

TOWNSHIP COUNCIL MEETING AGENDA

MONDAY, AUGUST 26, 2019

7:00 P.M.

SALUTE TO THE FLAG

STATEMENT OF PUBLIC NOTICE - TAKE NOTICE THAT ADEQUATE NOTICE OF THIS MEETING HAS BEEN PROVIDED IN ACCORDANCE WITH N.J.S.A. 10:4-8 AND N.J.S.A. 10:4-10 AS FOLLOWS: A NOTICE OF THE MEETING WAS PROMINENTLY POSTED ON THE BULLETIN BOARD AT THE MUNICIPAL BUILDING, LOCATED AT 225 MAIN STREET, LITTLE FALLS, N.J. ON JANUARY 2, 2019. A COPY OF THE NOTICE WAS MAILED TO THE NORTH JERSEY HERALD & NEWS AND THE RECORD ON THE SAME DATE. ADDITIONALLY, A COPY OF THE NOTICE WAS FILED IN THE OFFICE OF THE TOWNSHIP CLERK ON SAID DATE.

ROLL CALL

MINUTES

APPROVAL OF MINUTES FROM THE REGULAR MEETING OF JULY 22, 2019,
AND THE WORKSHOP MEETING OF AUGUST 12, 2019

REMARKS FROM THE CHAIR

COUNCIL MEMBER REPORTS

MAYOR'S REPORT

ATTORNEY'S REPORT

PUBLIC COMMENT - AGENDA ITEMS ONLY

ANYONE WISHING TO ADDRESS THE TOWNSHIP COUNCIL MAY DO SO THROUGH THE COUNCIL PRESIDENT. PLEASE GIVE YOUR NAME AND ADDRESS FOR THE RECORD. COMMENTS ARE TO BE LIMITED TO THREE MINUTES, HOWEVER, IF APPROPRIATE, YOU MAY BE GRANTED ADDITIONAL TIME IN THE SOLE DISCRETION OF THE COUNCIL PRESIDENT.

CONSENT AGENDA

ALL ITEMS ON THE CONSENT AGENDA ARE CONSIDERED TO BE ROUTINE AND WILL BE ENACTED WITH A SINGLE MOTION. FOR ANY ITEMS UNDER REQUISITIONS THE TREASURER HAS SUPPLIED A CERTIFICATION OF THE AVAILABILITY OF FUNDS.

REPORTS

MUNICIPAL CLERK'S REPORT FOR THE MONTH OF JULY 2019

MUNICIPAL CLERK'S DOG/CAT LICENSE REPORT FOR THE MONTH OF JULY 2019

TAX COLLECTOR'S REPORT FOR THE MONTH OF JULY 2019

RECREATION CENTER REPORT FOR THE MONTH OF JULY 2019

CIVIC CENTER REPORT FOR THE MONTH OF JULY 2019

POLICE DEPARTMENT REPORT FOR THE MONTH OF JULY 2019

CONSTRUCTION REPORT FOR THE MONTH OF JULY 2019

APPLICATIONS

RAFFLE, ST. JOHN THE BAPTIST RUSSIAN ORTHODOX GREEK CATHOLIC CHURCH, ON-PREMISE 50/50, 9/22/19, 12:00 P.M. - 7:00 P.M., 29 WEAVER STREET, LITTLE FALLS

RAFFLE, ST. JOHN THE BAPTIST RUSSIAN ORTHODOX GREEK CATHOLIC CHURCH, ON-PREMISE MERCHANDISE DRAW RAFFLE, 9/22/19, 12:00 P.M. - 7:00 P.M., 29 WEAVER STREET, LITTLE FALLS

RESOLUTIONS

RESOLUTION AUTHORIZING THE TREASURER TO ISSUE A CHECK IN THE AMOUNT OF \$5,807.31 TO REFUND THIRD AND FOURTH QUARTER TAX OVERPAYMENTS IN THE YEAR 2019 ON SEVERAL PROPERTIES [A]

RESOLUTION REQUESTING PERMISSION FOR THE DEDICATION BY RIDER FOR DEVELOPER FEES - HOUSING TRUST FUNDS [B]

RESOLUTION AWARDING A CONTRACT TO 4 CLEAN-UP, INC. FOR IMPROVEMENTS TO DONATO DRIVE: \$551,895.30 [C]

RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT TO H.A. DEHART & SON FOR THE PURCHASE OF A SENIOR BUS THROUGH THE HUNTERDON COUNTY EDUCATIONAL SERVICES COMMISSION COOPERATIVE PURCHASING CONTRACT: \$75,538.72 [D]

BILL LIST [E]

NEW BUSINESS

INTRODUCTION OF ORDINANCE NO. 1369, AN ORDINANCE ENTITLED, ORDINANCE OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF LITTLE FALLS, IN THE COUNTY OF PASSAIC, STATE OF NEW JERSEY, AMENDING THE TOWNSHIP CODE TO REGULATE THE PARKING RESTRICTIONS ON CERTAIN STREETS (WOODS ROAD)", WITH A SECOND READING AND PUBLIC HEARING SCHEDULED FOR SEPTEMBER 23, 2019.

INTRODUCTION OF ORDINANCE NO. 1370, AN ORDINANCE ENTITLED, "ORDINANCE OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF LITTLE FALLS IN THE COUNTY OF PASSAIC, STATE OF NEW JERSEY, AMENDING THE TOWNSHIP CODE CHAPTER 71, FEES", WITH A SECOND READING AND PUBLIC HEARING SCHEDULED FOR SEPTEMBER 23, 2019.

PUBLIC COMMENT - GENERAL MATTERS

ANYONE WISHING TO ADDRESS THE TOWNSHIP COUNCIL MAY DO SO THROUGH THE COUNCIL PRESIDENT. PLEASE GIVE YOUR NAME AND ADDRESS FOR THE RECORD. COMMENTS ARE TO BE LIMITED TO THREE MINUTES, HOWEVER, IF APPROPRIATE, YOU MAY BE GRANTED ADDITIONAL TIME IN THE SOLE DISCRETION OF THE COUNCIL PRESIDENT.

ADJOURN

RESOLUTION [A] 19-08-26 # _____

WHEREAS, the following properties in the Township of Little Falls, New Jersey have overpaid real estate taxes in 2019; and

WHEREAS, the Tax Collector is requesting that the Township Council direct the Treasurer to refund said amounts overpaid listed below;

NOW, THEREFORE BE IT RESOLVED, by the Township Council of the Township of Little Falls, County of Passaic, State of New Jersey that the following listed tax refunds be made by the Township Treasurer:

<u>Tax Year & Qtr.</u>	<u>Block Lot/Q</u>	<u>Taxpayer/ Location</u>	<u>Payee</u>	<u>Reason</u>	<u>Amount</u>
2019/3&4	112/5	KV Realty, LLC 30 Paterson Av	KV Realty, LLC 70 E Main Street Little Falls NJ 07424	OP/ Overbilled	\$844.66
2019/3&4	112/6	KV Realty, LLC 36 Paterson Av	KV Realty, LLC 70 E Main Street Little Falls NJ 07424	OP/ Overbilled	1,911.16
2019/3&4	112/8	KV Realty, LLC 40 Paterson Av	KV Realty, LLC 70 E Main Street Little Falls NJ 07424	OP/ Overbilled	1,026.88
2019/3&4	112/9	KV Realty, LLC 48 Paterson Av	KV Realty, LLC 70 E Main Street Little Falls NJ 07424	OP/ Overbilled	2,024.61
			Total Refund		\$5,807.31

APPROVED: _____

cc: Finance Dept.
Tax Collector
Dept.

DEDICATION BY RIDER
TOWNSHIP OF LITTLE FALLS
COUNT OF PASSAIC

RESOLUTION **B** 19-08-26 # _____

**A RESOLUTION REQUESTING PERMISSION FOR THE DEDICATION BY RIDER FOR
Developers Fees - Housing Trust Funds (PL 1985 c.222 and NJS 52:27D-320)**

WHEREAS, permission is required of the Director of the Division of Local Government Services for approval as a dedication by rider of revenues received by a municipality when the revenue is not subject to reasonably accurate estimates in advance; and'

WHEREAS, Developers Fees - Housing Trust Funds (PL 1985 c.222 and NJS 52:27D-320) provides for receipt of Fees by the municipality to provide for the costs to operate the Fair Share Housing program; and,

WHEREAS, N.J.S.A. 40A:4-39 provides the dedicated revenues anticipated from the Developers Fees - Housing Trust Funds (PL 1985 c.222 and NJS 52:27D-320) are hereby anticipated as revenue and are hereby appropriated for the purpose to which said revenue is dedicated by statute or other legal requirement in support of Fair Share Housing Program:

NOW, THEREFORE, BE IT RESOLVED, by the Governing Body of the Township Council of Township of Little Falls County of Passaic New Jersey as follows:

1. The Governing Body does hereby request permission of the Director of the Division of Local Government Services to pay expenditures of Developers Fees - Housing Trust Funds (PL 1985 c.222 and NJS 52:27D-320)
2. The Clerk of the Township of Little Falls County of Passaic is hereby directed to forward two certified copies of this Resolution to the Director of the Division of Local Government Services.

APPROVED: _____

cc: Finance Dept.
DLGS
Budget File
Dept.

RESOLUTION C 19-08-26 - # _____

ACCEPTING BID AND AWARDING CONTRACT FOR
IMPROVEMENTS TO DONATO DRIVE

WHEREAS, pursuant to advertising duly made, bids were received by the Township of Little Falls on August 20, 2019 for Improvements to Donato Drive, and the bids were opened and read publicly as follows:

AJM Contractors Bid: \$564,653.00	A&J Contractors Bid: \$553,419.00
Cifelli & Sons Bid: \$698,568.00	D&L Paving Bid: \$791,752.50
Assuncao Brothers Bid: \$733,674.84	Your Way Construction Bid: \$629,313.00
4 Clean-Up, Inc. Bid: \$551,895.30	Grando Construction Bid: \$587,109.80

and, WHEREAS, the Township Engineer has reviewed the bids for technical sufficiency, and the bid is subject to review by the Township Attorney for legal sufficiency; and

WHEREAS, the award is subject to the Availability of Funds and certification of same in the 2019 budget; and

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Little Falls as follows:

1) That the bid of

4 Clean-Up, Inc.
North Bergen, NJ

in the amount of

\$551,895.30

be and the same is hereby accepted; and

2) That the Mayor and Clerk be and they are hereby authorized to execute a Contract in a form approved by the Township Attorney for the designated services at the bid price hereinabove cited, subject to the successful Contractor's filing the required form of Affirmative Action compliance and Payroll Certification for Public Works Projects; and

3) That the Clerk be and he is hereby authorized and directed to return to the unsuccessful bidder(s) any Certified checks and/or Bid Bonds received from them as surety, with the exception of the surety received from the second-lowest bidder, which shall be retained for a period not to exceed sixty (60) days or until a contract in a form satisfactory to the Township Attorney shall have been executed with the low bidder, whichever shall come first.

APPROVED: _____

cc: Finance; DPW Supt.; Engineer; 4 Clean-Up, Inc.; Project File

RESOLUTION (1) 19-08-26 - # _____

ACCEPTING BID AND AWARDING CONTRACT
FOR THE PURCHASE OF A 2019 VIP2200 BUS
Hunterdon County Educational Services Commission Cooperative Pricing Contract

WHEREAS, the Hunterdon County Educational Services Commission Purchasing Agent has advised that pursuant to advertising duly made, bids were received by the Commission as lead agency for HCESC Coop Bid # 19-11 for the purchase of a

2019 VIP2200 Bus,

and

WHEREAS, the County of Passaic as lead agency, based on review of bids and the resulting recommendation, has awarded a contract for this commodity; and

WHEREAS, the Township of Little Falls wishes to participate in the contract for the purchase of a VIP2200 Bus because the price under the cooperative pricing contract is lower than the prices by other suppliers; and

WHEREAS the Township Treasurer has provided a Certification of the Availability of Funds (a copy of which is appended to the original of the within Resolution) pursuant the Local Finance Board; and the appropriation to be charged for this expenditure is Department of Public Works Other Expenses;

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Little Falls as follows:

1) That the following bid:

H.A. DeHart & Son
Bid: \$75,538.72

be and the same is hereby accepted; and

2) That the Mayor and Clerk be and they are hereby authorized to execute a Contract for the purchase of the within designated goods at the bid price hereinabove cited.

APPROVED: _____

cc: Finance Dept.; DPW Superintendent; Dept.

ORDINANCE NO. 1369

ORDINANCE OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF LITTLE FALLS IN THE COUNTY OF PASSAIC, STATE OF NEW JERSEY, AMENDING THE TOWNSHIP CODE TO REGULATE THE PARKING RESTRICTIONS ON CERTAIN STREETS

WHEREAS, the Township of Little Falls ("Township") is a public body corporate and politic of the State of New Jersey; and

WHEREAS, the Township's Code of General Ordinances ("Code") currently prohibits parking at all times on certain specified streets in the Township;

WHEREAS, the municipal council ("Municipal Council") of the Township has determined to amend Chapter 7, Subchapter 7-13 of the Code to prohibit parking on additional designated streets, or portions thereof; and

WHEREAS, the Municipal Council has determined to amend Subchapter 7-13 of the Code to read as follows (additions are underlined and deletions are in [brackets]):

"No person shall park a vehicle at any time upon any streets or parts thereof as described.

Name of Street	Side	Location
<u>Woods Road</u>	North/Northwest	Starting at the northern leg of Mountain Top Terrace To a point 316 feet northwest

NOW, THEREFORE, BE IT ORDAINED by the Municipal Council of the Township of Little Falls, Passaic County, State of New Jersey, as follows:

1. The aforementioned recitals are incorporated herein as though fully set forth at length.
2. The Municipal Council hereby amends Subchapter 7-13 of the Code to read as follows:
3. It is the intent of the Municipal Council to incorporate the additions and/or supplements contained in this Ordinance into the Code. All of the remaining provisions in Chapter 7 of the Code shall remain unchanged and have full force and legal effect. All other resolutions and ordinances governing parking on Township streets enacted and inconsistent herewith are hereby modified pursuant to the terms of this Ordinance.
4. If any section, paragraph, subdivision, clause, sentence, phrase or provision of this Ordinance is declared unconstitutional or invalid by a court of competent jurisdiction, such decision shall not affect the remaining portions of this Ordinance.
5. A copy of this Ordinance shall be available for public inspection at the offices of the Township Clerk.
6. This Ordinance shall take effect after twenty (20) days of its final passage by the Municipal Council, upon approval by the Mayor and publication as required by law.

PASSED: _____

ATTEST:

Cynthia Kraus, Municipal Clerk

APPROVE:

James Damiano, Mayor

ORDINANCE NO. 1370

**ORDINANCE OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF LITTLE FALLS
IN THE COUNTY OF PASSAIC, STATE OF NEW JERSEY, AMENDING THE
TOWNSHIP CODE CHAPTER 71 FEES**

WHEREAS, the Township of Little Falls ("Township") is a public body corporate and politic of the State of New Jersey; and

WHEREAS, the Township's Code of General Ordinances ("Code") currently provides for the regulation of its Fees in the Township;

WHEREAS, the municipal council ("Municipal Council") of the Township has determined to amend Chapter 71 of the Code entitled Fees; and

WHEREAS, the Municipal Council has determined to amend said Chapter of the Code as follows:

71-2 Fees Schedule

Chapter 143 PARKS AND RECREATION FACILITIES

ARTICLE I Rules and Regulations

5K Run Event

\$35.00 entry Fee

136. XI. Consistency, Severability and Repealer

(A) If any provision or portion of a provision of this ordinance is held to be unconstitutional, preempted by Federal or State law, or otherwise invalid by any court of competent jurisdiction, the remaining provisions of the ordinance shall not be invalidated.

(B) All ordinances or parts of ordinances, which are inconsistent with any provisions of this ordinance, are hereby repealed as to the extent of such inconsistencies.

(C) No provision of this ordinance shall be construed to impair any common law or statutory cause of action, or legal remedy there from, of any person for injury or damage arising from any violation of this ordinance or from other law.

NOW, THEREFORE, BE IT ORDAINED by the Municipal Council of the Township of Little Falls, Passaic County, State of New Jersey, as follows:

1. The aforementioned recitals are incorporated herein as though fully set forth at length.
2. The Municipal Council hereby amends Chapter 71 of the Code entitled Fees of the Code of the Township of Little Falls.
3. It is the intent of the Municipal Council to incorporate the additions and/or supplements contained in this Ordinance in to the Code. All of the remaining provisions in Chapter 71 of the Code entitled Fees of the Code shall remain unchanged and have full force and legal effect. All other ordinances enacted and inconsistent herewith are hereby modified pursuant to the terms of this Ordinance.

4. If any section, paragraph, subdivision, clause, sentence, phrase or provision of this Ordinance is declared unconstitutional or invalid by a court of competent jurisdiction, such decision shall not affect the remaining portions of this Ordinance.

5. A copy of this Ordinance shall be available for public inspection at the offices of the Township Clerk.

6. This Ordinance shall take effect after twenty (20) days of its final passage by the Municipal Council, upon approval by the Mayor and publication as required by law.

PASSED: _____

ATTEST:

APPROVE:

Cynthia Kraus, Municipal Clerk

James Belford Damiano, Mayor