

TOWNSHIP COUNCIL WORKSHOP AGENDA

MONDAY, JUNE 10, 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. 10:4-10 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, NJ ON JANUARY 2, 2019. A COPY OF THE NOTICE WAS FAXED 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

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.

ITEMS TO BE DISCUSSED:

MAYOR/ADMINISTRATOR:

1. WOODS ROAD PARKING
2. PAYMENTS IN LIEU OF PARKING
3. ACCESSORY STRUCTURES AND SWIMMING POOLS
4. RESOLUTION AUTHORIZING IN REM TAX FORECLOSURES
5. TAX REFUND RESOLUTION

MUNICIPAL CLERK:

1. LIQUOR LICENSE RENEWALS 2019-2020

ACTION ITEMS:

CORRESPONDENCE

REQUEST FOR PERMISSION TO HOLD A BLOCK PARTY ON CRESTMONT ROAD ON JULY 13, 2019 FROM 10:00 A.M. UNTIL 10:00 P.M.

RESOLUTIONS

RESOLUTION AWARDED A CONTRACT TO IBN CONSTRUCTION FOR THE DEMOLITION OF 15 PROPERTIES IN THE AMOUNT OF \$317,565.00 [A]

RESOLUTION APPROVING THE TRANSFER OF PLENARY RETAIL CONSUMPTION LICENSE FROM TOP CUCINA CORPORATION TO JJF SPIRITS, LLC [B]

RESOLUTION APPROVING RENEWAL OF PLENARY RETAIL CONSUMPTION LICENSE FOR THE PERIOD FROM JULY 1, 2019 THROUGH JUNE 30, 2020 [C]

RESOLUTION AUTHORIZING THE SUBMISSION OF A SCOPE MODIFICATION REQUEST TO THE NJDOT - 2019 MUNICIPAL AID GRANT APPLICATION FOR PHASE I OF THE MAIN STREET STREETScape IMPROVEMENTS PROJECT [D]

BILL LIST [E]

NEW BUSINESS

SECOND READING AND PUBLIC HEARING OF ORDINANCE NO. 1359, AN ORDINANCE ENTITLED, BOND ORDINANCE TO AUTHORIZE THE ACQUISITION OF REAL PROPERTY FOR CONSTRUCTION OF A STORMWATER PUMP STATION THEREON IN, BY AND FOR THE TOWNSHIP OF LITTLE FALLS, IN THE COUNTY OF PASSAIC, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$225,000 TO PAY THE COST THEREOF, TO MAKE A DOWN PAYMENT, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION AND TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS.

SECOND READING AND PUBLIC HEARING OF ORDINANCE NO. 1360, AN ORDINANCE ENTITLED, BOND ORDINANCE TO AUTHORIZE THE ACQUISITION OF REAL PROPERTY FOR PUBLIC PARKING IN, BY AND FOR THE TOWNSHIP OF LITTLE FALLS, IN THE COUNTY OF PASSAIC, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$445,000 TO PAY THE COST THEREOF, TO MAKE A DOWN PAYMENT, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION AND TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS.

SECOND READING AND PUBLIC HEARING OF ORDINANCE NO. 1361, AN ORDINANCE ENTITLED, "AN ORDINANCE AUTHORIZING THE ACQUISITION OF CERTAIN INTERESTS IN REAL PROPERTY SITUATED IN TAX BLOCK 110, LOT 21 (A/K/A STEVENS AVENUE) LOCATED WITHIN THE TOWNSHIP OF LITTLE FALLS, COUNTY OF PASSAIC, AND STATE OF NEW JERSEY, BY NEGOTIATION, PURCHASE, CONDEMNATION OR EMINENT DOMAIN.

SECOND READING AND PUBLIC HEARING OF ORDINANCE NO. 1362, AN ORDINANCE ENTITLED, "AN ORDINANCE AUTHORIZING THE ACQUISITION OF CERTAIN INTERESTS IN REAL PROPERTY SITUATED IN TAX BLOCK 82, LOT 6 (A/K/A 110 EAST WOODCLIFFE AVENUE) LOCATED WITHIN THE TOWNSHIP OF LITTLE FALLS, COUNTY OF PASSAIC, AND STATE OF NEW JERSEY, BY NEGOTIATION, PURCHASE, CONDEMNATION OR EMINENT DOMAIN".

COUNCIL TOPICS FOR DISCUSSION

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.

EXECUTIVE SESSION

MOTION TO GO TO EXECUTIVE SESSION FOR DISCUSSION OF CONTRACT NEGOTIATIONS.

ADJOURN

RESOLUTION **A** 19-06-10 - # _____

ACCEPTING BID AND AWARDING CONTRACT FOR
THE DEMOLITION OF 15 PROPERTIES

WHEREAS, pursuant to advertising duly made, bids were received by the Township of Little Falls on May 16, 2019 for the demolition of 15 properties, and the bids were opened and read publicly as follows:

All County Services, LLC
Bid: \$254,500.00

Caravella Demolition
Bid: \$367,455.00

IBN Construction
Bid: \$317,565.00

Yannuzzi Group
Bid: \$469,938.00

Tricon Enterprises
Bid: \$519,000.00

Brinks Tank Service
Bid: \$423,490.88

Two Brothers Contracting
Bid: \$596,825.00

and, WHEREAS, the Township Attorney has reviewed the bids for legal sufficiency and it has been determined that IBN Construction is the lowest responsible bidder; 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

IBN Construction
49 Hermon Street
Newark, NJ07105

in the amount of

\$317,565.00

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; IBN Construction; Project File

TOWNSHIP OF LITTLE FALLS
PASSAIC COUNTY NEW JERSEY

RESOLUTION **B** 19-06-10 - # _____

WHEREAS, an application has been filed for a Person-to-Person, Place-to-Place Transfer of Plenary Retail Consumption License Number 1605-33-007-011, heretofore issued to Top Cucina Corporation 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 June 10, 2019, the transfer of the aforesaid Plenary Retail Consumption License to JJF Spirits, 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 JJF Spirits, LLC, with a mailing address at 109 Newark Pompton Turnpike, Little Falls, NJ 07424, effective June 10, 2019.

APPROVED: _____

cc: Div. of A.B.C. w/application
JJF Spirits, LLC
File
Dept.

TOWNSHIP OF LITTLE FALLS
PASSAIC COUNTY NEW JERSEY
RESOLUTION 19-06-10 - # _____

BE IT RESOLVED by the Little Falls Township Council as follows:

WHEREAS, applications for renewal of PLENARY RETAIL CONSUMPTION/PLENARY RETAIL DISTRIBUTION have been filed as follows:

<u>License No.</u>	<u>License and/or t/a name</u>	<u>Fee</u>
1605-33-007-011	JJF Spirits 109 Newark Pompton Turnpike	\$2,200.00

and WHEREAS, it appears that the said application is in satisfactory form; that the applicant has complied with all necessary requirements; that the application is for renewal by the same person(s) for the same stand; and that no objections, in writing or otherwise, have been made or filed to said application; and

WHEREAS, the Township Council is familiar with the aforementioned applicant and the place for which they apply and sees no objection; and

NOW, THEREFORE, BE IT RESOLVED that the above-listed application be and the same is hereby granted; and

BE IT FURTHER RESOLVED that the license be renewed accordingly, for the license term of July 1, 2019 and expire on June 30, 2020.

APPROVED: _____

ccc: ABC
cc: ABC File
Dept.

RESOLUTION **D** 19-06-10 - # _____

**AUTHORIZE THE SUBMISSION OF A SCOPE MODIFICATION REQUEST TO THE
NEW JERSEY DEPARTMENT OF TRANSPORTATION – 2019 MUNICIPAL AID
GRANT APPLICATION FOR PHASE I OF THE MAIN STREET STREETScape
IMPROVEMENTS PROJECT**

WHEREAS, the Township of Little Falls wishes to submit a scope modification request through the New Jersey Department of Transportation – Municipal Aid grant program for Phase I of the Main Street Streetscape Improvements Project.

NOW THEREFORE BE IT RESOLVED, that the Municipal Council of the Township of Little Falls do hereby authorize the submission of such a scope modification request for the said project, as identified *MA-2019-Downtown Little Falls Streetscape Im-00358 and PRO-2019-Downtown Little Falls Streetscape I-00017*.

BE IT FURTHER RESOLVED, that upon the receipt of an approved scope modification request the Mayor and Township Clerk are hereby authorized to sign the grant agreement and that their signatures constitute acceptance of the terms and conditions of the grant agreement.

APPROVED: _____

cc: Finance Dept.; Millennium

BOND ORDINANCE NO. 1359

BOND ORDINANCE TO AUTHORIZE THE ACQUISITION OF REAL PROPERTY FOR CONSTRUCTION OF A STORMWATER PUMP STATION THEREON IN, BY AND FOR THE TOWNSHIP OF LITTLE FALLS, IN THE COUNTY OF PASSAIC, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$225,000 TO PAY THE COST THEREOF, TO MAKE A DOWN PAYMENT, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION AND TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS.

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

Section 1. The Township of Little Falls, in the County of Passaic, State of New Jersey (the "Township") is hereby authorized to acquire (by purchase or eminent domain) real property, including an existing structure, for construction of a stormwater pump station thereon in, by and for the Township. Said improvement shall include demolition of the existing structure, real estate transaction expenses and all work, materials and appurtenances necessary and suitable therefor. The property to be acquired has a street address of 110 East Woodcliffe Avenue and is designated as Block 82, Lot 6 on the Tax Assessment Map of the Township.

Section 2. The sum of \$225,000 is hereby appropriated to the payment of the cost of making the improvement described in Section 1 hereof (hereinafter referred to as "purpose").

Said appropriation shall be met from the proceeds of the sale of the bonds authorized and the down payment appropriated by this ordinance. Said improvement shall be made as a general improvement and no part of the cost thereof shall be assessed against property specially benefited.

Section 3. It is hereby determined and stated that (1) said purpose is not a current expense of said Township, and (2) it is necessary to finance said purpose by the issuance of obligations of said Township pursuant to the Local Bond Law (Chapter 2 of Title 40A of the New Jersey Statutes Annotated, as amended; the "Local Bond Law"), and (3) the total estimated cost of said purpose is \$225,000, and (4) \$15,000 of said sum is to be provided by the down payment hereinafter appropriated to finance said purpose, and (5) the estimated maximum amount of bonds or notes necessary to be issued for said purpose is \$210,000, and (6) the cost of such purpose, as hereinbefore stated, includes the aggregate amount of \$5,000 which is estimated to be necessary to finance the cost of such purpose, including architect's fees, accounting, engineering and inspection costs, legal expenses and other expenses, including interest on such obligations to the extent permitted by Section 20 of the Local Bond Law.

Section 4. It is hereby determined and stated that moneys exceeding \$15,000, appropriated for down payments on capital improvements or for the capital improvement fund in budgets heretofore adopted for said Township or heretofore appropriated for down payments or for the capital improvement fund by an emergency appropriation, are now available to finance said purpose. The sum of \$15,000 is hereby appropriated from such moneys to the payment of the cost of said purpose.

Section 5. To finance said purpose, bonds of said Township of an aggregate principal amount not exceeding \$210,000 are hereby authorized to be issued pursuant to the Local Bond Law. Said bonds shall bear interest at a rate per annum as may be hereafter determined within the limitations prescribed by law. All matters with respect to said bonds not determined by this ordinance shall be determined by resolutions to be hereafter adopted.

Section 6. To finance said purpose, bond anticipation notes of said Township of an aggregate principal amount not exceeding \$210,000 are hereby authorized to be issued pursuant to the Local Bond Law in anticipation of the issuance of said bonds. In the event that bonds are issued pursuant to this ordinance, the aggregate amount of notes hereby authorized to be issued shall be reduced by an amount equal to the principal

amount of the bonds so issued. If the aggregate amount of outstanding bonds and notes issued pursuant to this ordinance shall at any time exceed the sum first mentioned in this section, the moneys raised by the issuance of said bonds shall, to not less than the amount of such excess, be applied to the payment of such notes then outstanding.

Section 7. Each bond anticipation note issued pursuant to this ordinance shall be dated on or about the date of its issuance and shall be payable not more than one year from its date, shall bear interest at a rate per annum as may be hereafter determined within the limitations prescribed by law and may be renewed from time to time pursuant to and within limitations prescribed by the Local Bond Law. Each of said bond anticipation notes shall be signed by the Mayor and by a financial officer and shall be under the seal of said Township and attested by the Township Clerk or Deputy Township Clerk. Said officers are hereby authorized to execute said notes in such form as they may adopt in conformity with law. The power to determine any matters with respect to said notes not determined by this ordinance and also the power to sell said notes, is hereby delegated to the Chief Financial Officer who is hereby authorized to sell said notes either at one time or from time to time in the manner provided by law.

Section 8. It is hereby determined and declared that the period of usefulness of said purpose, according to its reasonable life, is a period of forty years computed from the date of said bonds.

Section 9. It is hereby determined and stated that the Supplemental Debt Statement required by the Local Bond Law has been duly made and filed in the office of the Township Clerk of said Township, and that such statement so filed shows that the gross debt of said Township, as defined in Section 43 of the Local Bond Law, is increased by this ordinance by \$210,000 and that the issuance of the bonds and notes authorized by this ordinance will be within all debt limitations prescribed by said Local Bond Law.

Section 10. Any funds received from private parties, the County of Passaic, the State of New Jersey or any of their agencies or any funds received from the United States of America or any of its agencies in aid of such purpose, shall be applied to the payment of the cost of such purpose, or, if bond anticipation notes have been issued, to the payment of the bond anticipation notes, and the amount of bonds authorized for such purpose shall be reduced accordingly.

Section 11. The capital budget is hereby amended to conform with the provisions of this ordinance to the extent of

any inconsistency therewith and the resolutions promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director, Division of Local Government Services, is on file with the Township Clerk and is available for public inspection.

Section 12. The Township intends to issue the bonds or notes to finance the cost of the improvement described in Section 1 of this bond ordinance. If the Township incurs such costs prior to the issuance of the bonds or notes, the Township expects to reimburse itself for such expenditures with the proceeds of such bonds or notes in the maximum principal amount of bonds or notes authorized by this bond ordinance.

Section 13. The full faith and credit of the Township are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this ordinance. Said obligations shall be direct, unlimited and general obligations of the Township, and the Township shall levy ad valorem taxes upon all the taxable real property within the Township for the payment of the principal of and interest on such bonds and notes, without limitation as to rate or amount.

Section 14. This ordinance shall take effect twenty days after the first publication thereof after final passage.

BOND ORDINANCE NO. 1360

BOND ORDINANCE TO AUTHORIZE THE ACQUISITION OF REAL PROPERTY FOR PUBLIC PARKING IN, BY AND FOR THE TOWNSHIP OF LITTLE FALLS, IN THE COUNTY OF PASSAIC, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$450,000 TO PAY THE COST THEREOF, TO MAKE A DOWN PAYMENT, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION AND TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS.

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

Section 1. The Township of Little Falls, in the County of Passaic, State of New Jersey (the "Township") is hereby authorized to acquire (by purchase or eminent domain) real property (consisting of an existing surface parking lot) for public parking in, by and for the Township. Said improvement shall include real estate transaction expenses and all work, materials and appurtenances necessary and suitable therefor. The property to be acquired is located on Stevens Avenue and is designated as Block 110, Lot 21 on the Tax Assessment Map of the Township.

Section 2. The sum of \$450,000 is hereby appropriated to the payment of the cost of making the improvement described in Section 1 hereof (hereinafter referred to as "purpose"). Said appropriation shall be met from the proceeds of the sale of

the bonds authorized and the down payment appropriated by this ordinance. Said improvement shall be made as a general improvement and no part of the cost thereof shall be assessed against property specially benefited.

Section 3. It is hereby determined and stated that (1) said purpose is not a current expense of said Township, and (2) it is necessary to finance said purpose by the issuance of obligations of said Township pursuant to the Local Bond Law (Chapter 2 of Title 40A of the New Jersey Statutes Annotated, as amended; the "Local Bond Law"), and (3) the total estimated cost of said purpose is \$450,000, and (4) \$25,000 of said sum is to be provided by the down payment hereinafter appropriated to finance said purpose, and (5) the estimated maximum amount of bonds or notes necessary to be issued for said purpose is \$425,000, and (6) the cost of such purpose, as hereinbefore stated, includes the aggregate amount of \$50,000 which is estimated to be necessary to finance the cost of such purpose, including architect's fees, accounting, engineering and inspection costs, legal expenses and other expenses, including interest on such obligations to the extent permitted by Section 20 of the Local Bond Law.

Section 4. It is hereby determined and stated that moneys exceeding \$25,000, appropriated for down payments on

capital improvements or for the capital improvement fund in budgets heretofore adopted for said Township or heretofore appropriated for down payments or for the capital improvement fund by an emergency appropriation, are now available to finance said purpose. The sum of \$25,000 is hereby appropriated from such moneys to the payment of the cost of said purpose.

Section 5. To finance said purpose, bonds of said Township of an aggregate principal amount not exceeding \$425,000 are hereby authorized to be issued pursuant to the Local Bond Law. Said bonds shall bear interest at a rate per annum as may be hereafter determined within the limitations prescribed by law. All matters with respect to said bonds not determined by this ordinance shall be determined by resolutions to be hereafter adopted.

Section 6. To finance said purpose, bond anticipation notes of said Township of an aggregate principal amount not exceeding \$425,000 are hereby authorized to be issued pursuant to the Local Bond Law in anticipation of the issuance of said bonds. In the event that bonds are issued pursuant to this ordinance, the aggregate amount of notes hereby authorized to be issued shall be reduced by an amount equal to the principal amount of the bonds so issued. If the aggregate amount of outstanding bonds and notes issued pursuant to this ordinance

shall at any time exceed the sum first mentioned in this section, the moneys raised by the issuance of said bonds shall, to not less than the amount of such excess, be applied to the payment of such notes then outstanding.

Section 7. Each bond anticipation note issued pursuant to this ordinance shall be dated on or about the date of its issuance and shall be payable not more than one year from its date, shall bear interest at a rate per annum as may be hereafter determined within the limitations prescribed by law and may be renewed from time to time pursuant to and within limitations prescribed by the Local Bond Law. Each of said bond anticipation notes shall be signed by the Mayor and by a financial officer and shall be under the seal of said Township and attested by the Township Clerk or Deputy Township Clerk. Said officers are hereby authorized to execute said notes in such form as they may adopt in conformity with law. The power to determine any matters with respect to said notes not determined by this ordinance and also the power to sell said notes, is hereby delegated to the Chief Financial Officer who is hereby authorized to sell said notes either at one time or from time to time in the manner provided by law.

Section 8. It is hereby determined and declared that the period of usefulness of said purpose, according to its

reasonable life, is a period of forty years computed from the date of said bonds.

Section 9. It is hereby determined and stated that the Supplemental Debt Statement required by the Local Bond Law has been duly made and filed in the office of the Township Clerk of said Township, and that such statement so filed shows that the gross debt of said Township, as defined in Section 43 of the Local Bond Law, is increased by this ordinance by \$425,000 and that the issuance of the bonds and notes authorized by this ordinance will be within all debt limitations prescribed by said Local Bond Law.

Section 10. Any funds received from private parties, the County of Passaic, the State of New Jersey or any of their agencies or any funds received from the United States of America or any of its agencies in aid of such purpose, shall be applied to the payment of the cost of such purpose, or, if bond anticipation notes have been issued, to the payment of the bond anticipation notes, and the amount of bonds authorized for such purpose shall be reduced accordingly.

Section 11. The capital budget is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency therewith and the resolutions promulgated by the Local Finance Board showing full detail of the amended

capital budget and capital program as approved by the Director, Division of Local Government Services, is on file with the Township Clerk and is available for public inspection.

Section 12. The Township intends to issue the bonds or notes to finance the cost of the improvement described in Section 1 of this bond ordinance. If the Township incurs such costs prior to the issuance of the bonds or notes, the Township expects to reimburse itself for such expenditures with the proceeds of such bonds or notes in the maximum principal amount of bonds or notes authorized by this bond ordinance.

Section 13. The full faith and credit of the Township are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this ordinance. Said obligations shall be direct, unlimited and general obligations of the Township, and the Township shall levy ad valorem taxes upon all the taxable real property within the Township for the payment of the principal of and interest on such bonds and notes, without limitation as to rate or amount.

Section 14. This ordinance shall take effect twenty days after the first publication thereof after final passage.

ORDINANCE NO. 1361

AN ORDINANCE AUTHORIZING THE ACQUISITION OF CERTAIN INTERESTS IN REAL PROPERTY SITUATED IN TAX BLOCK 110, LOT 21 (A/K/A STEVENS AVENUE) LOCATED WITHIN THE TOWNSHIP OF LITTLE FALLS, COUNTY OF PASSAIC AND STATE OF NEW JERSEY BY NEGOTIATION, PURCHASE, COMDEMNATION OR EMINENT DOMAIN

WHEREAS, the “Local Lands and Buildings Law”, N.J.S.A. 40A:12-5 provides that a municipality may acquire “any real property ...[b]y purchase, gift, devise, lease, exchange, condemnation, or installment purchase agreement”; and

WHEREAS, pursuant to N.J.S.A. 40:48-2, the Township of Little Falls (“Township”) is authorized to adopt an ordinance for the preservation of public health, safety and welfare; and

WHEREAS, pursuant to N.J.S.A. 40:60-25.1, the Township has the power to acquire any real properties for public parking through negotiated agreement or by the exercise of the power of eminent domain; and

WHEREAS, the Mayor and Council of the Township have determined that it is in the public interest to acquire a fee simple interest in property in the Township of Little Falls, located at Stevens Avenue, legally identified as Block 110, Lot 21 on the Tax Map for the Township of Little Falls (“Property”); and

WHEREAS, the Township has determined that the Property be acquired for public use for the general welfare and benefit of the community for the development and installation of parking lot for visitors and residents shopping or working in the center of the Township and for such other related needs; and

WHEREAS, the acquisition of such Property will fulfill a primary goal of the Township with regard to promote the welfare and needs of the residents of the Township, visitors to the community, and assist local businesses in the center of the Township; and

WHEREAS, the Property, which the Township believes it must acquire, is in private ownership; and

WHEREAS, the Township is authorized by the New Jersey State Constitution and N.J.S.A. 20:3-1, et seq. to proceed with acquiring certain property interests by condemnation/eminent domain as long as just compensation is paid for same; and

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

SECTION I:

The Township determines that it is in the public interest and for a public purpose and use to acquire a fee simple interest in Stevens Avenue, Little Falls, New Jersey for purposes of creating public parking, including but not limited to a new parking lot for the use of visitors and residents who are shopping, working or otherwise utilizing the businesses in the center of the Township.

SECTION II:

The Township hereby acknowledges that just compensation for a fee simple interest in the Property must be determined by an appraisal establishing the fair market value of the Property, prepared by a state certified and qualified appraiser.

SECTION III:

The property for which a taking of property interests is authorized by negotiation, purchase, or condemnation/eminent domain pursuant to this ordinance are located in the Township and listed on the Township tax map as Block 110, Lot 21 a/k/a Stevens Avenue, Little Falls, New Jersey, being approximately .41 acres in size. The property interests to be acquired are irrevocable, perpetual acquisition of the property in fee.

SECTION IV:

The Township Attorney is hereby authorized to proceed with acquisition of the aforesaid Property; first by negotiation for purchase, and if negotiations are unsuccessful, by condemnation pursuant to the Eminent Domain Act; and to prepare and file all papers and prosecute all actions as necessary to accomplish those purposes, including but not limited to, the hiring of any experts, engaging the services of land surveyors, title insurance companies, appraisers, and any other professional whose services are necessary or appropriate to implement the purposes of this ordinance, the making of any offer by the Township to the property owner(s) in the full amount of the appraised value of the property interest that the Township seeks to acquire in said property, and to negotiate in good faith with the record owner(s) of the property for its voluntary acquisition in accordance with N.J.S.A. 20:3-6, and in the event that negotiations for the voluntary acquisition of the property are unsuccessful for any reason to commence a condemnation action by filing of a Verified Complaint and Declaration of Taking, depositing the estimated just compensation with the Clerk of the Superior Court, filing a Lis Pendens, and taking any and all other actions of any administrative or other nature necessary to complete the process contemplated by this ordinance.

SECTION V:

The Mayor and Township Clerk are hereby authorized to execute and witness a contract of sale in a form to be approved by the Township Attorney and to execute and witness a deed and any other documents necessary to effectuate the conveyance of title in and to the property to the Township, including any documents necessary to acquire the Property by condemnation.

SECTION VI:

If any article, section, subsection, sentence, clause or phrase of this ordinance is, for any reason, held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this ordinance and they shall remain in full force and effect, and to this end the provisions of this ordinance are hereby declared severable.

SECTION VII:

All other ordinances in conflict or inconsistent with this ordinance are hereby repealed, to the extent of such conflict or inconsistency. In the event of any inconsistencies between the provisions of this ordinance and any prior ordinance of the Township, the provisions hereof shall be determined to govern. All other parts, portions and provisions of the ordinances of the Township are hereby ratified and confirmed, except where inconsistent with the terms hereof.

SECTION VIII:

This ordinance shall take effect immediately upon adoption and publication in accordance with the laws of the State of New Jersey.

PASSED: _____

ATTEST:

APPROVE:

Cynthia Kraus, Municipal Clerk

James Belford Damiano, Mayor

ORDINANCE NO. 1362

AN ORDINANCE AUTHORIZING THE ACQUISITION OF CERTAIN INTERESTS IN REAL PROPERTY SITUATED IN TAX BLOCK 82, LOT 6 (A/K/A 110 EAST WOODCLIFFE AVENUE) LOCATED WITHIN THE TOWNSHIP OF LITTLE FALLS, COUNTY OF PASSAIC AND STATE OF NEW JERSEY BY NEGOTIATION, PURCHASE, COMDEMNATION OR EMINENT DOMAIN

WHEREAS, the “Local Lands and Buildings Law”, N.J.S.A. 40A:12-5 provides that a municipality may acquire “any real property ...[b]y purchase, gift, devise, lease, exchange, condemnation, or installment purchase agreement”; and

WHEREAS, pursuant to N.J.S.A. 40:48-2, the Township of Little Falls (“Township”) is authorized to adopt an ordinance for the preservation of public health, safety and welfare; and

WHEREAS, pursuant to N.J.S.A. 40:60-25.51, the Township has the power to acquire any real properties for public facilities, such as public works, through negotiated agreement or by the exercise of the power of eminent domain; and

WHEREAS, the Mayor and Council of the Township have determined that it is in the public interest to acquire a fee simple interest in property in the Township of Little Falls, located at 110 East Woodcliffe Avenue, legally identified as Block 82, Lot 6 on the Tax Map for the Township of Little Falls (“Property”); and

WHEREAS, the Township has determined that the Property be acquired for public use for the general welfare and benefit of the community for the development and installation of a new storm water pump station for the Township Department of Public Works; and

WHEREAS, the acquisition of such Property will fulfill a primary goal of the Township with regard to the protection of the health, safety and welfare of the residents of the Township; and

WHEREAS, the Property, which the Township believes it must acquire, is in private ownership; and

WHEREAS, the Township is authorized by the New Jersey State Constitution and N.J.S.A. 20:3-1, et seq. to proceed with acquiring certain property interests by condemnation/eminent domain as long as just compensation is paid for same; and

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

SECTION I:

The Township determines that it is in the public interest and for a public purpose and use to acquire a fee simple interest in 110 East Woodcliffe Avenue, Little Falls, New Jersey for purposes of creating public facilities, including but not limited to a new storm water pump station for the Township Department of Public Works.

SECTION II:

The Township hereby acknowledges that just compensation for a fee simple interest in the Property must be determined by an appraisal establishing the fair market value of the Property, prepared by a state certified and qualified appraiser.

SECTION III:

The property for which a taking of property interests is authorized by negotiation, purchase, or condemnation/ eminent domain pursuant to this ordinance are located in the Township and listed on the Township tax map as Block 82, Lot 6 a/k/a 110 East Woodcliffe Avenue, Little Falls, New Jersey, being approximately 8,074 square feet in size. The property interests to be acquired are irrevocable, perpetual acquisition of the property in fee.

SECTION IV:

The Township Attorney is hereby authorized to proceed with acquisition of the aforesaid Property; first by negotiation for purchase, and if negotiations are unsuccessful, by condemnation pursuant to the Eminent Domain Act; and to prepare and file all papers and prosecute all actions as necessary to accomplish those purposes, including but not limited to, the hiring of any experts, engaging the services of land surveyors, title insurance companies, appraisers, and any other professional whose services are necessary or appropriate to implement the purposes of this ordinance, the making of any offer by the Township to the property owner(s) in the full amount of the appraised value of the property interest that the Township seeks to acquire in said property, and to negotiate in good faith with the record owner(s) of the property for its voluntary acquisition in accordance with N.J.S.A. 20:3-6, and in the event that negotiations for the voluntary acquisition of the property are unsuccessful for any reason to commence a condemnation action by filing of a Verified Complaint and Declaration of Taking, depositing the estimated just compensation with the Clerk of the Superior Court, filing a Lis Pendens, and taking any and all other actions of any administrative or other nature necessary to complete the process contemplated by this ordinance.

SECTION V:

The Mayor and Township Clerk are hereby authorized to execute and witness a contract of sale in a form to be approved by the Township Attorney and to execute and witness a deed and any other documents necessary to effectuate the conveyance of title in and to the property to the Township, including any documents necessary to acquire the Property by condemnation.

SECTION VI:

If any article, section, subsection, sentence, clause or phrase of this ordinance is, for any reason, held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this ordinance and they shall remain in full force and effect, and to this end the provisions of this ordinance are hereby declared severable.

SECTION VII:

All other ordinances in conflict or inconsistent with this ordinance are hereby repealed, to the extent of such conflict or inconsistency. In the event of any inconsistencies between the provisions of this ordinance and any prior ordinance of the Township, the provisions hereof shall be determined to govern. All other parts, portions and provisions of the ordinances of the Township are hereby ratified and confirmed, except where inconsistent with the terms hereof.

SECTION VIII:

This ordinance shall take effect immediately upon adoption and publication in accordance with the laws of the State of New Jersey.

PASSED: _____

ATTEST:

APPROVE:

Cynthia Kraus, Municipal Clerk

James Belford Damiano, Mayor