

# County of Passaic

## Board of County Commissioners



### OFFICE OF COUNTY COMMISSIONERS

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Louis E. Imhof  
Clerk Of The Board

Date: Apr 28, 2026 - 5:30 PM

Agenda: RESOLUTION AUTHORIZING A HOLD HARMLESS AGREEMENT BETWEEN THE COUNTY OF PASSAIC AND BMD TOTOWA, LLC FOR PROPERTY LOCATED AT 410 MINNISINK ROAD, TOTOWA, NEW JERSEY, BLOCK 174, LOT 3.

THIS RESOLUTION WAS REQUESTED BY:  
PLANNING AND ECONOMIC  
DEVELOPMENT

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REVIEWED BY:

Matthew P. Jordan, Esq.  
COUNTY ADMINISTRATOR

APPROVED AS TO FORM AND LEGALITY:

Nadege D. Allwaters, Esq.  
COUNTY COUNSEL

Planning and Economic Development

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COMMITTEE NAME

<b>Official Resolution#</b>	
Meeting Date	4/28/2026
Introduced Date	4/24/2026
Adopted Date	
Agenda Item	38.
CAF#	
Purchase Req. #	
Result	

**RESOLUTION AUTHORIZING A HOLD HARMLESS AGREEMENT BETWEEN THE COUNTY OF PASSAIC AND BMD TOTOWA, LLC FOR PROPERTY LOCATED AT 410 MINNISINK ROAD, TOTOWA, NEW JERSEY, BLOCK 174, LOT 3.**

**WHEREAS**, the Passaic County Department of Planning and Economic Development is in receipt of a proposed Agreement (attached hereto) by and between the County of Passaic (hereafter “County”) and BMD Totowa, LLC (hereafter “Applicant”) for a site plan to develop real property on a Passaic County roadway located at 410 Minnisink Road, Totowa, NJ, Block 174, Lot 3; and

**WHEREAS**, Applicant applied to the Passaic County Planning Board (hereafter “Board”) under File No. SP-25-019; and

**WHEREAS**, the Board has required the Applicant to enter into an agreement holding the County Harmless for all stormwater, silt and debris that enter the Applicant’s property from the County right-of-way; and

**WHEREAS**, the Agreement is required due to the slope of two driveways along Minnisink Road (CR 642), a County road; and

**WHEREAS**, the Agreement has been reviewed by County staff and deemed acceptable; and

**WHEREAS**, the Agreement, the most recent Review Letter, and Site Plan are all attached to this request; and

**WHEREAS**, this matter was discussed at the April 16, 2026 meeting of the Planning and Economic Development Committee and is being recommended to the Passaic County Board of County Commissioners for approval;

**NOW, THEREFORE, LET IT BE RESOLVED**, by the Passaic County Board of County Commissioners that the County Commissioner Director and Clerk of the Board be and are hereby authorized to execute the attached Agreement by and between the County of Passaic and BMD Totowa, LLC, as set forth above.

JDP

April 28, 2026