

**REGULAR MEETING
OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF LITTLE FALLS
WAS HELD THIS EVENING IN THE MUNICIPAL BUILDING**

Monday August 22, 2022

Council President Sgobba called the meeting to order at 7:00 p.m. with the following members present: Councilmember Christine Hablitz, Albert Kahwaty, Tanya Seber, and Christopher Vancheri. Also present were Mayor James Damiano, Township Attorney Joseph Wenzel, Township Administrator Charles Cuccia, Municipal Clerk Cynthia Kraus and Deputy Clerk Melissa DePiro.

Absent: None.

Township Employees present: Deputy Chief Bryan Prall.

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 March 11, 2022. A copy of the notice was mailed to the North Jersey Herald and 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.lfnj.com. Electronic provisions have been established for the public to participate during the public comment portion of the meeting.**

APPROVAL OF MINUTES

It was moved by Councilmember Vancheri, seconded by Councilmember Kahwaty, that the Minutes of the Regular Meeting of July 25, 2022 be and they were approved.

Poll: Ayes: Hablitz, Kahwaty, Seber, Vancheri, and Council President Sgobba
 Nays: None

The Council President declared the motion passed.

It was moved by Councilmember Hablitz, seconded by Councilmember Kahwaty, that the Minutes of the Workshop Meeting of August 8, 2022, be and they were approved.

Poll: Ayes: Hablitz, Kahwaty, Seber, Vancheri, and Council President Sgobba
 Nays: None

The Council President declared the motion passed.

MAYOR'S REPORT

Mayor Damiano responded to resident concerns regarding the condition of Main Street between Montclair Avenue and Route 23. The Mayor reported he met with NJ American Water and Montana Contractors and due to the composition of the road, it is hopeful that restoration will begin in the next few weeks. Notification will be given to residents as the schedule becomes available. The Mayor announced the Township has received grant funding to complete the Streetscape Section 3, which will be awarded and under way soon. Lastly, Mayor Damiano briefly reviewed Ordinance No. 1443 which pertains to prohibiting the feeding of wild animals and Ordinance No. 1444, a foreclosure ordinance, which is passed annually to approve the foreclosures on properties.

COUNCIL MEMBER REPORTS

Councilmember KAHWATY thanked the residents and Police Department who recently came to the assistance of his wife and her disabled car. Councilmember KAHWATY also reminded residents to be cautious and slow down while driving as the new school year approaches. Councilmember KAHWATY then announced the final movie night will be held this Wednesday.

Councilmember HABLITZ thanked the Library Director and the Children's Librarian for all the programs offered. She then highlighted upcoming Library events including a book signing and author visit on September 15th and Yoga for Kids on September 9th. Councilmember HABLITZ reported the peach festival at this weekend's Farmers Market was very successful. She then thanked the OEM, the EMT's and the Police Department who attended to a patron at the Market. Councilmember HABLITZ also commended the Police Departments baseball card program.

Councilmember VANCHERI reported an email blast will be sent out regarding the 21st anniversary of 9-11 with details on the ceremony and events.

Councilmember SEBER discussed details of the Townwide Garage Sale on September 17th and Run Little Falls 5K on October 2nd.

REMARKS FROM THE CHAIR

Council President SGOBBA detailed signup information for the Senior Advisory Board sponsored event called "Discover Pastabilities" with Chef Lisa on September 12th.

ATTORNEY'S REPORT

Mr. Wenzel had nothing to report.

Meeting of August 22, 2022

PUBLIC COMMENT -AGENDA ITEMS

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.

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. Please give your name and address for the record. Once the process is complete, we will return to the regular order of business.

It was moved by Councilmember Vancheri, seconded by Councilmember Hablitz, that the meeting be and it was opened to the public.

Poll: Ayes: Hablitz, Kahwaty, Seber, Vancheri, and Council President Sgobba
Nays: None

The Council President declared the motion passed.

No one coming forward to be heard, it was moved by Councilmember Vancheri, seconded by Councilmember Seber, that the meeting be and it was closed to the public.

Poll: Ayes: Hablitz, Kahwaty, Seber, Vancheri, and Council President Sgobba
Nays: None

The Council President declared the motion passed.

CONSENT AGENDA

All items on the Consent Agenda were considered to be routine and will be enacted with a single motion. For any items under REQUISITIONS carried a Treasurer’s certification of the availability of funds.

REPORTS

Municipal Clerk’s Report – Month of July 2022

MUNICIPAL CLERKS REPORT
Month of July 2022

ABC LICENSES		
OTHER LICENSES		
Business Licenses	\$1,680.00	
Pre-paid Business Licenses		
Raffle Licenses	\$40.00	
		\$1,720.00
REGISTRAR OF VITAL STATISTICS		
Fees & Permits	\$360.00	
Marriage Licenses-LF		
Marriage Licenses-NJ		
		\$360.00
MRNA		
Street Maps		
Zoning Maps		
Zoning Ordinances		
Document Copies		
Garage Sales	\$30.00	
Misc. Fees & Refunds:	\$10.00	
TOTAL MRNA		\$40.00
TOTAL CURRENT ACCOUNT		\$2,120.00
TOTAL TO TREASURER		<u>\$2,120.00</u>

Municipal Clerks Dog/Cat License Report - Month of July 2022

MUNICIPAL CLERK'S DOG/CAT LICENSE REPORT
Month of July 2022

Dog Licenses issued 07/01/2021 thru 07/31/2022	
Nos. 177 to 190 = Licenses	
Amount due Little Falls	\$95.20
Amount due State	\$22.80
Total Cash Received	\$118.00
Cat Licenses issued 07/01/2022 thru 07/31/2022	
Nos. to	
Licenses Issued	
Total Cash Received	\$
Total to Treas.	<u>\$118.00</u>

Meeting of August 22, 2022

Tax Collector's Report - Month of July 2022

MONTHLY REPORT

Municipality of Township of Little Falls

Office of the Tax Collector

Township of Little Falls Current Account, Lakeland Bank Revenues

Revenues Collector for the Month of July 2022

Categories 01-	July 1-29, 2022	2022 Year to Date
2022 Taxes	\$7,190,652.78	\$31,319,375.40
2016-2021 Taxes	19,016.70	262,954.65
Interest	5,832.66	40,840.71
Insufficient Check Fee	0.00	160.00
6% Penalty	0.00	2,445.98
GRAND TOTALS	\$7,215,502.14	\$31,625,776.74

Delinquent 2016 Taxes \$310,655.31 (Inc. 6% ye-pe/MSU-NJ Educ)

Delinquent 2020 Taxes 2,240.64 (bankruptcy).

Delinquent 2021 Taxes 207,527.53 (subject to tax sale 2022)

Delinquent 2022 Taxes 379,969.12 (1st -2nd qtrs.).

Total Delinquent Taxes \$900,392.60

2022 Refunds this month = -\$0.00

2022 Year to date refunds = -\$14,219.00

Breakdown of refunds for years 2017-2022 completed in 2022 (see attached).

REFUNDS IN THE YEAR 2022

Months	2017 STCJ	2018 STCJ	2019 STCJ	2020 STCJ	2022 CBJ	2022 Regular	2021 Senior/Veteran	Exempt 2022	Total by Months
January	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$250.00	\$0.00	\$250.00
February	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$11,468.78	\$0.00	\$0.00	\$11,468.78
March	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	1,834.86	\$0.00	\$0.00	\$1,834.86
April	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
May	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
June	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$915.36	\$0.00	\$0.00	\$915.36
July	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Totals	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$14,219.00	\$250.00	\$0.00	\$14,469.00

Note: The above figures represent the months that the Tax Collector did the adjustments in the computer; the Resolution(s) may have been adopted in the next month.
STCJ = State Tax Court Judgments. CBJ= County Board Judgments.

Municipality of Township of Little Falls

Office of the Tax Collector

Township of Little Falls Tax Collector Trust 1 (Lien Monies), Lakeland Bank

Revenues for the Month of July 2022

	Deposit	2022 Year-to-Date
January 2022	\$ 0.00	\$ 0.00
February 2022	9,040.44	9,040.44
March 2022	0.00	9,040.44
April 2022	0.00	9,040.44
May 2022	0.00	9,040.44
June 2022	0.00	9,040.44
July 2022	0.00	9,040.44

Total Collected as of July 29, 2022

\$9,040.44

Municipality of Township of Little Falls

Office of the Tax Collector

Township of Little Falls Tax Collector Trust 2 (Lien Premium Monies), Lakeland Bank

Revenues for the Month of July 2022

	Liens with Premiums Redeemed/ (-)	Bal. /Dep. (+)
Balance Brought Forward (January 1, 2022)		\$342,500.00
January 2022	\$ 0.00	342,500.00
February 2022	-2,000.00	340,500.00
March 2022	0.00	340,500.00
April 2022	0.00	340,500.00
May 2022	0.00	340,500.00
June 2022	0.00	340,500.00
July 2022	0.00	340,500.00
Ending Balance as of July 29, 2022		\$340,500.00

Recreation Report – Month of July 2022

Recreation Center – July 2022				
Program	Facility	# Classes	Hours	Participants
Summer Camp	Rec	20	120	4560
Town Water Day	Turf	1	4	300
Movie Night	Turf	1	3	150
Fencing	Gym	4	8	32
Weekly Totals		26	135	5042

Meeting of August 22, 2022

Civic Center Report – Month of July 2022

Month of July 2022			
Meeting Group	# of Meetings	Hours	Participants
Senior Citizen Clubs	8	48	130
Stamp Club	2	4	22
Sr. Advisory Board	1	2	5
LFFPA	1	2	20
CERT	1	2	6
Chair Yoga	4	4	35
Tai Chi/QiGong	8	8	36
Totals	25	70	254

Police Department Report - Month of July 2022

PATROL DIVISION MONTHLY REPORT – July 2022

Total Calls for Service **2,038** Total Operation Reports Generated **142**
 Total Investigation Reports **43**

ARREST TOTAL: 3

Type of Arrest	Total
Eluding	1
DWI	1
Simple Assault	0
Excessive Speeding	0
Theft	1
All others	0

Patrol Division Time & Attendance

Type of Hours	Total
Vacation	48
Holiday	262
Compensatory	69.5
Sick	300
Personal time	36
Credit time	297
Administrative	0
PBA day	12
Schedule transition	24
Bereavement	108
Overtime due to Training	0
Overtime hours to maintain minimum staffing level	48
Overtime due to Incident/Weather/Other event	0

Call Type	Total	Call Type	Total
BURGLARY	0	MV STOPS	259
THEFT	14	TRAFFIC HAZARD	9
THEFT AUTO PARTS	1	DISABLED MV	12
BURGLARY TO MOTOR VEHICLE	0	PARKING ENFORCEMENT	52
MOTOR VEHICLE THEFT	3	ABANDONED IMPOUND/TOWAWAY	2
SIMPLE ASSAULT	2	ESCORTS	0
FRAUD-ALL OTHER	7	ASSIST MOTORIST	0
WEAPONS	1	TRAFFIC POST	33
CRIMINAL MISCHIEF	1	PROPERTY CHECK	422
PROPERTY DAMAGE	9	VACANT HOME CHECK	30
FIGHTS	2	MEDICAL ASSISTANCE	29
DISPUTES	17	NOTIFICATIONS	2
DISORDERLY CONDUCT/HARASSMENT	4	OTH PUB SERV/WELFARE CHK	16
NOISE COMPLAINT	18	ASSIST CITIZEN	5
DISORDERLY CONDUCT	0	EMOTIONALLY DISTURBED PERSON	4
ALARM ALL OTHERS	3	CHECK SCHOOL FACILITIES	28
BLACKMAIL/EXTORTION	0	BAR/TAVERN CHECK	1
CONTRIB/DELIQ OF JUV	3	ASSIST OTHER POLICE DEPT	4
MUNICIPAL ORD VIOLATIONS	3	ASSIST OTHER PD ALCO TEST	1
OBSTRUCTION OF JUSTICE	0	FLOODING	0
THREATS	3	UTILITIES PROBLEM	1
HARASSMENT	4	WATER LEAKS	1
TRESPASSING	2	ASSIST SCHOOL	0
FIREWORKS	9	BOMB SQUAD RESPONSE	0
OPEN DOORS/WINDOWS	22	WARRANTS	0
SUSPICIOUS AUTO	5	ADMINISTRATIVE DUTIES	223
SUSPICIOUS PERSON	6	COMMUNITY POLICING	21
SUSPICIOUS ACTIVITY	6	SCHOOL GUARD CHECK/POST COVER	0
WATER UTILITY	1	COURT	4

Meeting of August 22, 2022

Call Type	Total	Call Type	Total
MISSING PERSONS	3	IN SERVICE TRAINING	12
GENERAL INVESTIGATIONS	22	MAINTENANCE OF RADIO	2
PATROL INVESTIGATIONS	13	POLICE INFORMATION	1
BURGLARY ALARMS	7	TRAINING	5
BURGLARY ALARM/COMMERCIAL	8	FIELD CONTACT	0
FIRE ALARMS	5	FIREARM APPLICATION	31
SMOKE CONDITION	2	FINGERPRINT	1
ASSIST OWN AGENCY	2	CIVIL MATTER	1
WATER RESCUE	0	SPECIAL DETAIL ASSIGNMENT	36
UNATTENDED DEATHS	0	MUNICIPAL PERMITS	0
FOUND ARTICLES	6	REPOSSESSION	0
LOST ARTICLES	3	BACKGROUND CHECKS	1
STRAY ANIMALS	4	TRO/FRO INFO/SERVICE	4
ANIMAL COMPLAINTS	9	DIRECTED PATROL	140
DISPOSAL OF INJURED ANIMAL	2	911/CHK WELFARE	72
MV ACCIDENT W/INJURY	5	FOOT PATROL	11
MV ACCIDENT NO INJURIES	50	FOLLOW-UP INVESTIGATION	19
SELECTIVE ENFORCEMENT TRAFFIC	16	CHILD SEAT INSPECTIONS	3
RADAR	114	911 TRANSFER	60
MV COMPLAINTS	11	SEX OFFENDER REGISTRATION	3

Investigations Division Report

July 2022 Monthly Report

Criminal Case Management

- 17 Cases were assigned for follow-up investigation.
- 42 Investigations currently remain open and active.
- 14 Cases closed from current and previous months.
- 3 Assist own Agency (Patrol Invest/Cases/Special Details)

Criminal Complaints/Warrants Served:

- 0 Cases where criminal complaints were issued by the Investigative Division.
- 0 Total Criminal Complaints issued
- 0 Attempts were made to service outstanding criminal arrest warrants issued by the Little Falls Municipal Court.

Juvenile

- 1 Juvenile cases investigated.
- 0 Juvenile Complaints Issued
- 0 Station-House Adjustments were filed by the Department's Juvenile Detective.

Narcotics

- 0 Active Narcotics investigation(s)
- 0 Arrests were made by the investigative division for a drug related offense.
- 0 Pounds of prescription medication was deposited in the Prescription Drug Box.

After Hours Call-Outs

- 1 Incident required a detective for investigative support or notification after hours.

Internal Affairs (IA)

- 0 IA Complaint(s) was screened and indexed.
- 0 IA Investigation(s) were conducted and closed.
- 1 IA Complaint(s) remain open and is being investigated.
- Major Discipline: There were 0 investigations closed that resulted in disciplinary action requiring termination, demotion and/or suspension of five (5) or more days.

Grand Jury/Superior Court Appearances

- 1 Case required a Detective to appear and testify before a Grand Jury or Superior Court.

Search Warrants/Subpoenas

- 7 Subpoenas were requested to be served for an investigation.
- There were 0 search warrants and 0 communication data warrants executed.

Background Investigations

The Investigative Division completed 0 Police Applicant, 0 Dispatcher Applicant (Full), 0 Crossing Guard Applicants and 0 Solicitor Applicant Investigations.

Megan's Law (Sex-Offender) Registrations

- 0 New Registrations
- 2 Address Verification and Re-Registrations
- 0 Transferred to Other Agency
- There are currently 11 registered sex-offenders residing within the Township.

Detective Time Off and Overtime:

Compensatory – 20.0 hours Vacation/Holiday – 96 Hours Personal – 0 hours Sick- 0 hours Other – 3 Hours

Detective Time Off: TOTAL 119 hours

Detective Overtime: TOTAL 21.75 Hours

Hours worked for Cash –0 hours Detective hours worked for Compensatory Time – 9.75 hours
Patrol Shift Coverage by Detective – 12 hours (OT Cash) Patrol Grant OT – 0 hours

Property and Evidence: May and June

- 2 Items classified as property was entered into the department's BEAST Evidence System, processed, logged and secured. (This includes missing, lost and found property, recovered stolen property and items left for safekeeping.)
- 1 Firearms/Weapons were entered into the BEAST Evidence System, processed, logged and secured.
- 0 Firearms were transported for ballistics analysis.
- 2 Items classified as evidence were entered into the BEAST Evidence System, processed, logged and secured.
- 0 Items classified as Drug Evidence were transported to the NJ State Police Laboratory for analysis.
- 3 Items classified as Forensic Evidence were transported to the NJ State Police Laboratory at Hamilton or Holmdel, NJ for analysis. (This includes physical, chemical, and biological evidence.)
- 0 Random drug screen analysis specimens were transported to the NJ State Medical Examiner's Office for analysis.
- \$0.00 Currency was seized and submitted to the Passaic County Prosecutor's Office pending asset forfeiture proceedings.
- 0 Property item was seized and submitted to the Passaic County Prosecutor's Office pending asset forfeiture proceedings.

Meeting of August 22, 2022

Notable Detective Cases & Community Outreach

Community

- On July 10th, Detective Vanak and Ptlm. Pinnola attended the Little Falls Farmer's Market and set up a table with information about bicycle safety.

Investigations

- (LFPD Case #21-15355) Sgt. Cespedes concluded a 10 Month Investigation into the theft of Little Falls DPW Equipment that occurred in September 2021 when Sgt. Cespedes was assigned to the Detective Bureau. The lengthy investigation was a collaborative effort with multiple jurisdictions as the actor burglarized multiple commercial properties throughout NJ. The actor was subsequently charged by Sgt. Cespedes with Burglary and Theft.

Community Policing:

16	Vacant House Checks
3	Child Safety Seats Installed
17	Cell inspections
29	Traffic assist (REC Center)
---	School Arrivals
---	School Dismissals
---	School walk throughs

Outreach and Events:

7/4 Attended 4th of July Street Fair. Set Up table.

7/10 Attended Farmers Market. Set up table, talked to residents about bicycle safety.

7/7, 7/15, 7/21, 7/28 Attended Concert in the Park.

7/27 Attended movie night at the Rec.

Comments:

Detective Bureau and Community Policing Training: N/A

SUPPORT SERVICES DIVISION – Administrative Monthly Report – July 2022

RECORDS BUREAU

Discovery and OPRA

0 Discovery Cases involving Digital (Audio/Video) files were processed and uploaded to Dropbox for defense attorneys, the public defender and prosecutors.

15 Total discovery cases. 32 OPRA requests were processed.

777 pages of reports were facilitated and forwarded to the Township Clerk's Office for OPRA requests.

\$398.00 was deposited by the Records Bureau during the month.

Discovery \$0.00/Firearms \$178.00/Accident & Incident Reports \$220.00/Fingerprints \$0.00

Firearms (DATA NOT AVAILABLE DUE TO CPL. POST ABSENCE)

32 Applications for Firearms Permits

12 Firearms Purchaser ID cards were *Issued*

70 Handgun Purchase Permits were *Issued*

Background Investigations

37 Firearms Investigations Completed

2 Permit to Carry Applications.

4 Applications Withdrawn by Applicant/Denied

TRAINING

Outside Training

FBI LEEDA ELI – Sgt. Hoyt

High Performance Leadership– Sgt. Cespedes, Sgt. Emperio

Active Shooter & Mass Assaults (webinar) – Sgt. Cespedes

DISPATCHER TIME OFF AND COVERAGE

Dispatcher Time Off

COMP – 0 Hours HOL – 136 Hours VAC – 24 Hours

C/T – 76 Hours SICK – 12 Hours FML – 0 Hours PER – 20 Hours

Bereavement – 0 Hours

Dispatcher Coverage – Overtime

Part-time Dispatcher Hours Worked – 157 hours

Full time Dispatcher OT CASH – 315.5 Hours

Dispatch Vacancy Covered by Patrol OT 24 hours

Dispatch Vacancy Covered by Patrol Shift – 12 hours

Full-time Dispatcher OT Comp - 7 hours

Part-Time Dispatcher Training Hours Worked – 0 hours

Construction Report – July 2022

Uniform Construction Code

Permits Issued – 51

Inspections – 292

Total Value of Construction - \$482,895.00

Certificate of Occupancy - \$614.00

Permit Fees Collected - \$16,564.00

Permit Fees Waived - \$525.00

Penalties - \$0.00

Total Fees Collected - \$17,178.00

Zoning

Fence Permits – \$150.00

Sign Permits - \$0.00

Zoning fees – \$700.00

Total Fees Collected- \$850.00

Property Maintenance

Certificates of Compliance Fees – \$2,250.00

Inspections – 76

Complaints Inspections – 15

Violations Issued – 21

Roll-off permits – \$210.00

Fines - \$00.00

Total Fees Collected - \$2,460.00

Monthly Revenue \$20,488.00

YTD Revenue \$429,732.00

BUDGET STATUS REPORT TOWNSHIP OF LITTLE FALLS YEAR TO DATE – JANUARY 1, 2022- JULY 31, 2022							
ACCOUNT 01-2010	BUDGET	Budget After Modification	Paid or Charged	Encumbered	Paid or Committed	Balance	% Spent
00-0000	BUDGET	0.00	0.00	0.00	0.00	0.00	0.0
20-1000	ADMINISTRATION S&W	50,000.00	49,251.59	0.00	49,251.59	748.41	98.5
20-1050	ADMINISTRATION O/E	61,300.00	42,848.02	3,160.00	46,008.02	15,291.98	75.0
20-1100	MAYOR & COUNCIL S&W	17,500.00	10,208.52	0.00	10,208.52	7,291.48	58.3
20-1102	MAYOR & COUNCIL O/E	2,000.00	125.00	0.00	125.00	1,875.00	6.2
20-1200	CLERK S&W	250,455.00	148,949.59	0.00	148,949.59	101,505.41	59.4
20-1202	CLERK O/E	85,000.00	49,762.37	8,026.95	57,789.32	27,210.68	67.9
20-1300	FINANCIAL ADM. S&W	148,841.00	57,711.22	0.00	57,711.22	91,129.78	38.7
20-1302	FINANCIAL ADM. O/E	70,000.00	44,192.92	1,453.72	45,646.64	24,353.36	65.2
20-1352	FINANCIAL ADMIN. AUDIT	58,000.00	22,750.00	0.00	22,750.00	32,250.00	39.2
20-1450	REVENUE ADMIN.S&W	104,840.00	59,519.74	0.00	59,519.74	45,320.26	56.7
20-1452	REVENUE ADMIN.-O/E	39,500.00	13,671.92	107.72	13,779.64	25,720.36	34.8
20-1500	ASSESSMENTS S&W	59,939.00	32,276.54	0.00	32,276.54	27,662.46	53.6
20-1502	ASSESSMENT OF TAXES	32,900.00	14,081.08	1,034.00	15,385.08	17,514.92	46.7
20-1550	LEGAL SERVICES S&W	0.00	0.00	0.00	0.00	0.00	0.0
20-1551	LEGAL SERVICES O/E	0.00	0.00	0.00	0.00	0.00	0.0
20-1552	LEGAL SERVICES O/E	175,000.00	95,155.40	30,000.00	125,155.40	49,844.60	71.5
20-1651	ENGINEERING S&W	0.00	0.00	0.00	0.00	0.00	0.0
20-1652	ENGINEERING O/E	125,000.00	65,204.99	0.00	65,204.99	59,795.01	52.1
20-1801	PLANNING BOARD S&W	5,216.00	2,961.28	0.00	2,961.28	2,254.72	56.7
20-1802	PLANNING BOARD O/E	16,500.00	6,625.43	0.00	6,625.43	9,874.57	40.1
20-1951	CONST.CODE OFF. S&W	218,947.00	151,544.65	0.00	151,544.65	67,402.35	69.2
20-1952	CONST.CODE OFF. O/E	42,100.00	10,007.50	2,008.69	12,016.19	30,083.81	28.5
22-2001	PLUMBING INSP. S&W	24,130.00	15,749.54	0.00	15,749.54	8,380.46	65.2
22-2002	ELECTRIC INSP. S&W	28,285.00	17,375.20	0.00	17,375.20	10,909.80	61.4
23-2101	LIABILITY INSURANCE	35,000.00	6,622.00	0.00	6,622.00	28,378.00	18.9
23-2102	LIABILITY INSUR-	283,400.00	257,436.00	0.00	257,436.00	25,964.00	90.8
23-2150	LIABILITY INSUR-	0.00	0.00	0.00	0.00	0.00	0.0
23-2151	WORKERS COMP.-	0.00	23,667.22	0.00	23,667.22	-23,667.22	0.0
23-2152	WORKERS,	283,400.00	252,098.50	0.00	252,098.50	31,301.50	88.9
23-2202	NJSHBP-GROUP HEALTH	1,489,000.00	850,526.72	10,463.34	860,990.06	628,009.94	57.8
23-2252	UNEMPLOYMENT INSUR.	15,000.00	0.00	0.00	0.00	15,000.00	0.0
24-2401	STORM IDA EMERGENCY	0.00	0.00	0.00	0.00	0.00	0.0
24-2402	STORM IDA EMERGENCY	0.00	0.00	0.00	0.00	0.00	0.0
25-2401	POLICE S&W	4,048,529.00	2,573,336.95	1,939.70	2,575,276.65	1,473,252.35	63.6
25-2402	POLICE O/E	237,350.00	142,721.35	36,215.16	178,936.51	58,413.49	75.3
25-2403	POLICE S&W	517,100.00	308,712.10	0.00	308,712.10	208,387.90	59.7
25-2404	POLICE S&W	185,939.00	120,257.87	0.00	120,257.87	65,681.13	64.6
25-2412	ACQ. OF POLICE CARS	110,000.00	37,846.70	40,506.30	78,353.00	31,647.00	71.2
25-2521	EMERG. MGMT. S&W	15,000.00	1,249.98	0.00	1,249.98	13,750.02	8.3
25-2522	EMERG. MGMT. SERV.-	20,000.00	8,194.09	5,544.27	13,738.36	6,261.64	68.6
25-2651	FIRE S&W	0.00	0.00	0.00	0.00	0.00	0.0
25-2652	AID VOLUNTEER FIRE	184,865.00	81,179.23	310.00	81,489.23	103,375.77	44.0
25-2653	FIRE O/E- FLOOD	0.00	0.00	0.00	0.00	0.00	0.0
25-2662	FIRE HYDRANT SERV.	182,000.00	136,232.32	0.00	136,232.32	45,767.68	74.8
25-2751	PROSECUTOR S&W	21,102.00	11,980.22	0.00	11,980.22	9,121.78	56.7
25-2801	EMS/AMBULANCE EMT	560,000.00	286,370.40	0.00	286,370.40	273,629.60	51.1
25-2802	EMS/AMBULANCE	71,850.00	102,031.02	5,456.31	107,487.33	-35,637.33	149.5
25-2871	EMS/AMB ELMWOOD	0.00	0.00	0.00	0.00	0.00	0.0
25-2872	EMS/AMB ELMWOOD PK	0.00	0.00	0.00	0.00	0.00	0.0
26-2901	DPW S&W	1,104,675.00	682,227.93	0.00	682,227.93	442,447.07	61.7
26-2902	DPW-O/E	215,000.00	117,350.97	44,755.47	162,106.44	52,893.56	75.3
26-3001	SHADE TREE COMM.	1,200.00	0.00	0.00	0.00	1,200.00	0.0
26-3002	SHADE TREE COMM. O/E	30,370.00	12,645.00	2,500.00	15,145.00	15,225.00	49.8
26-3051	SOLID WASTE S&W	75,000.00	24,607.77	0.00	24,607.77	50,392.23	32.8
26-3052	SOLID WASTE O/E	406,000.00	346,063.58	120,138.83	466,202.41	-60,202.41	114.8
26-3101	BLDGS & GROUNDS S&W	0.00	0.00	0.00	0.00	0.00	0.0
26-3102	BLDGS & GROUNDS O/E	125,000.00	50,147.39	10,863.83	61,011.22	63,988.78	48.8
26-3151	VEHICLE MAINT. S&W	90,000.00	51,610.86	0.00	51,610.86	38,389.14	57.3
26-3152	VEHICLE MAINT. O/E	115,000.00	83,236.58	7,910.30	91,146.88	23,853.12	79.2
26-3252	COMMUNITY SERVICES	15,000.00	604.08	0.00	604.08	14,395.92	4.0
27-3302	BOARD OF HEALTH-	134,025.00	58,747.02	500.00	59,247.02	74,777.98	44.2
27-3332	PEOSHA – FIRE	5,000.00	0.00	0.00	0.00	0.00	0.0
27-3350	FLOOD BOARD O/E	500.00	0.00	0.00	0.00	0.00	0.0
27-3451	PUBLIC ASSIST. S&W	14,880.00	8,477.60	0.00	8,477.60	6,432.40	56.7
27-3452	PUBLIC ASSIST. O/E	550.00	0.00	0.00	0.00	550.00	0.0
27-3501	FIRE PREVENTION S&W	131,119.00	48,820.79	0.00	48,820.79	82,298.21	37.2
27-3502	FIRE PREVENTION O/E	13,500.00	1,900.28	314.19	2,214.47	11,285.53	16.4
27-3701	SENIOR ACTIVITIES S&W	0.00	0.00	0.00	0.00	0.00	0.0
27-3702	SENIOR ACTIVITIES O/E	6,000.00	4,129.40	400.00	4,529.40	1,470.60	75.4
27-3722	SR. CITIZEN TRANSPORT	2,900.00	450.00	0.00	450.00	2,450.00	15.5
28-3701	RECREATION S&W	231,634.00	118,168.36	0.00	118,168.36	113,465.64	51.0
28-3702	RECREATION O/E	178,680.00	115,952.17	19,548.66	135,500.83	43,179.17	75.8
29-3902	MAINT. PUBLIC LIBRARY	594,272.00	148,568.00	0.00	148,568.00	445,704.00	25.0
30-4102	PRIOR YEARS BILLS:	0.00	0.00	0.00	0.00	0.00	0.0
30-4202	CELEB. OF PUBLIC EVE.	10,000.00	3,975.00	300.00	4,275.00	5,725.00	42.7
30-4251	S&W ADJUSTMENT	0.00	0.00	0.00	0.00	0.00	0.0
31-4352	STREET LIGHTING	80,000.00	58,651.85	0.00	58,651.85	21,348.15	73.3
31-4402	TELEPHONE/IT	138,000.00	111,280.68	22,942.96	132,223.64	3,776.36	97.2

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ACCOUNT 01-2010	BUDGET	Budget After Modification	Paid or Charged	Encumbered	Paid or Committed	Balance	% Spent
31-4452	WATER	35,000.00	12,942.50	0.00	12,942.50	22,057.50	36.9
31-4462	GAS & ELECTRIC	250,000.00	182,878.78	0.00	182,878.78	67,121.22	73.1
31-4472	DIESEL	30,000.00	31,038.22	3,961.78	35,000.00	-5,000.00	116.6
31-4552	LANDFILL/SOLID WASTE	400,000.00	303,245.31	85,146.82	388,392.13	11,607.87	97.0
31-4560	RECYCLING TAX	15,500.00	11,069.25	3,142.68	14,211.93	1,288.07	91.6
31-4562	PASSAIC VALLEY SEWER	1,022,059.00	766,617.90	0.00	766,617.90	255,441.10	75.0
31-4572	SECOND RIVER JOINT	15,500.00	0.00	0.00	0.00	25,000.00	0.0
31-4582	THIRD RIVER JOINT	2,500.00	2,469.00	0.00	2,469.00	31.0	98.7
31-4592	TWSP OF MONTCLAIR	25,000.00	0.00	0.00	0.00	25,000.00	0.0
31-4602	GASOLINE	75,000.00	86,220.30	66,053.74	152,274.04	-77,274.04	203.0
31-4612	CITY OF CLIFTON	7,500.00	0.00	0.00	0.00	7,500.00	0.0
32-0000	PASSAIC CTY CARES	0.00	0.00	0.00	0.00	0.00	0.0
36-4712	PERS	457,998.00	457,998.00	0.00	457,998.00	0.00	100.00
36-4722	SOCIAL SECURITY	350,000.00	209,082.76	0.00	209,082.76	140,917.24	59.7
36-4752	PFRS	1,153,133.00	1,153,133.00	0.00	1,153,133.00	0.00	100.0
36-4762	LOSAP	105,000.00	0.00	0.00	0.00	105,000.00	0.0
36-4765		0.00	0.00	0.00	0.00	0.00	0.0
36-4770	Employer Contribution to	20,000.00	7,000.00	0.00	7,000.00	13,000.00	35.0
36-4772	PEN.VOL. FIRE WIDOWS	5,000.00	3,333.28	1,666.72	5,000.00	0.00	100.0
36-4775	DEFICIT IN	0.00	0.00	0.00	0.00	0.00	0.0
36-4776	DEFERRED CHARGES	67.92	0.00	0.00	0.00	67.92	0.0
40-7012	MUNICIPAL ALLIANCE	22,440.00	0.00	0.00	0.00	22,440.00	0.0
40-7025	N J ALCOHOL ED.	0.00	0.00	0.00	0.00	0.00	0.0
40-7030	BODY ARMOR GRANT	2,218.72	0.00	0.00	0.00	0.00	0.0
40-7035	BULLET PROOF VEST	0.00	0.00	0.00	0.00	0.00	0.0
40-7040	RECYCLING TONNAGE	20,813.34	0.00	0.00	0.00	28,813.34	0.0
40-7076	NEW JERSEY HWY	0.00	0.00	0.00	0.00	0.00	0.0
40-7451	DWI - DDEF	10,069.56	0.00	0.00	0.00	10,069.56	0.0
40-7533	CLICK OR TICKET	6,000.00	0.00	0.00	0.00	6,000.00	0.0
40-7535	DISTRACTED DRIVING	0.00	0.00	0.00	0.00	0.00	0.0
40-7601	FF GLOBAL PREVENTION	0.00	0.00	0.00	0.00	0.00	0.0
40-7602	NJ AMERICAN WATER FF	0.00	0.00	0.00	0.00	0.00	0.0
40-7702	CLEAN COMMUNITIES	21,814.17	954.56	0.00	954.56	20,859.61	4.3
43-4901	MUNICIPAL COURT S&W	167,962.00	95,311.28	0.00	95,311.28	72,650.72	56.7
43-4902	MUNCIPAL COURT O/E	33,600.00	4,708.15	2,735.00	7,443.15	26,156.85	22.1
43-4952	PUBLIC DEFENDER	7,500.00	3,000.00	0.00	3,000.00	4,500.00	40.0
43-4980	DEFERRED CHARGES	0.00	0.00	0.00	0.00	0.00	0.0
44-9012	COMPUTER EQUIPMENT	275,000.00	0.00	0.00	0.00	275,000.00	0.0
44-9052	ACQ. OF COMPUTERS	75,000.00	30,492.00	0.00	30,492.00	44,508.00	40.6
45-9202	BOND PRINCIPAL	1,471,000.00	1,181,000.00	0.00	1,181,000.00	290,000.00	80.2
45-9302	INTEREST ON BONDS	691,211.00	499,567.19	0.00	499,567.19	191,643.81	72.2
45-9402	INTEREST ON NOTES	15,739.00	0.00	0.00	0.00	15,739.00	0.0
45-9502	NOTE PRINCIPAL	265,000.00	0.00	0.00	0.00	265,000.00	0.0
46-8750	SPECIAL EMERGENCY	447,174.00	0.00	0.00	0.00	447,174.00	0.0
46-8883	DEFERRED CHARGES-	0.00	0.00	0.00	0.00	0.00	0.0
46-8886	DEFERRED CHARGES-	0.00	0.00	0.00	0.00	0.00	0.0
46-8889	DEFERRED CHARGES-	0.00	0.00	0.00	0.00	0.00	0.0
50-8992	RES UNCOLLECTED TAX	500,000.00	0.00	0.00	0.00	500,000.00	0.0
67-4800	JUDGEMENTS	0.00	0.00	0.00	0.00	0.00	0.0
70-1000	LIBRARY PAYROLL	0.00	154,424.41	0.00	154,424.41	-154,424.41	0.0
	GRAND TOTAL	21,595,092.71	13,354,506.37	539,377.14	13,893,883.51	7,701,209.20	64.3

APPLICATIONS

NJ STATE FIREMEN’S ASSOCIATION, JONATHAN DEPSEE, LITTLE FALLS FIRE DEPARTMENT

LITTLE FALLS FIRE DEPARTMENT AUXILIARY APPLICATION, ANDRE ORNA, LITTLE FALLS FIRE DEPARTMENT

RAFFLE, SONS OF THE AMERICAN LEGION POST #108, ON-PREMISE 50/50, 9/24/22, 1:00 P.M. – 5:00 P.M., 591 MAIN STREET, LITTLE FALLS

RAFFLE, SONS OF THE AMERICAN LEGION POST #108, ON-PREMISE MERCHANDISE RAFFLE, 9/24/22, 1:00 P.M. – 5:00 P.M., 591 MAIN STREET, LITTLE FALLS

RAFFLE, PASSAIC VALLEY BAND ASSOCIATION, ON-PREMISE 50/50, 01/21/23, 10:00 P.M., 4 WOODHULL AVENUE, LITTLE FALLS

RAFFLE, PASSAIC VALLEY BAND ASSOCIATION, TRICKY TRAY, 01/21/23, 10:00 P.M., 4 WOODHULL AVENUE, LITTLE FALLS

CORRESPONDENCE

REQUEST FROM LITTLE FALLS PBA LOCAL #346 FOR PERMISSION TO HOLD ITS ANNUAL OKTOBERFEST FOOD TRUCK FESTIVAL ON SATURDAY, OCTOBER 1, 2022 ON WALNUT STREET, UNION AVENUE, RAILROAD AVENUE, AS WELL AS UTILIZING THE BARBARA SAVITTIERE PARK FROM 12:00 P.M. – 7:00 P.M.

REQUEST FROM PASSAIC VALLEY BAND ASSOCIATION FOR PERMISSION TO CONDUCT A CAN SHAKE FUNDRAISER ON SATURDAY, NOVEMBER 5, 2022 AND SUNDAY, NOVEMBER 6, 2022 AT THE INTERSECTION OF UNION AVENUE AND MAIN STREET FROM 9:00 A.M. – 4:00 P.M.

Meeting of August 22, 2022

RESOLUTIONS

Review of 2021 Annual Report of Audit

RESOLUTION [A] 22-08-22 - #1

WHEREAS, N.J.S.A. 40A:5-4 requires the governing body of every local unit to have made an annual audit of its books, accounts and financial transactions; and
WHEREAS, The Annual Report of Audit for the year 2021 has been filed by a Registered Municipal Accountant with the Municipal Clerk as per the requirements of N.J.S.A. 40A:5-6, and a copy has been received by each member of the governing body; and
WHEREAS, the Local Finance Board of the State of New Jersey is authorized to prescribe reports pertaining to the local fiscal affairs, as per R.S. 52:27BB-34; and
WHEREAS, the Local Finance Board has promulgated a regulation requiring that the governing body of each municipality shall by resolution certify to the Local Finance Board of the State of New Jersey that all members of the governing body have reviewed, as a minimum, the sections of the annual audit entitled:
General Comments
Recommendations
and, **WHEREAS**, the members of the governing body have personally reviewed as a minimum the Annual Report of Audit, and specifically the sections of the Annual Audit entitled:
General Comments
Recommendations
as evidenced by the group affidavit form of the governing body; and
WHEREAS, such resolution of certification shall be adopted by the Governing Body no later than forty-five days after the receipt of the annual audit, as per the regulations of the Local Finance Board; and
WHEREAS, all members of the governing body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board; and
WHEREAS, failure to comply with the promulgations of the Local Finance Board of the State of New Jersey may subject the members of the local governing body to the penalty provisions of R.S. 52:27BB-52 – to wit:
R.S. 52:27BB-52 – “A local officer or member of a local governing body who, after a date fixed for compliance, fails or refuses to obey an order of the director (Director of Local Government Services), under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than one thousand dollars (\$1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his office.”
NOW, THEREFORE, BE IT RESOLVED, that the Township Council of the Township of Little Falls, hereby states that it has complied with the promulgation of the Local Finance Board of the state of New Jersey dated July 30, 1968 and does hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

2021 Audit Corrective Action Plan

**TOWNSHIP OF LITTLE FALLS
PASSAIC COUNTY, NEW JERSEY
RESOLUTION [B] 22-08-22 - #2**

WHEREAS, the Director of the Division of Local Government Services has formally directed all municipalities to adopt a Corrective Action Plan as part of their annual audit process; and
WHEREAS, this Corrective Action Plan shall be submitted to the Director of Local Government Services upon adoption of the Governing Body and it shall be kept on file with the Township Clerk; and
WHEREAS, the Plan shall cover all audit findings and recommendations and be prepared in accordance with the Single Audit Act OMB Circular 128 and Local Finance Notice of 92-15; and
NOW, THEREFORE, BE IT RESOLVED that the Township Council hereby approves the attached Corrective Action Plan for the 2021 Annual Audit;
BE IT FURTHER RESOLVED that the Township Clerk is hereby directed to maintain said Plan in Township files, available to the public.
BE IT FURTHER RESOLVED that a certified copy of this Resolution, including the Corrective Action Plan, be forwarded to the Director of the Division of Local Government Services.

Rejection of Bids for 2022 NJDOT Main Steet Streetscape Section 2

**RESOLUTION [C] 22-08-22 - #3
RESOLUTION REJECTING BIDS RECEIVED FOR THE 2022 NJDOT MUNICIPAL AID PROGRAM MAIN STREET
STREETSCAPE SECTION 2 PROJECT**

WHEREAS, the Township solicited for bids for the 2022 NJDOT Municipal Aid Program Main Street Streetscape Section 2 Project; and
WHEREAS, the Township received one (1) bid on August 2, 2022; and
WHEREAS, it has been determined that the bid amount is in excess of the anticipated estimated figures;
NOW, THEREFORE, BE IT RESOLVED, that the Township hereby rejects the bid received for the 2022 NJDOT Municipal Aid Program Main Street Streetscape Section 2 Project.

Renewal of Plenary Retail Consumption/Distribution/Club Licenses

**TOWNSHIP OF LITTLE FALLS
PASSAIC COUNTY NEW JERSEY
RESOLUTION [D] 22-08-22 - #4**

BE IT RESOLVED by the Little Falls Township Council as follows:
WHEREAS, applications for renewal of PLENARY RETAIL CONSUMPTION and PLENARY RETAIL DISTRIBUTION LICENSES have been filed as follows:

<u>License No.</u>	<u>License and/or t/a name</u>	<u>Fee</u>
1605-33-006-004	Yellow Leaf, LLC t/a Bromley's 70 East Main Street, 3 rd Floor	\$2,200.00
1605-33-001-010	Orange Leaf, LLC 70 East Main Street, 3 rd Floor	“
1605-33-007-013	JJF Spirits, LLC 109 Newark Pompton Tpke.	“

and **WHEREAS**, these licenses were previously approved by Resolution [C] 22-06-27 - #3, at a Council meeting held on June 27, 2022;
and **WHEREAS**, it was later determined that a 12.39 Ruling by the Director of the Division of Alcoholic Beverage Control was necessary in order to approve said renewals;
and **WHEREAS**, renewal of said licenses per Resolution [C] 22-06-27 - #3 is hereby rescinded;

Meeting of August 22, 2022

and **WHEREAS**, these applicants have now received a 12.39 Ruling from the Director of ABC and it appears that all of the said applications are in satisfactory form; that the applicants have complied with all necessary requirements; that all applications are for renewals by the same persons for the same stands; and that no objections, in writing or otherwise, have been made or filed to any of said applications; and **WHEREAS**, the Township Council is familiar with all of the aforementioned applicants and the places for which they apply and sees no objection to any;

NOW, THEREFORE, BE IT RESOLVED that the above-listed applications be and the same are hereby granted; and **BE IT FURTHER RESOLVED** that licenses be issued accordingly, to become effective on July 1, 2022 and expire on June 30, 2023.

Acceptance of Bids for 2022 NJDOT Main Steet Streetscape Section 3

**RESOLUTION [E] 22-08-22 - #5
ACCEPTING BID AND AWARDING CONTRACT FOR
FY2020 NJDOT MUNICIPAL AID PROGRAM MAIN STREET STREETScape SECTION 3 PROJECT**

WHEREAS, pursuant to advertising duly made, bids were received by the Township of Little Falls on July 6, 2022 and on August 2, 2022 for FY2020 NJDOT Municipal Aid Program Main Street Streetscape Section 3 Project, and no bidders responded to either advertisement; and

WHEREAS, according to the Local Public Contracts Law, following two unsuccessful bidding attempts, the Township is permitted to negotiate for pricing; and

WHEREAS, as a result of the negotiation process, this office received a proposal from Grade Construction in the amount of \$1,10,479.20; and

WHEREAS, Salamone Brothers, Inc. declined to participate; and

WHEREAS, the award is subject to the Availability of Funds and certification of same in the 2022 budget; and

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

- 1) That the proposal of

Grade Construction
10 Pennsylvania Avenue
Paterson, NJ 07503

in the amount of

\$1,010,479.20

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.

Bill List

RESOLUTION [F] 22-08-22 #6

BE IT RESOLVED by the Township Council of the Township of Little Falls the Council having received the Treasurer's certification of the availability of funds for payment of all bills presented, that payment of all bills approved by the Finance Committee be and is hereby authorized, subject to the availability of funds and subject to the appropriate and available appropriation in the line item.

It was moved by Councilmember Seber, seconded by Councilmember Vancheri, that the Consent Agenda be approved as printed.

Poll: Ayes: Hablitz, Kahwaty, Seber, Vancheri, and Council President Sgobba
Nays: None

The Council President declared the motion passed.

REGULAR AGENDA

NEW BUSINESS

Ordinance No.1442 - It was moved by Councilmember Vancheri, seconded by Councilmember Hablitz, that the public hearing on Ordinance No. 1442, "**AN ORDINANCE AMENDING THE CODE OF THE TOWNSHIP OF LITTLE FALLS, ADMINISTRATION OF GOVERNMENT, SECTION 3-7.7, POLICE TABLE OF ORGANIZATION,**" be and it was opened.

Poll: Ayes: Hablitz, Kahwaty, Seber, Vancheri, and Council President Sgobba
Nays: None

The Council President declared the motion passed.

As no comments from the public were received, it was moved by Councilmember Kahwaty, seconded by Councilmember Seber, that the public hearing on Ordinance No. 1442 be and it was closed.

Poll: Ayes: Hablitz, Kahwaty, Seber, Vancheri, and Council President Sgobba
Nays: None

The Council President declared the motion passed.

It was moved by Councilmember Kahwaty, seconded by Councilmember Vancheri, that Ordinance No. 1442 be and it was adopted.

Poll: Ayes: Hablitz, Kahwaty, Seber, Vancheri, and Council President Sgobba
Nays: None

The Council President declared the motion passed.

Ordinance No.1443 - It was moved by Councilmember Kahwaty, seconded by Councilmember Hablitz, that there be introduced and the meeting of September 19, 2022 set as the date for the public hearing of the following:

**TOWNSHIP OF LITTLE FALLS
ORDINANCE NO. 1443
AN ORDINANCE OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF LITTLE FALLS, IN THE COUNTY OF PASSAIC, STATE OF NEW JERSEY, TO AMEND CHAPTER 19 (ANIMALS) OF THE CODE OF THE TOWNSHIP OF LITTLE FALLS**

Meeting of August 22, 2022

WHEREAS, New Jersey has experienced over the past several years an explosion in the deer population which has resulted in the destruction of plants and trees as well as presents a danger to motorists and pedestrians on the Township roadways,

WHEREAS, there has also been notable increases in other wildlife which have also added to the concerns for the health, safety and welfare of the Township citizens and otherwise are a cause for nuisance and harm; and

WHEREAS, the Township Council believes that it is appropriate to control these populations by restricting the undesirable practice by some residents of feeding wildlife; and

WHEREAS, the Township Council desires to place reasonable controls on the manner and means of the feeding of wildlife of all types throughout the Township; and

WHEREAS, the Township Council has found it proper to amend the language of the Code accordance therewith;

NOW THEREFORE BE IT RESOLVED by the Township Council of the Township of Little Falls, that Chapter 19, Animals, of the Code of the Township of Little Falls, is hereby amended by removing and replacing subsection 19-42 through 19-46 as follows:

§19-42 Purpose

It has been well established that the feeding of wild animals and waterfowl is both detrimental to the animals and causes a public health nuisance and safety hazard that is detrimental to the health and general welfare of the public.

§19-43 Definitions

As used in this article, the following terms shall have the meanings indicated:

Waterfowl: Any bird that frequents the water, or lives about rivers, lakes, etc., or on or near the sea; an aquatic fowl, including but not limited to ducks, geese, swans, heron, egrets.

Wild Animal: Includes any animal which is not normally domesticated in this state, including but not limited to bears, coyotes, deer, feral cats, foxes, groundhogs, opossums, raccoons, skunks, and waterfowl.

§19-44 Feeding of Wildlife

A. **Prohibited Actions**

- 1) No person shall purposely or knowingly, as said terms are defined in Title 2C of the New Jersey Revised Statutes, feed, bait, or in any manner provide access to food to any wild animal or waterfowl in said Township on lands either publicly or privately owned. This section shall not apply to the feeding of farm animals.
- 2) No person shall purposely or knowingly leave or store any refuse, garbage, food product, pet food, forage product or supplement, salt, seed or birdseed, fruit or grain in a manner that would constitute an attractant to any wild animal or waterfowl.
- 3) No person shall fail to take remedial action to avoid contact or conflict with wild animals, which may include the securing or removal of outdoor trash, cooking grills, pet food, bird feeders or any other similar food source or attractant, after being advised by the Township to undertake such remedial action. Further, after an initial contact or conflict with a wild animal, no person shall continue to provide, or otherwise fail to secure or remove, any likely food sources or attractants, including but not limited to outdoor trash, grills, pet food or bird feeders.

B. **Feeding of other songbirds and other backyard birds shall be permitted outdoors at such times and in such numbers that:**

- 1) Such feeding does not create an unreasonable disturbance that affects the rights of surrounding property owners and renders other persons insecure in the use of their property;
- 2) Does not create an accumulation of droppings on the property and surrounding properties;
- 3) Does not become an attractant for rodents or other wild animals; and
- 4) Bird feeders are placed at least five feet above the ground.

C. **Nothing in this section shall apply to any agent of the Township authorized to implement an alternative control method set forth in any approved community-based deer management plan and possessing a special deer management permit issued by the New Jersey Division of Fish and Wildlife in accordance with the provisions of N.J.S.A. 23:4-42.3 et seq. or any hunter engaging in baiting for the purpose of hunting pursuant to a valid hunting license issued in accordance with the provisions of Title 23 of the New Jersey Revised Statutes.**

§19-45 Duties of Property Owners; Enforcement.

- A. Each property owner shall have the duty to remove any above-named materials or device placed on the owner's property in violation of this article.
- B. Failure to remove such materials or device or to make such modifications within 24 hours after notice from the Township shall constitute a separate violation of this article.
- C. Health Department personnel, animal control officers and all police officers of the Township are hereby given full power and authority to enforce this article.
- D. No person shall hinder, molest or interfere with anyone authorized or empowered to perform any duty under this article.

§19-46 Violations and Penalties.

Any person violating any provision of this article shall be liable to a fine of not less than \$50 nor more than \$500 for each offense, together with the costs of prosecution. A separate offense shall be deemed committed on each day during which a violation occurs or continues.

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 twenty days after final passage and publication in accordance with law.

Poll: Ayes: Hablitz, Kahwaty, Seber, Vancheri, and Council President Sgobba
Nays: None

The Council President declared the motion passed.

Ordinance No.1444 - It was moved by Councilmember Vancheri, seconded by Councilmember Hablitz, that there be introduced and the meeting of September 19, 2022 set as the date for the public hearing of the following:

ORDINANCE NO. 1444

AN ORDINANCE, AMENDING THE TOWNSHIP CODE OF LITTLE FALLS AMENDING CHAPTER 164 ENTITLED, REGISTRATION AND MAINTENANCE OF PROPERTIES PENDING FORECLOSURE

AN ORDINANCE, AMENDING THE TOWNSHIP CODE OF LITTLE FALLS BY REPEALING, IN ITS ENTIRETY, AMENDING CHAPTER 164 ENTITLED "~~PROPERTY PENDING FORECLOSURE, REGISTRATION AND MAINTENANCE OF~~" AND REPLACING, IN ITS ENTIRETY, WITH CHAPTER 164 TO BE ENTITLED, "REGISTRATION OF FORECLOSURE MORTGAGES AND VACANT PROPERTY"; PROVIDING FOR PURPOSE, INTENT AND APPLICABILITY OF THE ORDINANCE REQUIRING THE REGISTRATION AND MAINTENANCE OF CERTAIN REAL PROPERTY BY MORTGAGEES AND VACANT PROPERTY BY OWNERS; PROVIDING FOR PENALTIES AND ENFORCEMENT, AS WELL AS THE REGULATION, LIMITATION AND REDUCTION OF REGISTRABLE REAL PROPERTY WITHIN THE TOWNSHIP; PROVIDING FOR SEVERABILITY, REPEALER, CODIFICATION, AND AN EFFECTIVE DATE.

(RECITALS)

WHEREAS, the Township Council desires to protect the public health, safety, and welfare of the citizens of the incorporated area of the Township of Little Falls and maintain a high quality of life for the citizens of the Township through the maintenance of structures and properties in the Township; and

WHEREAS, the Council recognizes properties subject to foreclosure action or foreclosed upon and vacant properties (hereinafter referred to as "Registrable Properties") located throughout the Township lead to a decline in community and property value; create nuisances; lead to a general decrease in neighborhood and community aesthetic; create conditions that invite criminal activity; and foster an unsafe and unhealthy environment; and

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WHEREAS, the Council has already adopted property maintenance codes to regulate building standards for the exterior of structures and the condition of the property as a whole; and **WHEREAS**, the Council recognizes in the best interest of the public health, safety, and welfare a more regulated method is needed to discourage Registrable Property Owners and Mortgagees from allowing their properties to be abandoned, neglected or left unsupervised; and

WHEREAS, the Council has a vested interest in protecting neighborhoods against decay caused by Registrable Property and concludes that it is in the best interests of the health, safety, and welfare of its citizens and residents to impose registration requirements of Registrable Property located within the Township to discourage Registrable Property Owners and Mortgagees from allowing their properties to be abandoned, neglected or left unsupervised.

WHEREAS, pursuant to N.J.S.A. 40:48-2, the Council is authorized to enact and amend ordinances as deemed necessary for the preservation of the public health, safety and welfare and as may be necessary to carry into effect the powers and duties conferred and imposed upon the Township by law; and

WHEREAS, pursuant to P.L. 2021, c. 444, the Council is authorized to adopt or amend ordinances creating a property registration program for the purpose of identifying and monitoring residential and commercial properties within the Township for which a summons and complaint in an action to foreclosure on a mortgage has been filed, regulate the care, maintenance, security and upkeep of such properties, and impose a registration fee on the creditor of such properties.

(RESOLUTION)

NOW THEREFORE, BE IT RESOLVED BY THE TOWNSHIP:

The Council finds that the implementation of the following changes and additions will assist the Township in protecting neighborhoods from the negative impact and conditions that occur as a result of vacancy, absentee ownership, and lack of compliance with existing Township regulations and laws.

(a) That the foregoing "WHEREAS" clauses are hereby ratified and confirmed as being true and correct and are hereby made a specific part of this Ordinance upon the adoption hereof.

(b) That the Council does hereby amend the Township Codified Ordinances by ~~repealing, in its entirety, Chapter 164 entitled "Property Pending Foreclosure, Registration and Maintenance of"~~ and replacing it, in its entirety, with amending Chapter 164 entitled "Registration of Foreclosure Mortgages and Vacant Property" to read as follows.

CHAPTER 164. REGISTRATION OF FORECLOSING MORTGAGES AND VACANT PROPERTY

Sec. 164-1 PURPOSE AND INTENT.

It is the purpose and intent of the Council to ~~establish a~~ amend the process to address the deterioration, crime, and decline in value of Township neighborhoods caused by property with foreclosing or foreclosed mortgages located within the Township, and to identify, regulate, limit and reduce the number of these properties located within the Township. It has been determined that Owner-occupied structures are generally better maintained when compared to vacant structures, even with a diligent off-site property Owner. Vacant structures or structures owned by individuals who are economically strained and unable to meet their mortgage obligations are often not properly or diligently maintained, which contribute to blight, declined property values, and have a negative impact on social perception of the residential areas where they are located. It is the Council's further intent to establish a registration program as a mechanism to help protect neighborhoods from becoming blighted through the lack of adequate maintenance of properties that are in Foreclosure or Foreclosed, and to provide a mechanism to avert foreclosure actions through timely intervention, education, or counseling of property Owners.

Sec. 164-2 DEFINITIONS

The following words, terms, and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning.

Annual Registration shall mean twelve (12) months from the date of the first action that requires registration, as determined by the Township, or its designee, and every subsequent twelve (12) months. The date of the initial registration may be different than the date of the first action that required registration.

Default shall mean that the mortgagor has not complied with the terms of the mortgage on the property, or the promissory note, or other evidence of the debt, referred to in the mortgage.

Enforcement Officer shall mean any law enforcement officer, building official, zoning inspector, code enforcement officer, fire inspector, building inspector, or other person authorized by the Township to enforce the applicable code(s).

Evidence of Vacancy shall mean any condition that on its own, or combined with other conditions present, would lead a reasonable person to believe that the property is vacant. Such conditions may include, but are not limited to: overgrown and/or dead vegetation; past due Utility notices and/or disconnected Utilities; accumulation of trash junk or debris; abandoned vehicles, auto parts and/or materials; the absence of furnishings and/or personal items consistent with habitation or occupancy; the presence of an unsanitary, stagnant swimming pool; the accumulation of newspapers, circulars, flyers and/or mail; statements by neighbors, passers-by, delivery agents or government agents; and/or the presence of boards over doors, windows or other openings in violation of applicable code. Foreclosure or

Foreclosure Action shall mean the legal process by which a Mortgagee, or other lien holder, terminates or attempts to terminate a property Owner's equitable right of redemption to obtain legal and equitable title to the Real Property pledged as security for a debt or the Real Property subject to the lien. The legal process is not concluded until the property obtained by the Mortgagee, lien holder, or their designee, by certificate of title, or any other means, is sold to a non-related bona fide purchaser in an arm's length transaction to satisfy the debt or lien.

Mortgagee shall mean the creditor, including but not limited to, trustees; mortgage servicing companies; lenders in a mortgage agreement; any agent, servant, or employee of the creditor; any successor in interest; or any assignee of the creditor's rights, interests or obligations under the mortgage agreement; or any other person or entity with the legal right to foreclose on the Real Property, excluding governmental entities.

Owner shall mean every person, entity, or Mortgagee, who alone or severally with others, has legal or equitable title to any Real Property as defined by this Chapter; has legal care, charge, or control of any such property; is in possession or control of any such property; and/or is vested with possession or control of any such property. The Property Manager shall not be considered the Owner.

Property Manager shall mean any party designated by the Owner as responsible for inspecting, maintaining and securing the property as required in this Chapter.

Real Property shall mean any residential or commercial land and/or buildings, leasehold improvements and anything affixed to the land, or portion thereof identified by a property parcel identification number, located in the Township limits.

Registrable Property shall mean:

(a) Any Real Property located in the Township, whether vacant or occupied, that is encumbered by a mortgage subject to an ongoing Foreclosure Action by the Mortgagee or Trustee, has been the subject of a Foreclosure Action by a Mortgagee or Trustee and a Judgement has been entered, or has been the subject of a Foreclosure sale where the title was transferred to the beneficiary of a mortgage involved in the Foreclosure and any properties transferred under a deed in lieu of foreclosure/sale. The designation of a "foreclosure" property as "registrable" shall remain in place until such time as the property is sold to a non-related bona fide purchaser in an arm's length transaction or the Foreclosure Action has been dismissed; or

(b) Any property that is vacant for more than thirty (30) days or any cancellation of Utility or Service, whichever occurs first.

Registry shall mean a web-based electronic database of searchable Real Property records, used by the Township to allow Mortgagees and Owners the opportunity to register properties and pay applicable fees as required in this Chapter.

Semi-Annual Registration shall mean six (6) months from the date of the first action that requires registration, as determined by the Township, or its designee, and every subsequent six (6) months. The date of the initial registration may be different than the date of the first action that required registration.

Utilities and Services shall mean any utility and/or service that is essential for a building to be habitable and/or perform a service necessary to comply with all Township codes. This includes, but is not limited to, electrical, gas, water, sewer, lawn maintenance, pool maintenance, and snow removal.

Vacant shall mean any parcel of land in the Township that contains any building or structure that is not lawfully occupied.

Sec.164-3 APPLICABILITY AND JURISDICTION This Chapter applies to Foreclosing, Foreclosed, and Vacant property within the Township.

Sec. 164-4 ESTABLISHMENT OF A REGISTRY Pursuant to the provisions of Sec.164-4 the Township, or its designee, shall establish a registry cataloging each Registrable Property within the Township, containing the information required by this Chapter.

Sec.164-5 INSPECTION AND REGISTRATION OF REAL PROPERTY UNDER FORECLOSURE

(a) Any Mortgagee who holds a mortgage on Real Property located within the Township shall perform an inspection of the property upon default by the mortgagor as evidenced by the filing of a Foreclosure Action.

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- (b) Property inspected pursuant to subsection (a) above that remains in Foreclosure shall be inspected every thirty (30) days by the Mortgagee or Mortgagee's designee. If an inspection shows a change in the property's occupancy status the Mortgagee shall, within ten (10) days of that inspection, update the occupancy status of the property registration.
- (c) Within ten (10) days of the date any Mortgagee files a Foreclosure Action, the Mortgagee shall register the Real Property with the Township Registry, and, at the time of registration, indicate whether the property is Vacant, and if so shall designate in writing a Property Manager to inspect, maintain, and secure the Real Property subject to the mortgage under a Foreclosure Action. A separate registration is required for each property under a Foreclosure Action, regardless of whether it is occupied or vacant.
- (d) Initial registration pursuant to this section shall contain at a minimum the name of the Mortgagee, the mailing address of the Mortgagee, e-mail address, telephone number and name of the Property Manager and said person's address, e-mail address, and telephone number.
- (e) At the time of initial registration each registrant shall pay a non-refundable Semi-Annual Registration fee of five hundred dollars (\$500.00) for each property. Subsequent nonrefundable Semi-Annual renewal registrations of properties and fees in the amount of five hundred dollars (\$500.00) are due within ten (10) days of the expiration of the previous registration. Said fees shall be used to offset the costs of: (1) registration and registration enforcement, (2) code enforcement and mitigation related to Defaulted properties, (3) post-closing counseling and Foreclosure intervention limited to Owner-occupied persons in Default, which may not include cash and mortgage modification assistance, and (4) for any related purposes as may be adopted in the policy set forth in this Chapter. Said fees shall be deposited to a special account in the Township's Department dedicated to the cost of implementation and enforcement of this Ordinance, and fulfilling the purpose and intent of this Chapter. None of the funds provided for in this section shall be utilized for the legal defense of Foreclosure Actions.
- (f) Each individual property on the Registry that has been registered for six (6) months or more prior to the Effective Date shall have thirty (30) days to renew the registration and pay the non-refundable five hundred dollar (\$500.00) annual registration fee. Properties registered less than six (6) months prior to the Effective Date shall renew the registration every twelve (12) months from the expiration of the original registration renewal date and shall pay the non-refundable five hundred dollar (\$500.00) annual registration fee.
- (f) If the mortgage and/or servicing on a Registrable Property is sold or transferred, the new Mortgagee is subject to all the terms of this Chapter. Within ten (10) days of the transfer, the new Mortgagee shall register the property or update the existing registration. The previous Mortgagee(s) will not be released from the responsibility of paying all previous unpaid fees, fines, and penalties accrued during that Mortgagee's involvement with the Registrable Property.
- (g) If the Mortgagee sells or transfers the Registrable Property in a non-arm's length transaction to a related entity or person, the transferee is subject to all the terms of this Chapter. Within ten (10) days of the transfer, the transferee shall register the property or update the existing registration. Any and all previous unpaid fees, fines, and penalties, regardless of who the Mortgagee was at the time registration was required, including, but not limited to, unregistered periods during the Foreclosure process, are the responsibility of the transferee and are due and payable with the updated registration. The previous Mortgagee will not be released from the responsibility of paying all previous unpaid fees, fines, and penalties accrued during that Mortgagee's involvement with the Foreclosed Property.
- (h) If the Foreclosing or Foreclosed Property is not registered, or the registration fee is not paid within thirty (30) days of when the registration or renewal is required pursuant to this section, a late fee equivalent to ten percent (10%) of the Semi-Annual Registration fee shall be charged for every thirty-day period (30), or portion thereof, the property is not registered and shall be due and payable with the registration.
- (i) This section shall also apply to properties that have been the subject of a foreclosure sale where title is transferred to the Mortgagee as well as any properties transferred to the Mortgagee under a deed in lieu of foreclosure or by any other legal means.
- (j) Properties subject to this section shall remain subject to the Semi-Annual Registration requirement, and the inspection, security, and maintenance standards of this section as long as the property remains Registrable Property.
- (k) Failure of the Mortgagee and/or property Owner of record to properly register or to modify the registration to reflect a change of circumstances as required by this ordinance is a violation of this Chapter and shall be subject to enforcement by any of the enforcement means available to the Township.
- (l) If any property is in violation of this Chapter the Township may take the necessary action to ensure compliance with and/ or place a lien on the property for the cost of the outstanding obligation and any additional cost incurred to the property into compliance.
- Sec. 164-6 INSPECTION AND REGISTRATION OF REAL PROPERTY THAT IS NOT SUBJECT TO A MORTGAGE IN FORECLOSURE**
- (a) Any Owner of Vacant property located within the Township shall within ten (10) days after the property becomes Vacant, register the Real Property with the Township Registry.
- (b) Initial registration pursuant to this section shall contain at a minimum the name of the Owner, the mailing address of the Owner, e-mail address, and telephone number of the Owner, and if applicable, the name and telephone number of the Property Manager and said person's address, e-mail address, and telephone number.
- (c) At the time of initial registration each registrant shall pay a non-refundable Semi-Annual Registration fee of five hundred dollars (\$500.00) for each Vacant property. Subsequent non-refundable Semi-Annual renewal registrations of Vacant properties and fees in the amount of five hundred dollars (\$500.00) are due within ten (10) days of the expiration of the previous registration. Said fees shall be used to offset the costs of: (1) registration and registration enforcement, (2) code enforcement and mitigation related to Vacant properties, and (3) for any related purposes as may be adopted in the policy set forth in this Chapter. Said fees shall be deposited to a special account in the Township's Department dedicated to the cost of implementation and enforcement of this Ordinance and fulfilling the purpose and intent of this Chapter.
- (d) If the property is sold or transferred, the new Owner is subject to all the terms of this Chapter. Within ten (10) days of the transfer, the new Owner shall register the Vacant property or update the existing registration. The previous Owner(s) will not be released from the responsibility of paying all previous unpaid fees, fines, and penalties accrued during that Owner's involvement with the Vacant property.
- (e) If the Vacant property is not registered, or either the registration fee or the Semi-Annual Registration fee is not paid within thirty (30) days of when the registration or Semi-Annual Registration is required pursuant to this section, a late fee shall be equivalent to ten percent (10%) of the Semi-Annual Registration fee shall be charged for every thirty (30) day period, or portion thereof, the property is not registered and shall be due and payable with the registration. This section shall apply to the initial registration and registrations required by subsequent Owners of the Vacant property.
- (f) Properties subject to this section shall remain subject to the Semi-Annual Registration requirement, and the inspection, security, and maintenance standards of this section as long as the property is Vacant.
- (g) Failure of the Owner to properly register or to modify the registration to reflect a change of circumstances as required by this ordinance is a violation of this Chapter and shall be subject to enforcement by any of the enforcement means available to the Township.
- (h) If any property is in violation of this Chapter the Township may take the necessary action to ensure compliance with and place a lien on the property for the cost of the outstanding obligation and any additional cost incurred to the property into compliance.
- (i) Properties registered as a result of this section are not required to be registered again pursuant to the Foreclosure mortgage property section.
- Sec. 164-7 MAINTENANCE REQUIREMENTS**
- (a) Properties subject to this chapter shall be kept free of weeds, overgrown brush, dead vegetation, trash, junk, debris, building materials, any accumulation of newspaper circulars, flyers, notices, except those required by federal, state or local law, discarded personal items including, but not limited to, furniture, clothing, large and small appliances, printed material, or any other items that give the appearance that the property is abandoned.
- (b) Registrable Property shall be maintained free of graffiti or similar markings by removal or painting over with an exterior grade paint that matches the color of the exterior structure.
- (c) Front, side, and rear yards, including landscaping, of Registrable Property shall be maintained in accordance with the applicable code(s) at the time registration is required.
- (d) Registrable yard maintenance shall include, but not be limited to, grass, ground covers, bushes, shrubs, hedges or similar plantings, decorative rock or bark or artificial turf/sod. Acceptable maintenance of yards and/or landscape shall not include weeds, gravel, broken concrete, asphalt or similar material.
- (e) Maintenance shall include, but not be limited to, watering, irrigation, cutting and mowing of required ground cover or landscape and removal of all trimmings.
- (f) Pools and spas of shall be maintained so the water remains free and clear of pollutants and debris and shall comply with the regulations set forth in the applicable code(s).
- (g) Failure of the Mortgagee, Owner, and transferees to properly maintain the property as required by this Chapter may result in a violation of the applicable code(s) and issuance of a citation or notice of violation in accordance with the applicable code of the Township. Pursuant to a finding and determination by the Township Sheriff, Magistrate or a court of competent jurisdiction, the Township may take the necessary action to ensure compliance with this section.
- (h) In addition to the above, the property is required to be maintained in accordance with the applicable code(s) of the Township.
- Sec.164-8 SECURITY REQUIREMENTS**

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- (a) Properties subject to these Sections shall be maintained in a secure manner so as not to be accessible to unauthorized persons.
- (b) A "secure manner" shall include, but not be limited to, the closure and locking of windows, doors, gates and other openings of such size that may allow a child to access the interior of the property or structure. Broken windows, doors, gates, and other openings of such size that may allow a child to access the interior of the property or structure must be repaired. Broken windows shall be secured by re-glazing of the window.
- (c) If a property is Registrable, and the property has become vacant or blighted, a Property Manager shall be designated by the Mortgagee and/or Owner to perform the work necessary to bring the property into compliance with the applicable code(s), and the Property Manager must perform regular inspections to verify compliance with the requirements of this Chapter, and any other applicable laws.
- (d) In addition to the above, the property is required to be secured in accordance with the applicable code(s) of the Township. (e) When a property subject to this Chapter becomes Vacant, it shall be posted with the name and twenty-four (24) hour contact telephone number of the Property Manager. The Property Manager shall be available to be contacted by the Township Monday through Friday between 9:00 a.m. and 5:00 p.m., legal holidays excepted. The sign shall be placed in a window facing the street and shall be visible from the street. The posting shall be no less than eighteen (18) inches by twenty-four (24) inches and shall be of a font that is legible from a distance of forty-five (45) feet. The posting shall contain the following language with supporting information:
THIS PROPERTY IS MANAGED BY _____
AND IS INSPECTED ON A REGULAR BASIS.
THE PROPERTY MANAGER CAN BE CONTACTED
BY TELEPHONE AT _____
OR BY EMAIL AT _____
- (f) The posting required in subsection (e) above shall be placed on the interior of a window facing the street to the front of the property so that it is visible from the street, or secured to the exterior of the building/structure facing the street to the front of the property so that it is visible from the street or if no such area exists, on a stake of sufficient size to support the posting in a location that is at all times visible from the street to the front of the property but not readily accessible to vandals. Exterior posting shall be constructed of and printed with weather-resistant materials.
- (g) Failure of the Mortgagee and/or property Owner of record to properly inspect and secure a property subject to this Chapter, and post and maintain the signage noted in this section, is a violation and shall be subject to enforcement by any of the enforcement means available to the Township. The Township may take the necessary action to ensure compliance with this section, and recover costs and expenses in support thereof.

Sec. 164-9 PROVISIONS SUPPLEMENTAL

The provisions of this Chapter are cumulative with and in addition to other available remedies. Nothing contained in this Chapter shall prohibit the Township from collecting on fees, fines, and penalties in any lawful manner; or enforcing its codes by any other means, including, but not limited to, injunction, abatement, or as otherwise provided by law or ordinance.

Sec.164-10 PUBLIC NUISANCE

All Registrable Property is at risk of being a public nuisance and if vacant or blighted can constitute a public nuisance, the abatement of which pursuant to the police power is hereby declared to be necessary for the health, welfare, and safety of the residents of the Township.

Sec. 164-11 ADDITIONAL AUTHORITY

- (a) If the Enforcement Officer has reason to believe that a property subject to the provisions of this Chapter is posing a serious threat to the public health, safety, and welfare, the code Enforcement Officer may temporarily secure the property at the expense of the Mortgagee or Owner, and may bring the violations before the code enforcement, Council or special magistrate as soon as possible to address the conditions of the property. Nothing herein shall limit the Township from abating any nuisance or unsafe condition by any other legal means available to it.
- (b) The Sheriff, code enforcement, Council or special magistrate shall have the authority to require the Mortgagee or Owner affected by this section, to implement additional maintenance and/or security measures including, but not limited to, securing any and all doors, windows or other openings, employment of an on-site security guard or other measures as may be reasonably required to help prevent further decline of the property.
- (c) If there is a finding that the condition of the property is posing a serious threat to the public health, safety, and welfare, then the Sheriff, code enforcement, Council or special magistrate may direct the Township to abate the violations and charge the Mortgagee or Owner with the cost of the abatement.
- (d) If the Mortgagee or Owner does not reimburse the Township for the cost of temporarily securing the property, or of any abatement directed by the Sheriff, code enforcement officer, code enforcement, Council or special magistrate, within thirty (30) days of the Township sending the Mortgagee or Owner the invoice then the Township may lien the property with such cost, along with an administrative fee as determined in the Township's fee ordinance to recover the administrative personnel services. In addition to filing a lien the Township may pursue financial penalties against the Mortgagee or Owner.
- (e) The Township may contract with an entity to implement this Chapter, and, if so, any reference to the Enforcement Officer herein shall include the entity the Township contract with for that purpose.

Sec. 164-12 OPPOSING, OBSTRUCTING ENFORCEMENT OFFICER; PENALTY

Whoever opposes obstructs or resists any Enforcement Officer or any person authorized by the enforcement office in the discharge of duties as provided in this chapter shall be punishable as provided in the applicable code(s) or a court of competent jurisdiction.

Sec. 164-13 IMMUNITY OF ENFORCEMENT OFFICER Any Enforcement Officer or any person authorized by the Township to enforce the sections here within shall be immune from prosecution, civil or criminal, for reasonable, good faith entry upon Real Property while in the discharge of duties imposed by this Chapter.

Sec.164-14 PENALTIES Unless otherwise provided for in this Chapter, a violation of this Chapter is declared unlawful.

1. [Per P.L. 2021, Chapter 444, C.40:48-2.12s3 g. \(1\) An out-of-State creditor subject to an ordinance adopted pursuant to subsection a. of this section found by the municipal court of the municipality in which the property subject to the ordinance is located, or by any other court of competent jurisdiction, to be in violation of the requirement to appoint an in-State representative or agent pursuant to the ordinance shall be subject to a fine of \\$2,500 for each day of the violation. Any fines imposed on a creditor for the failure to appoint an in-State representative or agent shall commence on the day after the 10-day period set forth in paragraph](#)

2. [Per P.L. 2021, Chapter 444, C.40:48-2.12s3 g. \(2\) A creditor subject to an ordinance adopted pursuant to subsection a. of this section found by the municipal court of the municipality in which the property subject to the ordinance is located, or by any other court of competent jurisdiction, to be in violation, excluding only a violation addressed by paragraph \(1\) of this subsection, of the ordinance shall be subject to a fine of \\$1,500 for each day of the violation. Any fines imposed pursuant to this paragraph shall commence 31 days following receipt of the notice of violation, except if the violation presents an imminent risk to public health and safety, in which case any fines shall commence 11 days following receipt of the notice.](#)

Sec.164-15 AMENDMENTS

Registration fees and penalties outlined in this Article may be modified by ~~resolution, administrative order, or an~~ amendment to this Article, passed and adopted by the Council.

Sec. 164-16 SEVERABILITY It is hereby declared to be the intention of the Township that the sections, paragraphs, sentences, clauses, and phrases of this ordinance are severable, and if any phrase, clause, sentence, paragraph, or section of this ordinance shall be declared unconstitutional by the valid judgment or decree of a court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs, and sections of this Ordinance.

Sec. 164-17 REPEALER

All ordinances or parts of ordinances in conflict herewith, are hereby repealed and replaced.

Sec. 164-18 CODIFICATION

It is the intention of the Council, that the provisions of this Ordinance shall become and be made a part of the Township Code of Ordinances; and that the sections of this ordinance may be renumbered or re-lettered to accomplish such intention, and the word "ordinance" may be changed to "section", "chapter", or such other appropriate word or phrase in order to accomplish such intentions.

Sec. 164-19 EFFECTIVE DATE

This ordinance shall become effective immediately upon adoption.

Poll: Ayes: Hablitz, Kahwaty, Seber, Vancheri, and Council President Sgobba
Nays: None

The Council President declared the motion passed.

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PUBLIC COMMENTS – 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.

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. Please give your name and address for the record. Once the process is complete, we will return to the regular order of business.

It was moved by Councilmember Kahwaty, seconded by Councilmember Vancheri, that the meeting be and it was opened to the public.

Poll: Ayes: Hablitz, Kahwaty, Seber, Vancheri, and Council President Sgobba
 Nays: None

The Council President declared the motion passed.

No one coming forward to be heard, it was moved by Councilmember Vancheri, seconded by Councilmember Seber that the meeting be and it was closed to the public.

Poll: Ayes: Hablitz, Kahwaty, Seber, Vancheri, and Council President Sgobba
 Nays: None

The Council President declared the motion passed.

There being no further business to come before the meeting, it was moved by Councilmember Kahwaty, seconded by Councilmember Vancheri, that the meeting be and it was adjourned at 7:21 p.m.

Cynthia Kraus
Municipal Clerk