

TOWNSHIP COUNCIL WORKSHOP AGENDA

MONDAY, AUGUST 14, 2023

7:00 P.M.

SALUTE TO THE FLAG

MOMENT OF SILENCE FOR LIEUTENANT GOVERNOR SHEILA OLIVER

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 5, 2023. 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.

A LINK AND A TELEPHONE NUMBER TO JOIN THE MEETING VIRTUALLY CAN BE ACCESSED ON THE TOWNSHIP WEBSITE AT WWW.LENJ.COM. ELECTRONIC PROVISIONS HAVE BEEN ESTABLISHED FOR THE PUBLIC TO PARTICIPATE DURING THE PUBLIC COMMENT PORTION OF THE MEETING.

ROLL CALL

PUBLIC COMMENT - GENERAL MATTERS AND AGENDA ITEMS

ANYONE WISHING TO ADDRESS THE TOWNSHIP COUNCIL MAY DO SO THROUGH THE COUNCIL PRESIDENT. IT IS PREFERRED IF YOU 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.

MEMBERS OF THE PUBLIC WHO HAVE JOINED THE MEETING VIRTUALLY AND DESIRE TO PROVIDE COMMENT SHALL RAISE THEIR VIRTUAL HAND IN THE ZOOM APPLICATION. THE MEETING MODERATOR WILL QUEUE THE MEMBERS OF THE PUBLIC THAT WISH TO PROVIDE COMMENT AND THE COUNCIL PRESIDENT WILL RECOGNIZE THEM IN ORDER. MEMBERS OF THE PUBLIC WHO HAVE JOINED THE MEETING BY CALLING IN MUST PRESS *6 TO MUTE AND UNMUTE THEMSELVES AND *9 TO RAISE THEIR HAND. MEMBERS OF THE PUBLIC WHO HAVE JOINED THE MEETING VIA THE ZOOM APPLICATION MUST CLICK THE REACTIONS ICON AND THEN THE RAISE HAND ICON. ONCE THE PROCESS IS COMPLETE, WE WILL RETURN TO THE REGULAR ORDER OF BUSINESS.

ITEMS TO BE DISCUSSED:

MAYOR/ADMINISTRATOR:

1. RESOLUTIONS AUTHORIZING AFFORDABILITY ASSISTANCE GRANT WITH RENTERS OF AFFORDABLE HOUSING UNITS (RESOLUTIONS A & B)
2. RESOLUTION RESCINDING RESOLUTION [D] 23-08-24 - #4, AND AWARDING A CONTRACT TO CARAVELLA DEMOLITION, INC. FOR 56-58, 60, & 62-66 STANLEY STREET BUILDING DEMOLITIONS

3. RESOLUTION AUTHORIZING INSERTION INTO 2023 MUNICIPAL BUDGET OF A SPECIAL ITEM OF REVENUE AND APPROPRIATION TITLED STORMWATER ASSISTANCE GRANT
4. RESOLUTION AUTHORIZING CHANGE ORDER FOR DOWNTOWN STREETScape IMPROVEMENTS - SECTION 4
5. RESOLUTION AUTHORIZING CHANGE ORDER FOR DOWNTOWN STREETScape IMPROVEMENTS - SECTION 3
6. RESOLUTION AUTHORIZING TRANSFER OF LITTLE FALLS GENERAL ASSISTANCE PROGRAM TO PASSAIC COUNTY BOARD OF SOCIAL SERVICES
7. RESOLUTION RENEWING LIQUOR LICENSE
8. BOND ORDINANCE NO. 1467 - AMENDING TOWNSHIP CODE CHAPTER 136, NOISE
9. ORDINANCE NO. 1468 - AMENDING TOWNSHIP CODE CHAPTER 33, CANNABIS
10. ORDINANCE NO. 1469 - ORDINANCE AMENDING CHAPTER 280, ZONING
11. ORDINANCE NO. 1470 - AMITY PARK STREET VACATION

ACTION ITEMS:

RESOLUTION AUTHORIZING AFFORDABILITY ASSISTANCE GRANT WITH THE RENTER OF AN AFFORDABLE HOUSING UNIT LOCATED AT 405 MAIN STREET, UNIT 248, LITTLE FALLS, NJ [A]

RESOLUTION AUTHORIZING AFFORDABILITY ASSISTANCE GRANT WITH THE RENTER OF AN AFFORDABLE HOUSING UNIT LOCATED AT 405 MAIN STREET, UNIT 129, LITTLE FALLS, NJ [B]

RESOLUTION RESCINDING RESOLUTION [D] 23-08-24 - #4, AND AWARDING A CONTRACT TO CARAVELLA DEMOLITION, INC. FOR 56-58, 60, & 62-66 STANLEY STREET BUILDING DEMOLITIONS IN THE AMOUNT OF \$257,000.00 [C]

RESOLUTION AUTHORIZING THE INSERTION INTO THE 2023 MUNICIPAL BUDGET OF A SPECIAL ITEM OF REVENUE AND APPROPRIATION EACH TITLED WATER RESOURCES PLANNING MANAGEMENT STORMWATER ASSISTANCE GRANT: \$15,000.00 [D]

RESOLUTION AUTHORIZING CHANGE ORDER IN EXCESS OF \$8,521.29 OF CONTRACT PRICE FOR THE DOWNTOWN STREETScape IMPROVEMENTS (LF SECTION 4) PROJECT [E]

RESOLUTION AUTHORIZING CHANGE ORDER IN EXCESS OF \$6,529.67 OF CONTRACT PRICE FOR THE DOWNTOWN STREETScape IMPROVEMENTS (LF SECTION 3) PROJECT [F]

RESOLUTION AUTHORIZING THE TRANSFER OF LITTLE FALLS' GENERAL ASSISTANCE PROGRAM TO PASSAIC COUNTY BOARD OF SOCIAL SERVICES [G]

RESOLUTION APPROVING RENEWAL OF PLENARY RETAIL CONSUMPTION/PLENARY RETAIL DISTRIBUTION/CLUB LICENSES FOR THE PERIOD FROM JULY 1, 2023 THROUGH JUNE 30, 2024 [H]

NEW BUSINESS

INTRODUCTION OF ORDINANCE NO. 1467, 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 136, NOISE", WITH A SECOND READING AND PUBLIC HEARING SCHEDULED FOR AUGUST 28, 2023.

INTRODUCTION OF ORDINANCE NO. 1468, AN ORDINANCE ENTITLED, "AN ORDINANCE AMENDING THE CODE OF THE TOWNSHIP OF LITTLE FALLS, ADMINISTRATION OF GOVERNMENT SECTION 33, CANNABIS" WITH A SECOND READING AND PUBLIC HEARING SCHEDULED FOR AUGUST 28, 2023.

INTRODUCTION OF ORDINANCE NO. 1469, 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 280, ENTITLED, "ZONING"" WITH A SECOND READING AND PUBLIC HEARING SCHEDULED FOR AUGUST 28, 2023.

INTRODUCTION OF ORDINANCE NO. 1470, AN ORDINANCE ENTITLED, "ORDINANCE OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF LITTLE FALLS, IN THE COUNTY OF PASSAIC, STATE OF NEW JERSEY, TO RELEASE, EXTINGUISH AND VACATE THE RIGHTS OF THE PUBLIC IN A PORTION OF PAPER STREETS (AMITY STREET AND CROSS STREET)" WITH A SECOND READING AND PUBLIC HEARING SCHEDULED FOR SEPTEMBER 26, 2023.

COUNCIL TOPICS FOR DISCUSSION

PUBLIC COMMENT - AGENDA ITEMS ONLY

ANYONE WISHING TO ADDRESS THE TOWNSHIP COUNCIL MAY DO SO THROUGH THE COUNCIL PRESIDENT. IT IS PREFERRED IF YOU 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.

MEMBERS OF THE PUBLIC WHO HAVE JOINED THE MEETING VIRTUALLY AND DESIRE TO PROVIDE COMMENT SHALL RAISE THEIR VIRTUAL HAND IN THE ZOOM APPLICATION. THE MEETING MODERATOR WILL QUEUE THE MEMBERS OF THE PUBLIC THAT WISH TO PROVIDE COMMENT AND THE COUNCIL PRESIDENT WILL RECOGNIZE THEM IN ORDER. MEMBERS OF THE PUBLIC WHO HAVE JOINED THE MEETING BY CALLING IN MUST PRESS *6 TO MUTE AND UNMUTE THEMSELVES AND *9 TO RAISE THEIR HAND. MEMBERS OF THE PUBLIC WHO HAVE JOINED THE MEETING VIA THE ZOOM APPLICATION MUST CLICK THE REACTIONS ICON AND THEN THE RAISE HAND ICON. ONCE THE PROCESS IS COMPLETE, WE WILL RETURN TO THE REGULAR ORDER OF BUSINESS.

ADJOURN

RESOLUTION [A] 23-08-14 - # _____

**RESOLUTION AUTHORIZING AFFORDABILITY ASSISTANCE GRANT WITH THE RENTER OF AN
AFFORDABLE HOUSING UNIT LOCATED 405 MAIN ST, UNIT 248 , LITTLE FALLS, NJ 07424**

WHEREAS, Tianxin Ku will rent property located at 405 Main St, Unit 248, Little Falls, NJ 07424, which property is governed by the statutes, ordinances, rules and regulations restricting ownership and use of the property as an Affordable Housing unit; and

WHEREAS, the tenant has requested an Affordability Assistance Program grant from the Affordable Housing Trust Fund; and

WHEREAS, the Township is willing to extend a grant to the tenant in the amount of \$1,142.00.

NOW THEREFORE BE IT RESOLVED on this _____ day of _____, 2023, by the Township Council of Little Falls, County of Passaic, State of New Jersey, that:

1. The Mayor, Administrator, Clerk and attorney are hereby authorized to execute an Affordability Assistance Program grant with the renter of an Affordable Housing unit at 405 Main St, Unit 248, Little Falls, NJ 07424.

CERTIFICATION

I, Cynthia Kraus, Clerk of the Township of Little Falls, certify that the foregoing resolution was adopted by the Township Council of the Township of Little Falls at its meeting held on the _____ day of _____, 202__.

Cynthia Kraus, Clerk

RESOLUTION [B] 23-08-14 - # _____

**RESOLUTION AUTHORIZING AFFORDABILITY ASSISTANCE GRANT WITH THE RENTER OF AN
AFFORDABLE HOUSING UNIT LOCATED 405 MAIN ST, UNIT 129 , LITTLE FALLS, NJ 07424**

WHEREAS, Siris T Suarez [will rent/rents] property located at 405 Main St, Unit 129, Little Falls, NJ 07424, which property is governed by the statutes, ordinances, rules and regulations restricting ownership and use of the property as an Affordable Housing unit; and

WHEREAS, the tenant has requested an Affordability Assistance Program grant from the Affordable Housing Trust Fund; and

WHEREAS, the Township is willing to extend a grant to the tenant in the amount of \$925.00.

NOW THEREFORE BE IT RESOLVED on this _____ day of _____, _____, by the Township Council of Little Falls, County of Passaic, State of New Jersey, that:

1. The Mayor, Administrator, Clerk and attorney are hereby authorized to execute an Affordability Assistance Program grant with the renter of an Affordable Housing unit at 405 Main St, Unit 129, Little Falls, NJ 07424.

CERTIFICATION

I, Cynthia Kraus, Clerk of the Township of Little Falls, certify that the foregoing resolution was adopted by the Township Council of the Township of Little Falls at its meeting held on the _____ day of _____, 202__.

Cynthia Kraus, Clerk

RESOLUTION [C] 23-08-14 - #_____

RESCINDING RESOLUTION [D] 23-07-24 - #4, AND ACCEPTING BID AND AWARDING
CONTRACT FOR 56-58, 60 & 62-66 STANLEY STREET BUILDING DEMOLITIONS

WHEREAS, pursuant to advertising duly made, bids were received by the Township of Little Falls on July 19, 2023 for the 56-58, 60 & 62-66 Stanley Street Building Demolitions project, and the bids were opened and read publicly as follows:

Caravella Demolition	Yanuzzi Group	Mamargi Demolition
Bid: \$257,000.00	Bid: \$357,400.00	Bid: \$286,936.00
Frank Galbraith & Son	RFC Excavating & Landscape Construction	
Bid: \$205,512.00	Bid: \$360,219.00	

and, WHEREAS, Frank Galbraith & Son was the apparent low bidder and their bid package appeared to be in compliance with local public bidding laws, resulting in the Township proceeding to award the contract to said bidder; and

WHEREAS, it was later determined that the bid submission of Frank Galbraith & Son was not complete, as they failed to identify electrical and plumbing subcontractors, and

WHEREAS, it was determined that a plumbing subcontractor would be necessary to complete this project; therefore, the absence of a plumbing subcontractor in the bid renders Frank Galbraith & Son's bid package incomplete and nonresponsive; and

WHEREAS, following review of the bid package of Caravella Demolition, who is the next low bidder, it was determined that their bid package is complete; therefore, the Township wishes to rescind Resolution [D] 23-07-23 - #4, and award the bid to Caravella Demolition; and

WHEREAS, the award is subject to the Availability of Funds and certification of same in the 2023 budget; and

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

1) That the bid of

Caravella Demolition
40 Deforest Ave
East Hanover, NJ 07936

in the amount of

\$257,000.00

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.; Boswell Engineering; Caravella Demolition; Project File

TOWNSHIP OF LITTLE FALLS
PASSAIC COUNTY NEW JERSEY

RESOLUTION [D] 23-08-14 - # _____

SPECIAL ITEMS OF REVENUE AND APPROPRIATION

WHEREAS, NJS 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount was not determined at the time of the adoption of the budget; and

WHEREAS, the Director may also approve the insertion of an item of appropriation for equal amount;

NOW, THEREFORE, BE IT RESOLVED, that the Township Council of the Township of Little Falls in the County of Passaic, New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2023 in the sum of \$15,000.00 for the Water Resources Planning Management Stormwater Assistance Grant.

BE IT FURTHER RESOLVED, that the like sum of \$15,000.00 is hereby appropriated under the caption:
Water Resources Management Stormwater Assistance Grant.

(A) Operations – Excluded from “CAPS”

Local Transportation Projects Fund	\$15,000.00
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APPROVED: _____

ccc: DLGS
cc: Finance
Auditor
Budget File
Dep.

RESOLUTION [E] 23-08-14 - #_____

RESOLUTION AWARDING CHANGE ORDER TO GRADE CONSTRUCTION
FOR THE DOWNTOWN STREETScape IMPROVEMENTS
(LF SECTION 4) PROJECT

WHEREAS, the Township Council has received a recommendation from the Township Engineer, Alaimo Group, regarding the contract for the Downtown Streetscape Improvements (LF Section 4) Project to change contract items as listed in the original specification; and

WHEREAS, the Township Council has considered this recommendation in accordance with N.J.A.C. 5:30-1 et seq. and the Local Public Contracts Law; and

WHEREAS, the Township Council has a contract with Grade Construction for Downtown Streetscape Improvements (LF Section 4), which was awarded by public bidding under the Local Public Contracts Law.

NOW, THEREFORE, BE IT RESOLVED, that the Township Council authorizes a change order to Grade Construction in the amount of \$8,521.29, making the revised contract amount \$418,275.74.

APPROVED: _____

cc: Finance Dept.
Alaimo Group
Grade Construction
Project File
Dept.

RESOLUTION [F] 23-08-14 - #_____

RESOLUTION AWARDING CHANGE ORDER TO GRADE CONSTRUCTION
FOR THE DOWNTOWN STREETScape IMPROVEMENTS
(LF SECTION 3) PROJECT

WHEREAS, the Township Council has received a recommendation from the Township Engineer, Alaimo Group, regarding the contract for the Downtown Streetscape Improvements (LF Section 4) Project to change contract items as listed in the original specification; and

WHEREAS, the Township Council has considered this recommendation in accordance with N.J.A.C. 5:30-1 et seq. and the Local Public Contracts Law; and

WHEREAS, the Township Council has a contract with Grade Construction for Downtown Streetscape Improvements (LF Section 4), which was awarded by public bidding under the Local Public Contracts Law.

NOW, THEREFORE, BE IT RESOLVED, that the Township Council authorizes a change order to Grade Construction in the amount of \$6,529.67, making the revised contract amount \$1,017,008.87.

APPROVED: _____

cc: Finance Dept.
Alaimo Group
Grade Construction
Project File
Dept.

RESOLUTION [F] 23-08-14 - #_____

RESOLUTION AUTHORIZING THE TRANSFER OF LITTLE FALLS' GENERAL ASSISTANCE PROGRAM TO PASSAIC COUNTY BOARD OF SOCIAL SERVICES.

WHEREAS, the State of New Jersey funds a General Assistance Program which is administered at the local level in Little Falls by the Local Assistance Board and Director of Welfare pursuant to N.J.S.A. 44:8-107 et seq.; and

WHEREAS, the Director of the Department of Human Services has served as the Director of Welfare and administrative officer of the Local Assistance Board, through which he has administered the Little Falls General Assistance Program; and

WHEREAS, the Governing Body has determined that the viability of the Local Department of Human Services may be better served by transferring that function to the County of Passaic Social Services Board; and

WHEREAS, as a result of the of this decision, Little Falls investigated the feasibility of transferring Little Falls's General Assistance Program to the Passaic County Board of Social Services for administration; and

WHEREAS, pursuant to N.J.S.A. 44:8-145.1, Little Falls may, by mutual agreement with Passaic County, transfer to the Passaic County Board of Social Services the financial and operational responsibility for the administration of the General Assistance Program under N.J.S.A. 44:8-107 et seq. to Little Falls residents; and

WHEREAS, in the event of a transfer, also pursuant to said statute the municipal welfare agency is to be abolished and its functions, powers and duties transferred to the Passaic County Board of Social Services no later than the 60th date after the effective date of the transfer; and

WHEREAS, the Little Falls Council finds that it is in the best interest of the municipality and its residents to transfer the General Assistance Program in Little Falls to the Passaic County Board of Social Services; and

WHEREAS, there shall be no cost to Little Falls, and the effective date of the transfer shall be retroactive to September 1, 2023 to ensure there is no disruption in services.

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

1. The Mayor, Clerk, Administrator and such other officials and employees as may be appropriate are hereby authorized and directed to transfer Little Falls's General Assistance Program to the Passaic County Board of Social Services in accordance with the applicable statutes and regulations and this Resolution, the transfer taking effect retroactively on

September 1, 2023, including but not limited to the following:

- (a) On or before September 1, 2023, Little Falls shall send all open cases a letter informing residents that their General Assistance cases will be administered by the Passaic County Board of Social Services.
 - (b) On or before September 1, 2023, Little Falls shall make appropriate arrangements to transfer the physical files of the open and any pending cases in Little Falls to the Passaic County Board of Social Services.
- 2. The Mayor and Clerk are hereby authorized and directed to execute any agreement as may be required by law with the Passaic County Board of Social Services necessary to effectuate the transfer as described in this Resolution.
- 3. The applicable provisions of the Little Falls ordinances shall be amended by ordinance as may be necessary to reflect this transfer of the General Assistance Program to the Passaic County Board of Social Services.
- 4. A certified copy of this Resolution shall be forwarded to the Passaic County Board of Social Services and the State of New Jersey, Department of Human Services.

TOWNSHIP OF LITTLE FALLS
PASSAIC COUNTY NEW JERSEY

RESOLUTION [G] 23-08-14 - #_____

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

WHEREAS, applications for renewal of PLENARY RETAIL CONSUMPTION has been filed as follows:

<u>License No.</u>	<u>License and/or t/a name</u>	<u>Fee</u>
1605-33-001-012	AB&DK 15 Paterson Avenue	\$2,200.00

and WHEREAS, it appears that 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 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;

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 issued accordingly, to become effective on July 1, 2023 and expire on June 30, 2024.

APPROVED: _____

ccc: ABC
cc: ABC File
Dept.

ORDINANCE NO. 1467

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 136 NOISE

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 noise issues in the Township;

WHEREAS, the municipal council (“Municipal Council”) of the Township has determined to amend Chapter 136 of the Code entitled Noise; and

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

Noise Regulations:

136.8 Restricted uses and activities

C. In all Residential Zones (R-1A, R-1B, R-1C, R-2, R-3, and R-3A) in the Township of Little Falls: All construction and demolition activity, excluding emergency work, shall not be performed between the hours of 6:00 p.m. and 7:00 a.m. on weekdays, or between the hours of 6:00 p.m. and 9:00 a.m. on weekends and federal holidays. All motorized equipment used in construction and demolition activity shall be operated with a muffler and/or sound reduction device if possible.

C-1. In all Commercial Zones (MDR, B-1, B-2,B-3,B-4,I, LICU,M.P.,MFS and Transit Village Districts) in the Township of Little Falls: All Construction, excavation, erection, alteration, repairing, demolition activity, or landscaping, excluding emergency work as decided by the Township Administrator or Construction Official, shall not be performed between the hours of 6:00 p.m. and 7:00 a.m. on weekdays or between the hours of 6:00 p.m. and 8:00 a.m. on Saturdays and Federal Holidays, unless such activities can meet the limits set forth in Tables I and II. All motorized equipment used in construction and demolition activity shall be operated with a muffler at all other times, the limits set forth in Tables I and II do not apply to construction and demolition activities. Sunday work is prohibited, except for the general repair or maintenance of the property by the owner. No contractor work is permitted.

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 136 Noise Regulations 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 into the Code. All of the remaining provisions in Chapter 136 Noise Regulations 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 Damiano, Mayor

ORDINANCE NO. 1468

AN ORDINANCE AMENDING THE CODE OF THE TOWNSHIP OF LITTLE FALLS, ADMINISTRATION OF GOVERNMENT SECTION 33 CANNABIS

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 establishment of regulating Cannabis; and

WHEREAS, the municipal council (“Municipal Council”) of the Township has determined to amend § 33-4, Local licensing application and

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

33-3. Local licensing authority.

- A. A local license shall be required to operate a cannabis establishment, as defined in the Act and as allowed by ordinance, in the Township. The Township Clerk is hereby designated to act as the local licensing authority for the Township for all cannabis establishments.
- B. Under no circumstances shall the Township Clerk receive or act upon any application for local licensing of a cannabis establishment if the permitting authority has not issued the appropriate conditional or final state license. It is the intent of this chapter that no cannabis establishment may lawfully operate in the Township absent the issuance of the appropriate state license and full regulatory oversight of the cannabis establishment by the permitting authority as well as that of the Township.
- C. The Township Clerk shall receive all applications for local licensing of a cannabis establishment. Said License application shall be reviewed by the Township Administrator and deemed complete before the applicant may apply for the appropriate zoning approval from the Township Land Use Board with jurisdiction over the application and a certificate of zoning compliance has been issued by the Zoning Officer.

§ 33-4 Local licensing application.

A.

Persons wishing to obtain a local license for a cannabis establishment shall file a license application with the Township Clerk, on a standardized form established by the Business Administrator and available in the Clerk's office and on the Township's website.

B.

An application shall be deemed incomplete, and shall not be processed by the Township Clerk, until all documents and application fees are submitted. To be deemed complete, all applications shall be accompanied by the following:

(1)

The applicant shall submit proof of licensure by the permitting authority.

(2)

The applicant shall submit proof that the applicant has or will have lawful possession of the premises proposed for the cannabis establishment, which proof may consist of the following: a deed, a lease, a real estate contract contingent upon successful licensing, or a letter of intent from the owner of the premises indicating an intent to lease the premises to the applicant contingent upon approval of required licenses.

(3)

The location proposed for licensing by the applicant shall comply with all applicable Township zoning laws and the location restrictions set forth herein.

(4)

The applicant shall submit an application fee of \$1,000 for a license. The amount of the nonrefundable application fee may be modified from time to time by subsequent duly adopted resolution of the Township Council.

(5)

Each subsequent year, the applicant will be required to recertify the qualifications to remain as a valid cannabis establishment under the laws of the state and the ordinances of the Township. The renewal application form will be prepared by the Business Administrator and available through the Township Clerk's office. The fee for the renewal application shall be \$5,000 annually.

(6)

The applicant and the contents of the application shall otherwise comply with any and all qualification standards set forth in the state and local laws, regulations, or requirements.

C.

The license as issued by the Township shall serve as written proof of the suitability of the cannabis establishment location from the Township. Other written statements, letters, resolutions, or other documents issued by the Township or any official, employee, or other representative shall not constitute annual or renewed "written, municipal approval" for purposed of the Act.

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 33-3 and 33-4 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 into the Code. All of the remaining provisions in Chapter 33 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 upon its final passage by the Municipal Council,

PASSED: _____

ATTEST:

APPROVE:

Cynthia Kraus, Municipal Clerk

James Belford Damiano, Mayor

ORDINANCE NO. 1469

**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 280
ENTITLED ZONING**

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 provide for the regulation of development throughout the Township; and

WHEREAS, the municipal council (“Municipal Council”) of the Township has determined to amend Chapter 280 Article XI Business B-2 District, Section 280-81 Conditional Uses as follows;

Conditional uses in the Business **B-2 District** are as set forth in the Schedule of Use, Area and Bulk Regulations included at the end of this chapter, with the following conditions:

In the **B-2 District**, new car establishments and establishments duly licensed by the State of New Jersey as follows:

[Amended 7-26-2021 by Ord. No. 1415]

(1)

Class 1 Cannabis Grower License – grows, cultivates, or produces cannabis in this state, and sells, and may transport, this cannabis to other cannabis growers, cannabis processors, cannabis wholesalers, or cannabis retailers, but not to consumers. A cannabis grower may also be referred to as a “cannabis cultivation facility.”

(2)

Class 2 Cannabis Processor License – processes cannabis items in this state by purchasing or otherwise obtaining cannabis, manufacturing, preparing, and packaging cannabis items, and selling, and optionally transporting, these items to other cannabis processors, cannabis wholesalers, or cannabis retailers, but not to consumers. A cannabis processor may also be referred to as a “cannabis product manufacturing facility.”

(3)

Class 3 Cannabis Wholesaler License – purchases or otherwise obtains, stores, sells or otherwise transfers, and may transport, cannabis items for the purpose of resale or other transfer either to another cannabis wholesaler or to a cannabis retailer, but not to consumers.

(4)

Class 4 Cannabis Distributor License – transports cannabis items in bulk intrastate, from one licensed cannabis establishment to another licensed cannabis establishment and may engage in the temporary storage of cannabis items as necessary to carry out transportation activities, but not to consumers.

(5)

Class 6 Cannabis Delivery License – provides courier services for a cannabis retailer in order to make deliveries of cannabis items and related supplies to a consumer.

(6)

~~Class 5 Cannabis Retailer License are specifically prohibited in the **B-2 District**.~~ ***Class 5 Cannabis Retailer License*** – purchases or otherwise obtains cannabis from cannabis growers and cannabis items from cannabis processors or cannabis wholesalers, and sells these to consumers from a retail store, and may use a cannabis delivery service or a certified cannabis handler for the off-premises delivery of cannabis items and related supplies to consumers.

These uses are permitted as a conditional use subject to the approval by the Planning Board of a conditional use application and subject to the regulations included in the Schedule of Use, Area and Bulk Regulations included at the end of this chapter and the following conditions and limitations:

(a)

All of the area of the minimum front setback shall be landscaped, except that a five-foot area immediately in front of the building shall be permitted and except that exit and entry points for driveways shall be permitted.

(b)

There shall be no exterior display of cars for sale, except on that portion of the lot which is to the rear of the rear building line. In any area in which cars are displayed for sale, there will be a six-foot-high wall or fence, which is visually impervious, which shall be placed on the property line.

(c)

There will be no exterior amplification of sound anywhere on the site.

(d)

There will be no exterior display of flags, pennants or banners anywhere on the site, except for one American flag.

(e) Parking will be permitted in the rear yard, but not closer than five feet to the property line. Similarly, parking will be permitted in the side yards, but only that portion of the side yards which are interior to a projection of the rear building line. However, the parking shall not be closer than within five feet of the property line. The five-foot area in which no parking is permitted will be landscaped. No parking shall be permitted in any portion of the front yard.

(f)

There will be no loading or unloading of automobiles from the highway.

(g)

As an incident to and subordinate to the new car sales, the sale of used cars will be permitted, as well as servicing also incident to and subordinate to the new car sales establishment.

(h)

There shall be one parking space for every 350 square feet of interior building area.

(i)

All of the provisions of the **B-2 District** which are not in conflict with the within provisions shall be applicable to new car establishments and establishments duly licensed by the State of New Jersey for Cannabis as defined above and its related items in any form in compliance with New Jersey Statutes and regulations.

(j)

The provisions of Chapter **227**, Subdivision of Land, and Chapter **218**, Stormwater Management, shall be applicable to new car establishments and establishments duly licensed by the State of New Jersey for Cannabis as defined above and its related items in any form in compliance with New Jersey Statutes and regulations as shall all other ordinances of the Township not otherwise inconsistent with the conditional use provision of this subsection.

(k)

On-site lights will be reflected downwards and away from residential areas.

(l)

There shall be no exterior display of cannabis, marijuana, weed or pot in any form or signage which can be viewed either on the exterior of the building or through the windows of the building. On that portion of the lot which is to the rear of the rear building line there will be a six-foot-high fence erected which will be visually no less than 50% clear, which shall be placed on the property line.

(m)

All deliveries related to cannabis and related products will be made through the rear entrance of the building.

(n)

For businesses establishments duly licensed by the State of New Jersey for cannabis as defined above there shall be one parking space for every 100 square feet of interior building area.

(o)

For businesses establishments duly licensed by the State of New Jersey for cannabis as defined above it is required to install special electrostatic devices which will be designed to eliminate fumes from this product leaking into the atmosphere outside the building.

(p)

In all Zones in the Township, consumption of cannabis in any form and smoking of cannabis and use of its related items is strictly prohibited indoors and outdoors on public property. The operation of a café for the purpose of consuming cannabis and its related products in any form in compliance with New Jersey Statutes and regulations is prohibited.

(q)

Within the **B-2 District**, no establishments duly licensed by the State of New Jersey for cannabis as defined above shall be located closer than 500 feet from a similar establishment. Additionally, no establishments duly licensed by the State of New Jersey for cannabis as defined above shall be located closer than 1,000 feet from any school building.

(r)

~~The Class 5 Cannabis Retailer License are specifically prohibited in the~~ **B-2 District**.

1. This ordinance shall be sent to the Planning Board for their review and comments prior to the final adoption by the Governing Body.
2. A copy of this Ordinance shall be available for public inspection at the offices of the Township Clerk.
3. This Ordinance shall take effect upon its final passage by the Municipal Council, and approval by the Mayor and publication as required by law.

PASSED: _____

ATTEST:

APPROVE:

Cynthia Kraus, Municipal Clerk

James Belford Damiano, Mayor

**TOWNSHIP OF LITTLE FALLS
ORDINANCE NO. 1470**

**AN ORDINANCE OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP
OF LITTLE FALLS, IN THE COUNTY OF PASSAIC, STATE OF NEW JERSEY,
TO RELEASE, EXTINGUISH AND VACATE THE RIGHTS OF THE PUBLIC IN
A PORTION OF PAPER STREETS (AMITY STREET AND CROSS STREET)**

WHEREAS, there exists within the Amity Park area of the Township of Little Falls various unimproved paper streets and/or portions of unimproved paper streets known as: (1) Amity Street between Haines Place and Cross Street and (2) Cross Street between Amity Street and Hughes Place, all as shown on the Official Tax Map of the Township of Little Falls (collectively known as “Streets to be Vacated”) as delineated on the attached Exhibit “A” hereto; and

WHEREAS, the Streets to be Vacated serve no public purpose as streets and would require unwarranted and significant expenditures of public monies to plan, construct and maintain by the Township of Little Falls, and need to be vacated; and

WHEREAS, the entirety of the Streets to be Vacated are neither open to the public for the purposes of vehicular traffic nor publicly maintained as a street; therefore, this vacation ordinance is not subject to review by the Commissioner of the New Jersey Department of Transportation with regard to the traffic regulations thereon pursuant to N.J.S.A. 39:4-8; and

WHEREAS, the land occupied by the Streets to be Vacated are currently and have been for many years used for active public recreation in Amity Park including as ball fields and monuments; and

WHEREAS, N.J.S.A. 40:67-1(b) and N.J.S.A. 40:67-19 empowers the governing body of a municipality to make, amend, repeal and enforce ordinances to vacate any public street, including the vacation of any portion of any public street, and to vacate any street, or any part thereof, dedicated to public use but not accepted by the municipality, whether or not the same, or any part, has been actually opened or improved; and

WHEREAS, the Township Council of the Township of Little Falls has considered evidence and concluded that the Streets to be Vacated are not needed by the general public as a public thoroughfare and lend themselves to higher and better uses as active public recreation and monuments and for use by the general public, and that the public interest will best be served by abandoning, vacating, releasing and extinguishing any and all public rights which the Township may have in and to the Streets to be Vacated;

WHEREAS, title to the Streets to be Vacated shall be apportioned to adjacent property owners, if any, in accordance with law; and

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

1. Subject to the conditions set forth herein, the rights of the public in and to the Street to be Vacated, as more particularly delineated in Exhibit "A" hereto, are hereby released, extinguished and vacated.

2. Title to the Streets to be Vacated shall be apportioned to adjacent property owners as listed on Exhibit "B" hereto, if any, in accordance with law.

3. Pursuant to N.J.S.A. 40:67-1(b), all public easements, rights and interests to the Streets to be Vacated, as more particularly delineated in Exhibit "A" hereto, are hereby vacated, released and extinguished except for said easements and rights specifically set forth herein and except for all rights and privileges now possessed by public utilities, as defined in N.J.S.A. 48:2-13, and by any Cable Television Company, as defined in the "Cable Television Act," N.J.S.A. 48:5A-1, et seq., to maintain, repair and replace their existing facilities in, adjacent to, over or under the street, or any part thereof, to be vacated.

4. Pursuant to N.J.S.A. 40:67-21, the Township Clerk shall within 60 days after this ordinance becomes effective file a copy of this ordinance, certified by her, under the seal of the Township of Little Falls, to be a true copy of such ordinance, together with a copy of proof of publication, if publication be required, in the office where conveyances of lands are recorded in Passaic County and such certified copy shall be recorded in a book with proper index to be provided for the purpose and entitled "Vacations."

5. After introduction, this Ordinance shall be referred to the Planning Board of the Township of Little Falls for review and comment pursuant to N.J.S.A. 40:55D-26, -32, and -33, since vacation of a public street or portion thereof constitutes a change to the official map of the Township of Little Falls, Passaic County and the closing of public streets, albeit paper unimproved streets.

6. At least seven (7) days prior to the time fixed for the consideration of this Ordinance for final passage, a copy of this Ordinance, together with a notice of its introduction and the time and place when and where the Ordinance will be further considered for final passage, shall be given by the Township Clerk to the owners of all real property whose lands may be affected by this Ordinance or any assessment which may be made in pursuance thereof, so far as the same may be ascertained, directed to his last known post-office address. At least ten (10) days prior to the time fixed for the consideration of this Ordinance for final passage, a copy of this Ordinance, together with a notice of its introduction and the time and place when and where the Ordinance will be further considered for final passage, shall be published at least once in a newspaper published and circulated in the Township of Little Falls. This is the notice required by N.J.S.A. 40:67-19 and N.J.S.A. 40:49-6.

NOW, THEREFORE, BE IT FURTHER ORDAINED that:

1. Ordinances, resolutions and regulations or parts of ordinances, resolutions and regulations inconsistent herewith are hereby repealed to the extent of such inconsistency; and

2. If any section, subsection, clause or phrase of this Ordinance is for any reason held to be unconstitutional or invalid by a court of competent jurisdiction, such a decision shall not affect the remaining portion of the Ordinance; and

3. Except as hereby amended, the Code of the Township of Little Falls shall remain in full force and effect.

4. This Ordinance shall take effect upon final publication in accordance with law.

PASSED: _____

ATTEST:

APPROVE:

Cynthia Kraus
Municipal Clerk

James Belford Damiano
Mayor

EXHIBIT “A”

Tax Map of Amity Park

Amity Street & Cross Street (as highlighted)

EXHIBIT "B"

List of Adjacent Property Owners for Notice

Block 29, Lot 25 & 26

Leonard Shark __ (address)_____, Little Falls, New Jersey

Block 29, Lot 22, 23, & 24

Richard Harraka and Maria Suppa, ____ (address)____, Little Falls New Jersey