, seconded by Councilman Picarelli to confirm the promotions. 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 Of The Mayor And Council Of The Borough Of Totowa Adopting The 2025 Passaic County Hazard Mitigation Plan. On roll call vote, all members of the Council present voted in the affirmative.

RESOLUTION NO. 140-2025

RESOLUTION OF THE MAYOR AND COUNCIL OF THE BOROUGH OF TOTOWA ADOPTING THE 2025 PASSAIC COUNTY HAZARD MITIGATION PLAN

WHEREAS, the Mayor and Council of the Borough of Totowa recognize the threat that natural hazards pose to people and property within the Borough of Totowa; and

WHEREAS, the Mayor and Council of the Borough of Totowa has prepared a multi-hazard mitigation plan, hereby known as the 2025 Passaic County Hazard Mitigation Plan in accordance with the Disaster Mitigation Act of 2000; and

WHEREAS, the 2025 Passaic County Hazard Mitigation Plan identifies mitigation goals and actions to reduce or eliminate long-term risk to people and property in the Borough of Totowa from the impacts of future hazards and disasters; and

WHEREAS, adoption by the Mayor and Council of the Borough of Totowa demonstrate their commitment to hazard mitigation and achieving the goals outlined in the 2025 Passaic County Hazard Mitigation Plan.

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

Section 1. In accordance with New Jersey's rules and regulations, the Mayor and Council of the Borough of Totowa adopt the 2025 Passaic County Hazard Mitigation Plan. This plan, approved by the community, may be edited or amended after submission for review, but will not require the community to re-adopt any further iterations. This only applies to this specific plan and does not absolve the community from updating the plan in 5 years.

COMMITTEE ON PUBLIC WORKS:

There was no report.

COMMITTEE ON ENGINEERING & PUBLIC PROPERTY:

There was a motion by Councilman Fierro, seconded by Councilman Reynoso to adopt the following Resolution Approving Treatment Works Approval Application And Authorizing The Mayor To Execute The Statements Of Consent—NJDEP Form WQM-003-T On Behalf Of The Borough Of Totowa For The Passaic Valley Water Commission. On roll call vote, all members of the Council present voted in the affirmative.

RESOLUTION NO. 141-2025

RESOLUTION APPROVING TREATMENT WORKS APPROVAL APPLICATION AND
AUTHORIZING THE MAYOR TO EXECUTE THE STATEMENTS OF CONSENT—
NJDEP FORM WQM003T ON BEHALF OF THE BOROUGH OF TOTOWA FOR
PASSAIC VALLEY WATER COMMISSION, 800 UNION BOULEVARD

WHEREAS, Passaic Valley Water Commission, 800 Union Boulevard, Totowa, New Jersey, 07512, has made application to replace their residuals handling facility with a new adjacent facility for the thickening and holding of process wastewater from the facility's water treatment processes; and

WHEREAS, Passaic Valley Water Commission, is required to apply to the New Jersey Department of Environmental Protection (NJDEP) for a Treatment Works Approval (TWA) for this project; and

WHEREAS, the Treatment Works Approval (TWA) permit application has been reviewed and approved by the Borough Engineer.

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Totowa, County of Passaic, State of New Jersey that the Mayor of the Borough of Totowa be and is hereby authorized to execute the Statements of Consent – NJDEP Form WQM003T on behalf of the Borough of Totowa.

There was a motion by Councilman Fierro, seconded by Councilman Reynoso to adopt the following Resolution Authorizing The Installation Of Christmas Lighting At The Municipal Complex. On roll call vote, all members of the Council present voted in the affirmative.

RESOLUTION NO. 142-2025

RESOLUTION AUTHORIZING THE INSTALLATION OF CHRISTMAS LIGHTING AT THE MUNICIPAL COMPLEX

WHEREAS, in anticipation of the upcoming Totowa, Woodland Park and Little Falls Holiday Parade, the Mayor and Council of the Borough of Totowa desire to make the Borough of Totowa Municipal Complex more festive with the installation of Christmas lighting; and

WHEREAS, to accomplish that goal, the Mayor and Council of the Borough of Totowa solicited quotes from licensed companies specializing in the installation of Christmas lighting; and

WHEREAS, K Hanrahan Enterprises, Inc., 20-21 Wagaraw Road, Building 36, Fair Lawn, New Jersey 07410 submitted a proposal dated October 30, 2025 for the installation of Christmas lighting in the amount of \$11,300.00, a copy of which is on file in the office of the Borough of Totowa Municipal Clerk; and

WHEREAS, pursuant to the applicable New Jersey State laws, the contract for these services may be authorized without public bidding since the total contract price will not exceed the public bidding threshold.

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., for the installation of Christmas lighting at the Municipal Complex in the amount of \$11,300.00.

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

A letter was received from the Totowa Seniors requesting permission to use the Municipal Parking Lot on Wednesday, January 14, 2026 for a bus trip to Wind Creek Casino in Bethlehem, PA. There was a motion by Councilman Fierro, seconded by Councilman Reynoso to approve the request. On roll call vote, all members of the Council present voted in the affirmative.

COMMITTEE ON LIAISON & INSPECTION:

There was a motion by Councilman Reynoso, seconded by Councilwoman Coiro to adopt the following Resolution Authorizing The Borough Of Totowa To Enter Into A Developer's Agreement With Fortress Holdings, LLC. On roll call vote, all members of the Council present voted in the affirmative.

RESOLUTION NO. 143-2025

RESOLUTION AUTHORIZING THE BOROUGH OF TOTOWA TO ENTER INTO A DEVELOPER'S AGREEMENT WITH FORTRESS HOLDINGS, LLC

WHEREAS, Fortress Holdings, LLC, P.O. Box 1162, Little Falls, New Jersey 07424 (hereinafter the "Developer") is the owner of real property set forth and designated as Block 6, Lots 2, 4, 12 and the half-width of the undeveloped right of way identified as Sherwood Avenue on the official Tax and Assessment Map of the Borough of Totowa and commonly known as 555 Preakness Avenue and 561 Preakness Avenue, Totowa, New Jersey 07512 and 322-324 Berkshire Avenue (a portion of which is located within the Borough of Totowa and the City of Paterson); and

WHEREAS, the Totowa properties are located within the Residential Affordable Housing Zone ("R-AH"); and

WHEREAS, the Developer filed 4 applications with the Borough of Totowa Zoning Board of Adjustment ("Zoning Board") between 2015 and 2021 for various land use approvals, preliminary site plan approval and final site plan approval for the property as follows:

1. The initial application was decided June 10, 2015 and memorialized July 8, 2015 by the Zoning Board granting Site Plan Approval, Use Variance approval, Height Variance, Ancillary "C" or Bulk Variance and Design Waiver to permit improvements to the building for a restaurant/catering facility use which in 2015 was a Restricted Industry Zone ("I-3 Zone").
2. The second application was decided on February 16, 2016 and memorialized March 9, 2016 by the Zoning Board granting approval amending Site Plan Approval, Ancillary "C" or Bulk variance relief and design waiver relief.
3. The third application was decided on February 13, 2019 and memorialized March 13, 2019 by the Zoning Board granting approval to amend Site Plan Approval, Ancillary "C" or Bulk variances and design waiver relief subject to the new zone for this project which is the R-AH Zone.
4. The fourth application was decided on May 26, 2021 and memorialized August 11, 2021 by the Zoning Board seeking Preliminary Major Site Plan Approval, Final Major Site Plan Approval, Major Subdivision Approval, Expansion of the Non-Conforming Use, Signage Waiver and Design Waiver relief; and

WHEREAS, by Resolution No. 67-2022 dated May 10, 2022, the Mayor and Council of the Borough of Totowa authorized the Municipal Attorney to prepare a Developer's Agreement between the Borough of Totowa and Fortress Holdings, LLC; and

WHEREAS, thereafter, Fortress Holdings, LLC applied to the Zoning Board of Adjustment for various modifications to the original approvals including Amended Preliminary Major Site Plan approval, Amended Final Major Site Plan approval, Use Variance Relief, expansion of a Non-Conforming Use and Bulk Variance relief; and

WHEREAS, the Zoning Board at its public meetings held on October 9, 2024 and November 13, 2024 granted Preliminary and Final Site Plan approvals along with the requested Variance and Use relief sought by Fortress Holding, LLC; and

WHEREAS, one of the conditions of the approval granted by the Borough of Totowa Zoning Board was the requirement that Fortress Holdings, LLC enter into an Addendum to the original Developer's Agreement with the Borough of Totowa; and

WHEREAS, by Resolution No. 140-2024 dated November 26, 2024, the Mayor and Council of the Borough of Totowa authorized the Municipal Attorney to prepare the Developer's Agreement between the Borough of Totowa and Fortress Holdings, LLC.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Totowa do hereby authorize the Borough of Totowa to enter into a Developer's Agreement between the Borough of Totowa and Fortress Holdings, LLC.

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.

There was a motion by Councilman Reynoso, seconded by Councilwoman Coiro to adopt the following Resolution Authorizing The Municipal Attorney To Prepare A Developer's Agreement Between The Borough Of Totowa And Shepherds Lane Commons LLC. On roll call vote, all members of the Council present voted in the affirmative.

RESOLUTION NO. 144-2025

RESOLUTION AUTHORIZING THE MUNICIPAL ATTORNEY TO PREPARE A DEVELOPER'S AGREEMENT BETWEEN THE BOROUGH OF TOTOWA AND SHEPHERDS LANE COMMONS LLC

WHEREAS, G.O.M. Real Estate Investment, LLC was the owner of real property set forth and designated as Block 11, Lot 9.01 on the official Tax and Assessment Map of the Borough of Totowa and commonly known as 95 Shepherds Lane, Totowa, New Jersey 07512; and

WHEREAS, the property is located in the R-AH-2 Affordable Housing-2 Zone District; and

WHEREAS, G.O.M. Real Estate Investment, LLC filed an application with the Borough of Totowa Planning Board for various land use approvals seeking preliminary and final major site plan approval with variance relief for the Shepherds Lane property for the construction of 2 buildings containing a total of 74 units for rent; and

WHEREAS, 59 of the units will be market rate and 15 of the units will be affordable housing; and

WHEREAS, the Borough of Totowa Planning Board at its public meeting held on July 9, 2020 granted preliminary and final site plan approval and various land use relief for the application filed by G.O.M. Real Estate Investment, LLC for the Shepherds Lane property, subject to certain conditions and restrictions; and

WHEREAS, the Borough of Totowa Planning Board approved the application on July 9, 2020 and memorialized its decision in a Resolution adopted by the Planning Board on August 13, 2020; and

WHEREAS, Shepherds Lane Commons LLC is the successor to G.O.M. Real Estate Investment, LLC; and

WHEREAS, Shepherds Lane Commons LLC filed an amended application with the Borough of Totowa Planning Board seeking amended preliminary and final major site plan approval with variance "c" relief including track setback, building length, height and parking lot relief; and

WHEREAS, the Borough of Totowa Planning Board at its public meeting held on April 11, 2024 granted the preliminary and final site plan approval and various land use relief for the application filed by Shepherds Lane Commons LLC for the Shepherds Lane property, subject to certain conditions and restrictions; and

WHEREAS, the Borough of Totowa Planning Board approved the application on April 11, 2024 and memorialized its decision in a Resolution adopted by the Planning Board on April 25, 2024; and

WHEREAS, one of the conditions of the approval granted by the Borough of Totowa Planning Board was the requirement that the Shepherds Lane Commons LLC enter into a Developer's Agreement with the Borough of Totowa; and

WHEREAS, the Mayor and Council of the Borough of Totowa desire that the terms and conditions of the various approvals be memorialized in a Developer's Agreement.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Totowa do hereby authorize the Borough of Totowa Municipal Attorney to prepare a Developer's Agreement between the Borough of Totowa and Shepherds Lane Commons LLC.

COMMITTEE ON LEGISLATION & ORDINANCES:

There was a motion by Councilwoman Coiro, 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. 16-2025

**AN ORDINANCE TO AMEND THE CODE OF THE BOROUGH OF TOTOWA
CHAPTER 398 ENTITLED “VEHICLES AND TRAFFIC”,
ARTICLE II, “PARKING “,SECTION 7, “PARKING PROHIBITED
DURING CERTAIN HOURS” AND ARTICLE XIII, “SCHEDULES”,
SECTION 46, “SCHEDULE II: NO PARKING CERTAIN HOURS”**

There was a motion by Councilwoman Coiro, seconded by Councilman Picarelli to adopt the following Resolution Of The Borough Of Totowa In Opposition To Senate Bill No. 4736. On roll call vote, all members of the Council present voted in the affirmative.

RESOLUTION NO. 145-2025

**RESOLUTION OF THE BOROUGH OF TOTOWA IN OPPOSITION
TO SENATE BILL NO. 4736**

WHEREAS, municipalities are required to establish a Municipal Master Plan with a combination of mandatory and optional elements including Goals and Objectives, Land Use, Circulation, Housing, Community Facilities, Downtown Economic Development, Historic Preservation and Sustainability; and

WHEREAS, municipalities are also required to reexamine the Municipal Master Plan every 10 years to ensure that the master plan meets the community needs and is relevant as communities evolve, grow and change; and

WHEREAS, municipalities complete this effort at great cost and community input to ensure that community has a roadmap for growth; and

WHEREAS, a municipality is best suited to plan for and understand their community's needs, the existing infrastructure to address the municipality's public safety, health, traffic, and character and the ability to expand such infrastructure for desired growth; and

WHEREAS, there are many mechanisms for exceptions and variances to the local planning process; and

WHEREAS, municipalities have been diligently working to comply with the change's outlines in the passage of A4/S50 in 2024 that made substantial changes to the 4th Round of Affordable Housing obligations; and

WHEREAS, affordable housing construction has generally comprised between 10 to 20% of a total development but municipalities will end up building far more units during this current round of affordable housing; and

WHEREAS, recent legislative proposals that preempt the planning process by permitting the conversion of underutilized properties into mixed use developments, reducing the number of parking spaces required for new developments near transit, making Accessory Dwelling Units permissible and most recently, legislation that enhances the ability of religious and nonprofit organizations to convert certain property to exclusory developments with affordable housing undermines the careful planning process outlined in the Municipal Land Use Law; and

WHEREAS, this proposal, S4736, is particularly egregious because the required percentage of affordable housing units is only 20% with the remaining 80% at market rate making it more challenging for municipalities to meet their 4th Round Affordable Housing obligations; and

WHEREAS, this legislation bypasses local planning for increased density and height, regardless of a municipality's ability to ensure safety; and

WHEREAS, a worthy project could, and should participate in the local planning and zoning process to engage with the public; and

WHEREAS, S4736 permits the bypassing of the local planning process which is an egregious assault on municipal autonomy and local decision making.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Totowa hereby urge the legislature to defeat S4736 and similar legislation that denies local autonomy in land use planning and ignores the well thought out master plan.

BE IT FURTHER RESOLVED, that a copy of this Resolution shall be forwarded to Senator Kristin M. Corrado, Assemblyman Christopher DePhillips, Assemblyman Al Barlas, Governor Phil Murphy, Governor-Elect Mikie Sherrill and the New Jersey State league of Municipalities.

There was a motion by Councilwoman Coiro, 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 December 7, 2025 from 1:00 p.m. – 11:30 p.m. On roll call vote, all members of the Council present voted in the affirmative.

There was a motion by Councilwoman Coiro, seconded by Councilman Picarelli to approve Raffle License Application No. 2453 for the Passaic Valley Elks BPOE #2111 for an Off-Premise 50-50 to be held on January 9, 2026. 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