

**TOWNSHIP COUNCIL MEETING AGENDA**

MONDAY, JULY 23, 2018

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, 2018. 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 WORKSHOP MEETING OF JULY 9, 2018  
AND THE REGULAR MEETING OF JUNE 25, 2018

**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 JUNE 2018

MUNICIPAL CLERK'S DOG/CAT LICENSE REPORT FOR THE MONTH OF JUNE 2018

TAX COLLECTOR'S REPORT FOR THE MONTH OF JUNE 2018

RECREATION CENTER REPORT FOR THE MONTH OF JUNE 2018

CIVIC CENTER REPORT FOR THE MONTH OF JUNE 2018

CONSTRUCTION REPORT FOR THE MONTH OF JUNE 2018

**CORRESPONDENCE**

REQUEST FROM LITTLE FALLS FOOTBALL PARENT ASSOCIATION FOR PERMISSION TO CONDUCT A CAN SHAKE ON SATURDAY, AUGUST 18, 2018 AND SUNDAY, AUGUST 19, 2018 AT THE INTERSECTIONS OF MAIN STREET/STEVENS AVENUE AND LONG HILL ROAD/NOTCH ROAD FROM 9:00 A.M. UNTIL 4:00 P.M.

REQUEST FROM LITTLE FALLS EAGLE SCOUTS TROOP 14 FOR PERMISSION TO HOST ITS COURT OF HONOR CEREMONY ON THE MORRIS CANAL TRAIL AT CENTER AVENUE ON SUNDAY, AUGUST 12, 2018

**APPLICATIONS**

LITTLE FALLS FIRE DEPARTMENT AUXILIARY APPLICATION, RAPHAEL NUZZO, OAK TREE LANE, LITTLE FALLS, GREAT NOTCH FIRE CO. #4

LITTLE FALLS FIRE DEPARTMENT AUXILIARY APPLICATION, JASON GONLES, ISLAND AVENUE, LITTLE FALLS, SINGAC FIRE CO. #3

LITTLE FALLS FIRE DEPARTMENT AUXILIARY APPLICATION, THOMAS EHRENBERG, LOWER NOTCH ROAD, LITTLE FALLS, GREAT NOTCH FIRE CO. #4

SONS OF THE AMERICAN LEGION POST #108, OFF-PREMISE 50/50, 10/13/18, 5:00 P.M., 591 MAIN STREET, LITTLE FALLS

ST. JOHN THE BAPTIST RUSSIAN ORTHODOX CHURCH, ON-PREMISE MERCHANDISE RAFFLE, 9/23/18, 12:00 PM TO 7:00 PM, 121 VAN PELT PLACE, LITTLE FALLS

ST. JOHN THE BAPTIST RUSSIAN ORTHODOX CHURCH, ON-PREMISE 50/50, 9/23/18, 12:00 PM TO 7:00 PM, 121 VAN PELT PLACE, LITTLE FALLS

**RESOLUTIONS**

RESOLUTION AUTHORIZING THE TREASURER TO ISSUE A CHECK IN THE AMOUNT OF \$5,680.75 TO THE TOWNSHIP OF LITTLE FALLS REPRESENTING PAYMENT OF UNPAID 2018 2<sup>ND</sup> QUARTER TAXES AND INTEREST FOR THE PROPERTY KNOWN AS BLOCK 217, LOT 17.02 DUE TO A REFUND FOR A STATE TAX COURT JUDGMENT [A]

RESOLUTION AUTHORIZING THE SUBMISSION OF A GRANT APPLICATION TO THE NJDOT'S TRANSPORTATION ALTERNATIVES SET-ASIDE PROGRAM 2018 [B]

AMENDED RESOLUTION IDENTIFYING PARTICULAR BLOCK AND LOT DESIGNATIONS OF AN AREA OF THE TOWNSHIP DESIGNATED AS "AN AREA IN NEED OF REDEVELOPMENT & REHABILITATION" PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW [C]

RESOLUTION APPROVING THE TRANSFER OF PLENARY RETAIL CONSUMPTION LICENSE FROM TWO OLD GUYS, LLC TO CHELAS RESTAURANT & BAR, LLC [D]

BILL LIST [E]

**NEW BUSINESS**

INTRODUCTION OF ORDINANCE #1329, 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 19, ANIMALS", WITH A SECOND READING AND PUBLIC HEARING SCHEDULED FOR AUGUST 27, 2018.

**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] 18-07-23 # \_\_\_\_\_**

**WHEREAS**, the following property in the Township of Little Falls, New Jersey has a 2017 State Tax Court Judgment; and

**WHEREAS**, the Judgment entered date is June 26, 2018. The property is known as Block 217 Lot 17.02; 1755 Rt 46 Little Falls LLC c/o ADPP, 1755 Route 46 East; and

**WHEREAS**, the Stipulation of Settlement signed by both Plaintiff and Defendant's attorneys stipulates to forward a refund check to Jennifer R. Jacobus, Esq., Attorney for 1755 Rt 46 Little Falls LLC; however, the NJSA Title 54 statute takes precedent over this stating that when there is a delinquency of taxes with interest the Tax Collector is to apply the Judgment amount to the delinquency amount first to interest and then to principal; and

**WHEREAS**, the Tax Collector is requesting that the Township Council direct the Treasurer to refund a check made payable to the Township of Little Falls and to forward it to the Tax Collector for applying the 2017 Judgment amount to the unpaid 2018 2<sup>nd</sup> qtr. taxes and interest in the total amount of \$5,680.75 (\$5,081.26 princ. 2018 2<sup>nd</sup> qtr. and \$599.49 interest from due date May 1, 2018 to June 26, 2018); and

**WHEREAS**, this refund check shall be forwarded to the Tax Collector **on or before June 30, 2018**; and

**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 refund be made by the Treasurer:

<u>Tax Year/ Qtr.</u>	<u>Block/Lot</u>	<u>Taxpayer/Location</u>	<u>Payee</u>	<u>Amount</u>
2017/4	217/17.02	1755 Rt 46 Little Falls LLC 1755 Rt 46 East	Township of Little Falls 225 Main Street Little Falls, NJ 07424	\$5,680.75
<b>Total Refund =</b>				<b>\$5,680.75</b>

**RESOLUTION [B] 18-07-23 - # \_\_\_\_\_**

**A RESOLUTION AUTHORIZING THE SUBMISSION OF AN APPLICATION TO THE  
NEW JERSEY DEPARTMENT OF TRANSPORTATION'S TRANSPORTATION  
ALTERNATIVES SET-ASIDE PROGRAM 2018**

**WHEREAS**, the Township of Little Falls, State of New Jersey desires to apply to the New Jersey Department of Transportation for funding under the Transportation Alternatives Set-Aside Program; and,

**WHEREAS**, the Township of Little Falls has designed the Downtown Little Falls Streetscape Improvements Project to meet all criteria necessary to receive funding under Transportation Alternatives Set-Aside Program, and to maximize accessibility of multiple modes of surface transportation within Patterson Avenue to Main Street and,

**WHEREAS**, the primary activity within this Project Area will be to expand Township parking, establish one-way route with on-street parking, and access road relocation; and,

**WHEREAS**, this primary activity involves land that is owned by the Township of Little Falls, and the Township of Little Falls hereby commits to maintain the Project Area once developed; and,

**WHEREAS**, the Township of Little Falls will provide matching funds in the amount of [\$\$\$] toward the proposed project; and,

**WHEREAS**, responsibilities for administering the proposed project in accord with federal and state guidelines (to be known as the Responsible Charge) will be Charles Cuccia, full-time Township Administrator; and,

**NOW THEREFORE BE IT RESOLVED** that the Township Council of the Township of Little Falls, State of New Jersey formally authorize submission of the electronic grant application identified as TA-2018-Little Falls Township-00070 to the New Jersey Department of Transportation for funding under the Transportation Alternatives Set-Aside Program on behalf of the Township of Little Falls.

**RESOLUTION [C] 18-07-23 - #\_\_\_\_\_**

**AMENDED RESOLUTION OF THE TOWNSHIP OF LITTLE FALLS, COUNTY OF PASSAIC, NEW JERSEY, IDENTIFYING PARTICULAR BLOCK AND LOT DESIGNATIONS OF AN AREA OF THE TOWNSHIP DESIGNATED AS “AN AREA IN NEED OF REDEVELOPMENT & REHABILITATION” PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW**

**WHEREAS**, on October 17, 2016, the Mayor and Council adopted Resolution No. [H] 16-10-17 - #8, requesting and authorizing the Planning Board to undertake a preliminary investigation to determine whether the properties identified as Block 77, Lots 1, 2, 2.01, 3, 4, 5, 6, 6.02, 7, 8, 8.01, 9, 17, 18, 20, and 20.01, as identified on the Official Tax Map of the Township of Little Falls (collectively, the “Study Area”) to determine if such properties qualify as a “non-condemnation” area in need of redevelopment and/or rehabilitation pursuant to the Local Redevelopment and Housing Law, N.J.S.A.40A:12A-1, et. seq. (the “Redevelopment Law”); and

**WHEREAS**, Resolution No. [H] 16-10-17 - #8 provided in part that the powers of eminent domain may not be applied to the Study Area; and

**WHEREAS**, the Planning Board retained the services of H2M Associates, LLC, a professional planning firm (“H2M”), to assist in conducting the necessary investigations and analysis to determine whether the Study Area does or does not qualify as an area in need of redevelopment under the criteria set forth in the Redevelopment Law; and

**WHEREAS**, H2M conducted such investigations and prepared a report of its investigations entitled “Downtown Area in Need of Redevelopment & Rehabilitation Preliminary Investigation Report” dated July 21, 2017 (the “Redevelopment & Rehabilitation Investigation Report”); and

**WHEREAS**, the Redevelopment & Rehabilitation Investigation Report concludes that the Study Area exhibits conditions which conform with various redevelopment criterion under Section 5 of the Redevelopment Law, N.J.S.A.40A:12A-5, as more specifically set forth in the Redevelopment Investigation Report; and

**WHEREAS**, the Redevelopment & Rehabilitation Investigation Report additionally concludes that the Study Area exhibit conditions which conform with various rehabilitation criterion under Section 14 of the Redevelopment Law, N.J.S.A.40A:12A-14, as more specifically set forth in the Redevelopment & Rehabilitation Investigation Report; and

**WHEREAS**, on August 3, 2017, the Planning Board conducted a duly-noticed public hearing, pursuant to N.J.S.A.40A:12A-6, at which time it heard a presentation of the Redevelopment Investigation Report by Jeffrey Janota, the primary author of the Redevelopment Investigation Report, as well as comments from members of the public in attendance; and

**WHEREAS**, Mr. Janota responded to questions from the Planning Board members and members of the public; and

**WHEREAS**, based upon the Redevelopment Investigation Report, Mr. Janota’s testimony concerning the Redevelopment Investigation Report, and the comments from the public, on September 7, 2017, the Planning Board adopted a Memorializing Resolution accepting the findings of the Redevelopment Investigation Report, concluding that the Study Area meets the criteria for designation as a non-condemnation area in need of redevelopment and an area in need of rehabilitation under the Redevelopment Law, and recommending that the Mayor and Council designate the Revised Study Area as a non-condemnation area in need of redevelopment and an area in need of rehabilitation, pursuant to the Redevelopment Law; and

**WHEREAS**, the Mayor and Council accepted the conclusions of the Redevelopment Investigation Report and the Planning Board’s recommendation and designated the Revised Study Area as a non-condemnation area in need of redevelopment and an area in need of rehabilitation; and

**WHEREAS**, the Council on September 25, 2017 passed Resolution [F] 17-09-25 - #6 effectuating same but such Resolution did not include, among other things, a definitive reference to the block and lot numbers although the area was well designated in all reports and recommendations; and

**WHEREAS**, there is a need to ensure clarity in the Council's designation as to Block and Lots numbers.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Township of Little Falls that the Study Area previously designated as a Non-Condernation Redevelopment Area and an Area in Need of Rehabilitation, pursuant to the Redevelopment Law, be clarified with the specific reference to Block 77, Lots 1, 2, 2.01, 3, 4, 5, 6, 6.02, 7, 8, 8.01, 9, 17, 18, 20, and 20.01.

TOWNSHIP OF LITTLE FALLS  
PASSAIC COUNTY NEW JERSEY

RESOLUTION [D] 18-07-23 - # \_\_\_\_\_

WHEREAS, an application has been filed for a Person-to-Person Transfer of Plenary Retail Consumption License Number 1605-33-005-010, heretofore issued to Two Old Guys, LLC in Little Falls, New Jersey; and

WHEREAS, the submitted application form is complete in all respects, the transfer fees have been paid, and the license has been properly renewed for the current license term; and

WHEREAS, the applicant is qualified to be licensed according to all standards established by Title 33 of the New Jersey Statutes, regulations promulgated thereunder, as well as pertinent local ordinances and conditions consistent with Title 33; and

WHEREAS, the applicant has disclosed and the issuing authority reviewed the source of all funds used in the purchase of the license and the licensed business and all additional financing obtained in connection with the licensed business;

NOW, THEREFORE, BE IT RESOLVED that the Little Falls Township Council does hereby approve, effective July 23, 2018, the transfer of the aforesaid Plenary Retail Consumption License to Chelas Restaurant & Bar, LLC, and does hereby direct the Township Clerk/A.B.C. Board Secretary to endorse the license certificate to the new ownership as follows: "This license, subject to all its terms and conditions, is hereby transferred to Chelas Restaurant & Bar, LLC, with a mailing address at 93 Market Street, Paterson, New Jersey 07505, effective July 23, 2018.

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APPROVED: \_\_\_\_\_

cc: Div. of A.B.C. w/application  
Chelas Restaurant & Bar, LLC  
File  
Dept.