

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

Monday, February 24, 2020

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

Absent: Township Engineer, Council President Sgobba, and Councilmember Tanya Seber.

Township Employees present: Police Chief Steve Post and Director of Recreation John Pace.

SALUTE TO THE FLAG

STATEMENT OF PUBLIC NOTICE: Take notice that adequate notice of this meeting has been provided in accordance with N.J.S.A. 10:4-10 as follows: A notice of the meeting was prominently posted on the bulletin board at the Municipal Building, located at 225 Main Street, Little Falls, N.J. on January 9, 2020. A copy of the notice was faxed 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.

APPROVAL OF MINUTES

It was moved by Councilmember Vancheri, seconded by Councilmember Kahwaty, the Regular Meetings of December 16, 2020, and January 27, 2020, and the Minutes of the Workshop Meeting of February 10, 2020 be and they were approved.

Poll: Ayes: Kahwaty, Vancheri, and Council President Cordonnier
 Nays: None

The Council President declared the motion passed.

COUNCIL MEMBER REPORTS

Councilmember KAHWATY announced the Green Fair and Farmers Market are scheduled for April 18, 2020 at the Recreation Center. The first Town-wide clean up of the year is tentatively scheduled for May 16, 2020.

Councilmember VANCHERI reported the Girl Scouts will be invited to the Council meeting on March 9, 2020 to recognize National Girl Scouts Day. He discussed activities planned for autism awareness in March and April and stated details for the Memorial Day Parade and concert are being reviewed. The Transportation Committee will schedule Town Hall meetings on speed humps and four way stop signs. Councilmembers and the Mayor attended the PBA 346 Annual Beefsteak which honored the retirement of Lieutenant James Minnella. On March 16, 2020 at 6:00pm a promotional ceremony for police officers will be held at Passaic Valley High School.

Councilmember CORDONNIER congratulated Lieutenant Minnella. She announced the Senior Advisory Committee is sponsoring Dessert and Dancing on March 13, 2020 and a Lunch and Learn will be held on March 18, 2020 on Elder Law. The first meeting of the Open Space Committee will occur on February 27, 2020.

REMARKS FROM THE CHAIR

MAYOR'S REPORT

MAYOR'S BUDGET PRESENTATION – At this time, Mayor Damiano presented a brief summary of the current fund and budget for the upcoming year. A lengthier presentation will occur with an official introduction of the budget at the March 9, 2020 Meeting with a public hearing and adoption scheduled for the April 13, 2020 Meeting. The Mayor excused himself from the Meeting following his report.

ATTORNEY'S REPORT

Mr. Wenzel had nothing to report.

PUBLIC HEARING ON TOWNSHIP'S APPLICATION TO THE PASSAIC COUNTY OPEN SPACE AND FARMLAND PRESERVATION TRUST FUND FOR IMPROVEMENTS TO WILMORE ROAD PARK

It was moved by Councilmember Kahwaty, seconded by Councilmember Vancheri, to open public comment on the Township's application to the Passaic County Open Space and Preservation Trust Fund for improvements to Wilmore Park.

Poll: Ayes: Kahwaty, Vancheri, and Council President Cordonnier
 Nays: None

The Council President declared the motion passed.

Mr. Wenzel explained the public hearing is required with regard to the use of the funds for Wilmore Road Park.

Andrew Baggot, 78 Franklin Road, Denville, owner of 105/107 Main Street, requested clarification on funding. Council President Cordonnier explained the grant application is through the County of Passaic, asking for \$650,000

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in grants. She further highlighted proposed upgrades to Wilmore Road Park in detail and noted there will be a hearing by the County which will be advertised and the public may attend.

Luis Fernandez, 54 Harrison Street, requested further clarification on funding. Mr Cuccia responded there is a match, which is not known at this time, with some funds coming out of the Little Falls Open Space Fund.

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

Poll: Ayes: Kahwaty, Vancheri, and Council President Cordonnier
Nays: None

The Council President declared the motion passed.

PUBLIC COMMENT – AGENDA ITEMS ONLY

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

Poll: Ayes: Kahwaty, Vancheri, and Council President Cordonnier
Nays: None

The Council President declared the motion passed.

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

Poll: Ayes: Kahwaty, Vancheri, and Council President Cordonnier
Nays: None

The Council President declared the motion passed.

C O N S E N T A G E N D A

All items on the Consent Agenda were considered to be routine and were enacted with a single motion. Any items under REQUISITIONS carried a Treasurer’s certification as to sufficiency of funds.

REPORTS

Municipal Clerk’s Report – Month of January 2020

		MUNICIPAL CLERKS REPORT Month of January 2020	
ABC LICENSES			
OTHER LICENSES			
Business Licenses		\$6,370.00	
Pre-paid Business Licenses			
Raffle Licenses		100.00	
			\$6,470.00
REGISTRAR OF VITAL STATISTICS			
Fees & Permits		\$208.00	
Marriage Licenses-LF		\$3.00	
Marriage Licenses-NJ		\$25.00	
			\$236.00
MRNA			
Street Maps			
Zoning Maps			
Zoning Ordinances			
Document Copies			
Garage Sales			
Misc. Fees & Refunds:		\$350.00	
TOTAL MRNA			<u>\$350.00</u>
TOTAL CURRENT ACCOUNT			<u>\$7,056.00</u>
TOTAL TO TREASURER			<u>\$7,056.00</u>

Municipal Clerks Dog/Cat License Report - Month of January 2020

		MUNICIPAL CLERK'S DOG/CAT LICENSE REPORT Month of January 2020	
Dog Licenses issued 01/01/2020 thru 01/31/2020			
Nos. 311 to 320 = 9 Licenses			
Amount due Little Falls			\$61.20
Amount due State			\$16.80
Total Cash Received			\$70.00
Cat Licenses issued 01/01/2020 thru 01/31/2020			
Nos.0 to 0			
Licenses Issued 0			
Total Cash Received			0.00
	Total to Treas.		<u>\$70.00</u>

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Tax Collector's Report – Month of January, 2020

MONTHLY REPORT

Municipality of Township of Little Falls
Office of the Tax Collector
Township of Little Falls Current Account, Lakeland Bank
Revenues Collector for the Month of January 2020

Categories 01-	January 1-31, 2020	2020 Year to Date
2020 Taxes	\$3,523,866.10	\$3,523,866.10
2019, 2016 Taxes	77,673.66	77,673.66
Interest	3,511.46	3,411.46
Duplicate Tax Bills	10.00	10.00
Insufficient Check Fee	20.00	20.00
6% Penalty Fee	1,228.09	1,228.09
GRAND TOTALS	\$3,606,309.31	\$3,606,309.31

Delinquent 2016 Taxes \$892,492.19 (inc. 6% ye-pe)
Delinquent 2019 Taxes 269,330.73
Total Delinquent Taxes \$1,161,822.92

2020 Refunds this month = -\$0.00
2020 Year to date refunds = -\$0.00

Breakdown of refunds for years 2015-2020 completed in 2020(see attached).

REFUNDS IN THE YEAR 2020										
Months	2015 STCJ	2016 STCJ	2017 STCJ	2018 STCJ	2019 STCJ	2020 CBJ	2019 Regular	2020 Regular	2020 Senior/ Disabled	Total by Months
January	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$1,005.54	\$0.00	\$0.00	\$1,005.54
Totals	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$1,005.54	\$0.00	\$0.00	\$1,005.54

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 January 2020

	2020 Deposit	2020 Year-to-Date
January 2020	\$57,676.70	\$57,676.70
Total Collected as of January 31, 2020		\$57,676.70

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 January 2020

	Liens with Premiums Redeemed/ (-)	Bal. /Dep. (+)
Balance Brought Forward (January 1, 2020)		\$196,300.00
January 2020	\$ -46,500.00	\$149,800.00
Ending Balance as of January 31, 2020		\$149,800.00

Recreation Report – Month of January, 2020

Recreation Center																
Program	Facility	# Classes	Hrs	Particip	# Classes	Hrs	Particip	# Classes	Hrs	Particip	# Classes	Hrs	Particip	# Classes	Hrs	Particip
Pickleball Open Court	Gym	2	4	15	2	4	23	2	4	28	2	4	26	2	4	23
LFFPA Cheer	Gym	*	*	100	*	*	*	*	*	*	*	*	*	*	*	*
Zumba Tone	Multi	1	1	14	1	1	54	3	3	53	3	3	55	3	3	57
Zumba Gold	Gym	*	*	*	2	2	54	2	2	52	2	2	53	2	2	55
Tai Chi	Gym	1	1	11	1	1	13	1	1	15	1	1	13	1	1	12
QiGong	Gym	2	2	16	2	2	28	2	2	32	2	2	25	2	2	28
Yoga	Multi	1	1	6	2	2	14	2	2	12	2	2	12	2	2	18
Chair Yoga	Gym	1	1	4	1	1	4	1	1	7	1	1	6	1	1	8
Fencing	Gym	2	4	18	2	4	18	1	2	9	2	4	17	2	4	17
Tiger Basketball	Gym	1	1.5	7	1	1.5	10	1	1.5	40	*	*	*	*	*	*
LFAC Basketball	Gym	*	*	110	1	1	288	*	*	292	*	*	324	*	*	204
Indoor Soccer	Gym	*	*	*	1	5	113	Cancel	Cancel	Cancel	1	5	113	*	*	*
Fit 4 U	Gym	*	*	*	*	*	*	1	1	10	1	1	13	1	1	15
Karate	Multi	*	*	*	2	2	10	2	2	6	2	2	6	2	2	7
Travel Basketball	Gym	*	*	140	*	*	96	*	*	80	*	*	64	*	*	64
Body Dynamics	Multi	*	*	*	1	1	1	*	*	*	1	1	3	1	1	2
Mens Open Gym	Gym	*	*	*	1	2	5	1	3	60	1	3	60	1	3	60
Lady Hornets Softball	Gym	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
Green Cheer	Multi	5	15	26	5	15	65	3	12	78	3	12	52	3	12	39
Green X Girls	Gym	5	15	36	4	12	72	3	12	72	4	12	54	4	12	36
LFAC Basketball Picture Day	Gym	1	3	200	*	*	*	*	*	*	*	*	*	*	*	*
KoC Throw Contest		*	*	*	*	*	*	1	4	55	*	*	*	*	*	*
LFFPA Uniform Return		*	*	*	*	*	*	*	*	*	1	2	63	*	*	*
Weekly Totals		22	48.5	703	28	55.5	868	26	52.5	901	29	57	959	27	50	645

Monthly Totals		
# Classes	Hours	Participants
192	263.5	4076

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Civic Center Report – Month of January, 2020

Month of January			
Meeting Group	# of Meetings	Hours	Participants
Golden Agers	4	26	149
Jolly Seniors	5	32.5	154
Sr. Advisory	1	2	6
OEM	1	2	20
Autumn Point Condo. Assoc.	1	2	35
LFAC	1	2	25
Stamp Club	2	4	24
Great Notch Condo Assoc.	1	2	10
ABC	1	2	15
Girl Scouts	1	2	50
Totals	18	76.5	488

Police Department Report - Month of January, 2020

PATROL DIVISION MONTHLY REPORT – January, 2020

This agency handled **2,466** details between January 1, 2020 and January 31, 2020.

This agency completed **450** reports between January 1, 2020 and January 31, 2020.

This agency had **XXXXXX** inbound telephone calls and **XXXXXX** outbound calls during the month of January, 2020.

This agency received **XXXXXX** 911 calls during the month of January, 2020.

The Little Falls Police Department handled **2,466** details and wrote **450** Operation/Investigation reports between January 1, 2020 and January 31, 2020.

The patrol division patrolled **13,761** miles during the month of January, 2020.

Calls for Service

Call Type	Total
Medical emergency	49
Fire Department incident	3
Narcan deployment	0
Burglar alarms/false	27
Burglar alarms/valid	10
Domestic violence incidents	6
Burglary	0
Criminal mischief	0
Theft	9
Suspicious person/vehicle/incident	27
General investigation	28
Noise complaint	5
All others not listed	286

Traffic Summary

Crashes	Total
Motor vehicle crashes	68
Motor vehicle crash injuries	7
Motor vehicle crash fatalities	0
Enforcement	Total
Motor vehicle stops	530
Speeding summonses	21
DWI summonses	4
Driving while suspended summonses	23
Uninsured vehicle summonses	9
Moving violations	245
Parking violations	47
Total summonses issued	292

Arrest Summary

Total Arrests - 22

Type of Arrest	Total
CDS	8
DWI	4
Warrant	2
Domestic Violence	3
Theft	3
All others	2

Directed Patrol Summary

Detail Type	Total
School arrival	68
School dismissal	55
School walk through	57
Radar post	114
Park check	84
Vacant house check	8
Extra attention check	0
DWI/Aggressive driving patrol	0
Foot patrol	13

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Patrol Division Time & Attendance

Type of Hours	Total
Vacation	0
Holiday	44
Compensatory	130
Sick	288
Personal time	0
Credit time	88.50
Administrative	12
PBA day	24
Schedule transition	0
Bereavement	12
Overtime due to Training	0
Overtime hours to maintain minimum staffing level	12
Overtime due to incident/weather/other event	13

1 out of a total of 62 shifts during the month of January were below minimum staffing.

Patrol staffing level during month: 4.19

Major incident/Notable achievement

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COMMUNITY POLICING

Detail Type	Total
Cell block inspection	20
School arrivals	11
School dismissals	13
School walk thru	9
Vacant house checks	5
Child car seat installations	0
Headquarters safety inspections	0
Project medicine box emptied	2 (71 lbs)
Trips to Covanta for prescription drug destruction	0
Community function appearances	0
School function appearances	9

Special projects/details

<p>1/6 Attended Sch #3 Climate meeting. 1/8 Worked PVHS 1/13 Attended Sch #1 Climate meeting. 1/17 Participated in Career Day at Sch #1. 1/27 Participated in Evacuation Drill at Sch #1. Assisted with early morning band drop off at Sch #3 on 1/9, 1/16, 1.23, and 1/30. Taught L.E.A.D. program on 1/7, 1/10, 1/14, 1/16, 1/21, 1/24, 1/28 and 1/31.</p>
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TRAFFIC DIVISION

Detail Type	Total
Traffic details	*
Radar posts	*
Crashes investigated	*
Speedometer calibrations	*
Alcotest maintenance assignments	*
Traffic meetings attended	*
Traffic complaints received	*
Road job safety checks	*
Assisted patrol	*
Enforcement	Total
Motor vehicle stops	*
Moving summonses	*
Parking summonses	*
Total summonses issued	*

Special projects/details

<p>** Corporal Moncato was moved to the patrol division due to a long-term injury causing a patrol shift shortage.</p>
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Investigative Division Monthly Division Report

Month: January, 2020

Criminal Case Management:

10 Cases were assigned for follow-up investigation.
 12 Investigations currently remain open and active.
 9 Cases were closed from previous months.

Criminal Complaint/Warrants Served:

3 Criminal Complaints were issued by the Investigative Division.
 2 Attempts were made to service outstanding criminal arrest warrants issued by the Little Falls Municipal Court.

Juvenile:

2 Juvenile Petitions were issued and submitted to the Passaic County Superior Court, Family Division.
 2 Station-House Adjustments were filed by the Department's Juvenile Detective.

Narcotics:

1 Arrest was made by the investigative division for a drug related offense.
 71 Pounds of prescription medication was deposited in the Prescription Drug Box.

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After Hours Call-outs

1 incident required a detective to response for investigative support.
The case involved a suspicious, sudden death. The on-call detective responded to the scene and coordinated the investigative response of the Passaic County Prosecutor's Office and Passaic County Sheriff's Department Crime Scene Unit.

Internal Affairs (IA):

1 IA Complaint was screened and indexed.
1 IA Investigation was conducted and closed.
1 IA Complaint remained open and is being investigated.
There were 0 investigations that resulted in disciplinary action requiring a suspension of ten (10) or more days.

Grand Jury/Superior Court Appearances:

2 Cases required a Detective to appear and testify before a Grand Jury or Superior Court.

Search Warrants/Subpoenas:

1 Subpoena was requested to be served for an investigation.
There were 0 search warrants and 0 communication warrants executed.

Back-Ground Investigations:

The Investigative Division conducted 0 Police Applicant Investigations, 0 Dispatcher Applicant Investigations and 1 Crossing Guard Applicant Investigation.

Megan's Law (Sex Offender) Registrations:

0 New Registrations
0 Address Verification and Re-Registrations
There are currently 9 registered sex-offenders residing within the Township.

Detective Time Off and Overtime:

Compensatory – 43.25 Hours Vacation/Holiday – 16 Hours
Personal – 0 Hours Sick – 24 Hours

Detective - Overtime

Hours Worked for Cash – 4.75 hours
Hours Worked for Compensatory Time – 7.5 Hours

Division Monthly Staffing Level – 3.55 Detectives

Property and Evidence

3 Items classified as property were 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)
0 Firearms/Weapons were entered into the BEAST Evidence System, processed, logged and secured.
0 Firearms were transported for ballistic analysis.
40 Items classified as evidence were entered into the BEAST Evidence System, processed, logged and secured.
9 Items classified as Drug Evidence were transported to the NJ State Police Laboratory for analysis.
1 Item classified as Forensic Evidence was 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 urinalysis 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.

Notable Cases

19-0025 – A 1-year Burglary investigation concluded with the issuance of criminal complaints for Burglary, Possession of Burglar Tools and Criminal Mischief.
19-05229- Pm 1/30, the Morris County Prosecutor's Office announced that two people were arrested and charged with 37 pounds of marijuana, ¾ pound of cocaine and more than \$300,000 in drug money, capping a lengthy investigation in Morris, Sussex, Bergen, and Passaic Counties. This multi-agency investigation was started with information provided from a Little Falls Narcotics investigation that Det. Gilchrist investigated. Det. Gilchrist and Det. Cespedes assisted in the execution of a search warrant during the conclusion of this lengthy investigation.
20-00262 -Distribution of a controlled dangerous substance (CDS) within a school zone charges were filed against the target of an investigation involving the sudden death of a Township resident.
20-00321 -The Investigative Division utilized our existing Social Media Platform and instituted a new email and phone Tip-Line that helped identify the suspect of a police pursuit.

Comments:

Throughout the month of January, Det. Cespedes was assigned to the Detective Bureau and started his mentoring program with Det. Gilchrist. This added to the Division strength for the month as 4 total officers were assigned. Det. Gilchrist is scheduled to return to patrol on 3/4/20.

SUPPORT SERVICES DIVISION – Administrative Monthly Report – JANUARY, 2020

RECORDS BUREAU

Discovery and OPRA

4 Discovery Cases involving Digital (Audio/Video) files were processed and uploaded to Dropbox for defense attorneys, the public defender and prosecutors.
26 OPRA requests were processed.
629 Pages of reports were facilitated and forwarded to the Township Clerk's Office for OPRA requests.
\$591.00 was collected by the Records Bureau during the month.
Discover \$0.00/Firearms \$41.00/Accidents \$550.00/Fingerprints \$0/Solicitor \$0

Firearms

15 Applications for Firearms Permits/ID cards were Received 0 Denied
3 Firearms Purchaser ID cards were Issued
12 Handgun Purchase Permits were Issued

Background Investigations

Firearms – 8 Firearms Background Investigations Completed
Permit to Carry – 0 Permit to Carry Applications.
Solicitor(s)- 0 solicitor permit were processed and issued

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TRAINING

Outside Training

-Plt. DeLuccia attended a 1-day report writing class given by Street Cop Training in Warren Township on the 22nd of this month.

Departmental Training

- Per Diem PST began the proficiency training program during this month. This includes having each per diem PST work a mandatory sixteen (16) hours per month in order to maintain their proficiency in all areas of the position, ensuring the best possible service to the public always. During the first month the program has shown to be beneficial to all, specifically those who had been limited in shift work due to their full-time careers.
- EMD Recertifications: During this month the process of recertifying the PST certified members of the department whose certifications had expired. A report of those who have been successfully recertified will be compiled when complete.

Online Training:

Power DMS:

- Officers completed the following training through Power DMS
 - Legal Updates 2019 was disseminated and in progress
 - Step Up and Slow Down Training completed

NJ Learn Training: None

Firearms

- Scheduling of Officers for their Spring Firearms Qualifications in March completed

Field Training

- Officer DeLuccia successfully completed his FTO program,

DISPATCHER TIME OFF AND COVERAGE

Dispatcher Time Off

COMP – 0 Hours HOL – 24 Hours VAC –84 Hours PER –24 Hours
 C/T –32 Hours SICK – 24 Hours FML - 12 Hours

Dispatcher Coverage – Overtime

Part-time Dispatcher Hours Worked – 80 hours Full-time Dispatcher OT Comp – 0 hours
 Dispatch Vacancy Covered by Patrol OT –5 hours Full-time Dispatcher OT CASH – 91 hours
 Dispatch Vacancy Covered by Patrol Shift – 25 hours Part-Time Dispatcher Hours Worked – 24 hours

FLEET MANAGEMENT

JANUARY 2020 VEHICLE EXPENSE REPORT

Date	Unit	Mileage	Maintenance/ Complaint	Repair	Location	Invoice	Amount	BDG	OOS	BIS	Days
1/2/20	814	56000	Oil Service	Oil Service Rotate Tires	DPW	N/A	\$998.00	747	1/3	1/4	1
1/2/20	ADM-2	108000	Oil Service	Oil Service Rotate Tires	DPW	N/A	\$0.00	743	1/3	1/7	4
1/2/20	ADM-2	108000	Alternator	Replace	Guaranteed	20073	\$145.00	S/C	1/7	1/7	1
1/2/20	ADM-2	108000	Belt tensioner & Air Filter	Replace	P&A Auto	129505	\$72.30	S/C	1/7	1/7	0
1/6/20	816	54427	Engine light		DPW	N/A	\$0.00	756			
1/6/20	C-3	91000	Dead Battery	Replace Battery	DPW	N/A	\$0.00	716	1/7	1/7	1
1/7/20	C-3	91000	Battery & terminals	Installed	Roberts	5569724	\$117.72	S/C	1/7	1/7	0
1/13/20	811	44611	Check Engine	Emission sensor	Wayne Ford			730	7/13	7/4	1
1/13/20	Det-1	112040	Oil Service	Oil Service	DPW	N/A	\$0.00	740	7/14	7/4	1
1/13/20			Patchers	Install on Trauma bags	Falls Automotive		\$80.00				0
1/14/20	Det-1	112040	Oil Service	Oil Service	P&A Auto	130133	\$48.36	S/C	7/14	7/14	0
1/16/20	817	42271	Battery & brakes		DPW	N/A		760	1/17	1/18	1
1/17/20	817	42271	Dead battery	Replace Battery	Robert's	5571194	\$303.25	S/C	1/17		0
1/18/20	816	55442	Tires	Check tread	DPW	N/A	\$0.00	742			
1/20/20	814	57650	Check Engine		DPW			758			
1/22/20	810	5489	INFO-COP Shutting Down		Tronosys			741			
1/22/20	811	45089	ChargeGuard	Reset Timer	Atlantic			720	1/23	1/23	1
1/23/20	817	42271	Alternator	Checked Okay	Wayne Ford			S/C	1/23	1/27	4
1/31/20			Title Registration	Title & Registration	NJMVC	N/A	\$60.00				0
						TOTAL	\$1,824.63				15
Based on inquire by selection							Subtotal	\$1,824.63			15

PATROL DIVISION MONTHLY MILEAGE REPORT - January, 2020

UNIT	STARTING MILEAGE	ENDING MILEAGE	TOTAL
800	7766	7980	214
810	5264	6042	778
811	44124	45472	1348
812	7193	9258	2065
813	22610	22973	363
814	56365	58127	1762
815	31255	32877	1622
816	54017	56665	2648
817	41622	42917	1295
818	58909	60575	1666
		TOTAL MILEAGE	13761

Construction Report – Month- January 2020

Uniform Construction Code

Permits Issued – 49
 Inspections - 211
 Total Value of Construction - \$377,835.00
 Certificate of Occupancy - \$200.00
 Permit Fees Collected - \$12,925.00
 Permit Fees Waived - \$0.00
 Total Fees Collected - \$13,125.00

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Zoning

Fence Permits –\$0.00
 Sign Permits - \$50.00
 Zoning fees – \$6,757.50
 Total Fees Collected- \$6,807.50

Property Maintenance

Certificates of Compliance Fees –\$2,385.00
 Inspections – 35
 Complaints Inspections - 3
 Violations Issued – 2
 Roll-off permits – \$200.00
 Total Fees Collected - \$ 2,585.00

Monthly Revenue \$ 22,517.50 YTD Revenue \$22,517.50

APPLICATIONS

LITTLE FALLS FIRE DEPARTMENT AUXILIARY APPLICATION, NICOLAS COOPER, THIRD AVENUE, LITTLE FALLS, EAGLE HOSE FIRE CO. #1

LITTLE FALLS FIRE DEPARTMENT AUXILIARY APPLICATION, JOSEPH WALL, CHARLES STREET, LITTLE FALLS, GREAT NOTCH FIRE CO. #4

RAFFLE, HENRY BUIKEMA AMERICAN LEGION POST 121, ANNUAL LICENSE, INSTANT PULL TAB RAFFLE, 55 VAN NESS AVENUE, LITTLE FALLS

CORRESPONDENCE

REQUEST FROM LITTLE FALLS PBA LOCAL NO. 346 FOR PERMISSION TO HOLD ITS ANNUAL JULY 4TH STREET FAIR ON MAIN STREET AT STEVENS AVENUE BETWEEN LINCOLN AVENUE, WALNUT STREET, AND CENTER AVENUE ON 07/04/2020.

RESOLUTIONS

RESOLUTION [A] 20-02-24 – #1

Refund of Tax Overpayments in Year 2020

WHEREAS, the following properties in the Township of Little Falls, New Jersey have overpaid real estate taxes in 2020; and
WHEREAS, the Tax Collector is requesting that the Township Council direct the Treasurer to refund said amounts overpaid listed below;

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

<u>Tax Year & Qtr.</u>	<u>Block Lot/Q</u>	<u>Taxpayer/ Location</u>	<u>Payee</u>	<u>Reason</u>	<u>Amount</u>
2020/1	86/29	Thomas E Battle 39 Riverview Circle	Thomas E Battle 39 Riverview Circle Little Falls NJ 07424	O/P	\$1,540.40
2020/1	88.03/1 C220	Federal National Mtg 262 Main St. #220	Corelogic RE Tax Svc Attn: Refund Dept. 3001 Hackberry Road Irving, TX 75063	O/P	1,984.95
2020/1	118/9	Mohamed & Marlene Almoubayed 91 First Ave	Corelogic RE Tax Svc Attn: Refund Dept. 3001 Hackberry Road Irving, TX 75063	O/P	220.40
Total Refunds					\$3,745.75

Bids for Improvement to Ridge Avenue

RESOLUTION [B] 20-02-24 – #2

RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF LITTLE FALLS, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING THE ADMINISTRATOR AND ENGINEER TO SOLICIT COMPETITIVE BIDS FOR THE IMPROVEMENTS TO RIDGE AVENUE

WHEREAS, the Township desires to Make roadway and drainage improvements on Ridge Avenue in the Township of Little Falls; and

WHEREAS, the Township engineer and administrator shall prepare bid specifications and plans to accomplish these improvements;
NOW THEREFORE BE IT RESOLVED by the Township Council of the Township of Little Falls, Passaic County, New Jersey as follows:

The Township hereby authorizes the Township Engineer to advertise for project bids and provide the Township Council with the results of said bids once received, in accordance with New Jersey Statutes, in anticipation of a contract award for those purposes.

Bids for Pickleball Court, Storage Building & New Gym Floor at Recreation Center

RESOLUTION [C] 20-02-24 – # C

RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF LITTLE FALLS, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING THE ADMINISTRATOR AND ENGINEER TO SOLICIT COMPETITIVE BIDS FOR THE CONSTRUCTION OF A PICKLEBALL COURT, STORAGE BUILDING AND INSTALLATION OF A NEW GYM FLOOR AT THE DUVA FIELD RECREATION FACILITY

WHEREAS, the Township desires to construct the pickleball court, storage building and install a new floor at the recreation center at Duva Field; and

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WHEREAS, the Township engineer and administrator shall prepare bid specifications and plans to accomplish these improvements;
NOW THEREFORE BE IT RESOLVED by the Township Council of the Township of Little Falls, Passaic County, New Jersey as follows:

The Township hereby authorizes the Township Engineer to advertise for project bids and provide the Township Council with the results of said bids once received, in accordance with New Jersey Statutes, in anticipation of a contract award for those purposes.

Approval of Certified List of LOSAP Eligible Volunteers

**TOWNSHIP OF LITTLE FALLS
PASSAIC COUNTY NEW JERSEY
RESOLUTION [D] 20-02-24 - #4
APPROVING CERTIFIED LIST OF LOSAP ELIGIBLE VOLUNTEER
MEMBERS OF THE LITTLE FALLS VOLUNTEER FIRE DEPARTMENT**

BE IT RESOLVED by the Township Council of the Township of Little Falls, that the attached certified list of volunteer members of the Little Falls Volunteer Fire Department eligible to participate in the Little Falls Length of Service Award Program is hereby approved.

Application to County Open Space Trust Fund for Wilmore Park Improvements

RESOLUTION [E] 20-02-24 - #5

WHEREAS, the Mayor and Council of the Township of Little Falls are requesting funding through the Passaic County Open Space and Farmland Preservation Trust Fund for improvements to Wilmore Road Park (also referred to as Wilmore Park); and

WHEREAS, pursuant to the State Shared Services Act, such funds may not be spent in a municipality without authorization by the Governing Body; and

WHEREAS, the aforesaid project is in the best interest of the Township of Little Falls; and

NOW, THEREFORE BE IT RESOLVED the Mayor and Council of the Township of Little Falls do hereby confirm endorsement of the aforesaid project; and

BE IT FURTHER RESOLVED, the Mayor and Council certify the resolution for the application to be presented to the Passaic County Department of Planning.

Shared Services Agreement with Woodland Park

**RESOLUTION [F] 20-02-24 - #6
SHARED SERVICE AGREEMENT BETWEEN THE TOWNSHIP OF LITTLE FALLS
AND THE BOROUGH OF WOODLAND PARK**

WHEREAS, the Township of Little Falls (Township) desires to enter into a shared services agreement with the Borough of Woodland Park (Borough) to jointly operate and maintain a Case Construction Excavator Model CX 160, which was purchased by the Township and the Borough to be utilized exclusively to de-slag and remove sediment in the Peckman River, tributaries to the Peckman River and tributaries to the Passaic River within the boundaries of the Township and the Borough (Municipalities); and

WHEREAS, the excavator was purchased by the Township and the Borough utilizing a grant from the New Jersey Department of Environmental Protection, wherein the Borough of Woodland Park was the lead agency; and

WHEREAS, the grant requires that the Municipalities enter into a Shared Services Agreement for the operation and maintenance of the purchased equipment before reimbursement of the \$115,000.00 can be sought; and

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Township of Little Falls, County of Passaic, State of New Jersey, do hereby authorize the Mayor to execute the Shared Service Agreement on behalf of the Township with the Borough of Woodland Park for the operation and maintenance of a Case Construction Excavator Model CX 160, which was purchased by the Township and the Borough, to be utilized exclusively to de-slag and remove sediment in the Peckman River, tributaries to the Peckman River and tributaries to the Passaic River within the boundaries of the Municipalities.

Bill List

RESOLUTION [G] 20-02-24 - #7

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 Kahwaty, seconded by Councilmember Vancheri, that the Consent Agenda be approved as printed.

Poll: Ayes: Kahwaty, Vancheri, and Council President Cordonnier
Nays: None

The Council President declared the motion passed.

REGULAR AGENDA

NEW BUSINESS

Ordinance No.1378 - It was moved by Councilmember Kahwaty, seconded by Councilmember Vancheri, that there be introduced and the meeting of March 23, 2020 set as the date for the public hearing of the following:

**Chapter 86
FLOOD DAMAGE PREVENTION
GENERAL REFERENCES General penalty —
See Ch. 1, Art. I. Uniform Construction codes — See Ch. 46.Stormwater management — See Ch.
218. Zoning — See Ch. 280.**

§ 86-1. Statutory authorization.

The Legislature of the State of New Jersey has, in N.J.S.A. 40:48-1, et seq., delegated the responsibility to local governmental units to adopt regulations designed to promote public health, safety, and general welfare of its citizenry. Therefore, the Township Council of the Township of Little Falls, New Jersey, does ordain as follows.

§ 86-2. Findings of fact.

A. The flood hazard areas of the Township of Little Falls are subject to periodic inundation which results in

loss of life and property, health and safety hazards, disruption of commerce and governmental services, extraordinary public expenditures for flood protection and relief, and impairment of the tax base, all of which adversely affect the public health, safety, and general welfare.

- B. These flood losses are caused by the cumulative effect of obstructions in areas of special flood hazard which increase flood heights and velocities, and when inadequately anchored, damage uses in other areas. Uses that are inadequately floodproofed, elevated or otherwise protected from flood damage also contribute to the flood loss.

§ 86-3. Statement of purpose.

It is the purpose of this chapter to promote the public health, safety, and general welfare, and to minimize public and private losses due to flood conditions in specific areas by provisions designed:

- A. To protect human life and health;
- B. To minimize expenditure of public money for costly flood control projects;
- C. To minimize the need for rescue and relief efforts associated with flooding and generally undertaken at the expense of the general public;
- D. To minimize prolonged business interruptions;
- E. To minimize damage to public facilities and utilities such as water and gas mains, electric, telephone and sewer lines, streets, and bridges located in areas of special flood hazard;
- F. To help maintain a stable tax base by providing for the sound use and development of areas of special flood hazard so as to minimize future flood blight areas;
- G. To ensure that potential buyers are notified that property is in an area of special flood hazard; and
- H. To ensure that those who occupy the areas of special flood hazard assume responsibility for their actions.

§ 86-4. Methods of reducing flood losses.

In order to accomplish its purposes, this chapter includes methods and provisions for:

- A. Restricting or prohibiting uses which are dangerous to health, safety, and property due to water or erosion hazards, or which result in damaging increases in erosion or in flood heights or velocities;
- B. Requiring that uses vulnerable to floods, including facilities which serve such uses, be protected against flood damage at the time of initial construction;
- C. Controlling the alteration of natural floodplains, stream channels, and natural protective barriers, which help accommodate or channel floodwaters;
- D. Controlling filling, grading, dredging, and other development which may increase flood damage; and
- E. Preventing or regulating the construction of flood barriers which will unnaturally divert floodwaters, or which may increase flood hazards in other areas.

§ 86-5. Word and phrases.

- A. Unless specifically defined below, words or phrases used in this chapter shall be interpreted so as to give them the meaning they have in common usage and to give this chapter its most reasonable application.

- B. As used in this chapter, the following terms shall have the meanings indicated:

AH ZONE - Areas subject to inundation by 1-percent-annual-chance shallow flooding (usually areas of ponding) where average depths are between one and three feet. Base Flood Elevations (BFEs) derived from detailed hydraulic analyses are shown in this zone

AO ZONE - Areas subject to inundation by 1-percent-annual-chance shallow flooding (usually sheet flow on sloping terrain) where average depths are between one and three feet.

APPEAL — A request for a review of the Construction Official's interpretation of any provision of this chapter or a request for a variance.

AREA OF SHALLOW FLOODING — A designated AO, AH, or VO Zone on a community's Flood Insurance Rate Map (FIRM) with a 1% annual or greater chance of flooding to an average depth of one to three Feet where a clearly defined channel does not exist, where the path of flooding is unpredictable and where velocity flow may be evident. Such flooding is characterized by ponding or sheet flow.

AREA OF SPECIAL FLOOD HAZARD — Land in the floodplain within a community subject to a 1% or greater chance of flooding in any given year. It is shown on the FIRM as Zone V, VE, V1-30, A, AO, A1-A30, AE, A99, or AH.

BASE FLOOD — A flood having a 1% chance of being equaled or exceeded in any given year.

BASE FLOOD ELEVATION (BFE) — The flood elevation shown on a published Flood Insurance Study (FIS) including the Flood Insurance Rate Map (FIRM). For zones AE, AH, AO, and A1-30 the elevation represents the water surface elevation resulting from a flood that has a 1-percent or greater chance of being equaled or exceeded in any given year.

BASEMENT — Any area of the building having its floor subgrade (below ground level) on all sides.

Best Available Flood Hazard Data — The most recent available preliminary flood risk guidance FEMA has provided. The Best Available Flood Hazard Data may be depicted on but not limited to Advisory Flood Hazard Area Maps, Work Maps or Preliminary FIS and FIRM.

Best Available Flood Hazard Data Elevation — The most recent available preliminary flood elevation guidance FEMA has provided. The Best Available Flood Hazard Data Elevation may be depicted on an Advisory Flood Hazard Area Map, Work Map or Preliminary FIS and FIRM.

BREAKAWAY WALL — A wall that is not part of the structural support of the building and is intended through its design and construction to collapse under specific lateral loading forces without causing damage to the elevated portion of the building or supporting foundation system.

CUMULATIVE SUBSTANTIAL IMPROVEMENT — Any reconstruction, rehabilitation, addition, or other improvement of a structure that equals or exceeds 50 percent of the market value of the structure at the time of the improvement or repair when counted cumulatively for 10 years.

DEVELOPMENT — Any man-made change to improved or unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations, or storage of equipment or materials located within the area of special flood hazard.

ELEVATED BUILDING — A non-basement building (i) built, in the case of a building in an Area of Special Flood Hazard, to have the top of the elevated floor, elevated above the base flood elevation plus freeboard by means of piling, columns (posts and piers), or shear walls parallel to the flow of the water, and (ii) adequately anchored so as not to impair the structural integrity of the building during a flood up to the magnitude of the base flood. In an Area of Special Flood Hazard "elevated building" also includes a building elevated by means of fill or solid foundation perimeter walls with openings sufficient to facilitate the unimpeded movement of flood waters.

ELEVATION CERTIFICATE — An administrative tool of the National Flood Insurance Program (NFIP) that can be used to provide elevation information, to determine the proper insurance premium rate, and to support a required for a Letter of Map Amendment (LOMA) or Letter of Map Revision based on fill (LOMR-F).

EROSION — The process of gradual wearing away of land masses.

EXISTING MANUFACTURED HOME PARK OR SUBDIVISION — A manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including, at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed before the effective date of the floodplain management regulations adopted by a community.

FEMA PUBLICATION — Any publication authored or referenced by FEMA related to building science, building safety, or floodplain management related to the National Flood Insurance Program. Publications shall include but are not limited to technical bulletins, desk references, and American Society of Civil Engineers Standards documents.

FLOOD DESIGN CLASS — An American Society of Civil Engineers (ASCE) classification of buildings and other structures for determination of flood loads and conditions and determination of minimum elevation requirements on the basis of risk associated with unacceptable performance.

FLOOD or FLOODING — A general and temporary condition of partial or complete inundation of normally dry land areas from:

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- (1) The overflow of inland or tidal waters; and/or
 - (2) The unusual and rapid accumulation or runoff of surface waters from any source.
- FLOOD INSURANCE RATE MAP (FIRM)** — The official map on which the Federal Insurance Administration has delineated both the areas of special flood hazards and the risk premium zones applicable to the community.
- FLOOD INSURANCE STUDY (FIS)** — The official report in which the Federal Insurance Administration has provided flood profiles, as well as the Flood Insurance Rate Map(s) and the water surface elevation of the base flood.
- FLOODPLAIN MANAGEMENT REGULATIONS** — Zoning ordinances, subdivision regulations, building codes, health regulations, special purpose ordinances (such as a floodplain ordinance, grading ordinance and erosion control ordinance) and other applications of police power. The term describes such state or local regulations, in any combination thereof, which provide standards for the purpose of flood damage prevention and reduction.
- FLOODPROOFING** — Any combination of structural and nonstructural additions, changes, or adjustments to structures which reduce or eliminate flood damage to real estate or improved real property, water and sanitary facilities, structures and their contents.
- FLOODPROOFING CERTIFICATE** — Certification by an engineer or architect to certify a floodproofing design for a non-residential building.
- FLOODWAY** — The channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than 0.2 foot.
- FREEBOARD** — A factor of safety usually expressed in feet above a flood level for purposes of flood plain management. “Freeboard” tends to compensate for the many unknown factors that could contribute to flood heights greater than the height calculated for a selected size flood and floodway conditions, such as wave action, bridge openings, and the hydrological effect of urbanization of the watershed.
- HIGHEST ADJACENT GRADE** — The highest natural elevation of the ground surface prior to construction next to the proposed or existing walls of a structure.
- HISTORIC STRUCTURE** — Any structure that is:
- (1) Listed individually in the National Register of Historic Places (a listing maintained by the Department of the Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;
 - (2) Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district;
 - (3) Individually listed on a state inventory of historic places in States with historic preservation programs which have been approved by the Secretary of the Interior; or
 - (4) Individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified either:
 - (a) By an approved state program as determined by the Secretary of the Interior; or
 - (b) Directly by the Secretary of the Interior in states without approved programs.
- LOWEST FLOOR** — The lowest floor of the lowest enclosed area (including basement). An unfinished or flood-resistant enclosure, useable solely for the parking of vehicles, building access or storage in an area other than a basement is not considered a building's lowest floor, provided that such enclosure is not built so to render the structure in violation of other applicable non-elevation design requirements of 44 CFR Section 60.3.
- MANUFACTURED HOME** — A structure, transportable in one or more sections, which is built on a permanent chassis and is designed for use with or without a permanent foundation when attached to the required utilities. The term “manufactured home” does not include a recreational vehicle.
- MANUFACTURED HOME PARK or MANUFACTURED HOME SUBDIVISION** — A parcel (or contiguous parcels) of land divided into two or more manufactured home lots for rent or sale.
- NEW CONSTRUCTION** — Structures for which the start of construction commenced on or after the effective date of a floodplain regulation adopted by a community and includes any subsequent improvements to such structures.
- NEW MANUFACTURED HOME PARK or SUBDIVISION** — A manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including, at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed on or after the effective date of the floodplain management regulations adopted by the municipality.
- PRELIMINARY FLOOD INSURANCE RATE MAP** — The draft version of the FIRM released for public comment before finalization and adoption.
- RECREATIONAL VEHICLE** — A vehicle which is:
- (1) Built on a single chassis;
 - (2) Four hundred square feet or less when measured at the longest horizontal projections;
 - (3) Designed to be self-propelled or permanently towable by a light-duty truck; and
 - (4) Designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.
- START OF CONSTRUCTION** — For other than new construction or substantial improvements under the Coastal Barrier Resources Act (P.L. 97-348), includes substantial improvements and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, rehabilitation, addition, placement, or other improvement was within 180 days of the permit date. The actual start means either the first placement of permanent construction of a structure on a site such as the pouring of a slab or footings, the installation of pilings, the construction of columns, or any work beyond the stage of excavation, or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading and filling, nor does it include the installation of streets and/or walkways, nor does it include excavation for a basement, footings or piers, or foundations or the erection of temporary forms, nor does it include the installation on the property of accessory buildings, such as garages or sheds, not occupied as dwelling units or not part of the main structure. For a substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of the building.
- STRUCTURE** — A walled and roofed building, a manufactured home, or a gas or liquid storage tank, that is principally above ground.
- SUBSTANTIAL DAMAGE** — Damage of any origin sustained by a structure whereby the cost of restoring the structure to its before damaged condition would equal or exceed fifty (50) percent of the market value of the structure before the damage occurred. Substantial Damage also means flood-related damages sustained by a structure on two or more separate occasions during a 10-year period for which the cost of repairs at the time of each such flood event, on the average, equals or exceeds 25 percent of the market value of the structure before the damages occurred.
- SUBSTANTIAL IMPROVEMENT** — Any reconstruction, rehabilitation, addition, or other improvement of a structure during a 10-year period the cost of which exceeds fifty (50) percent of the market value of the structure before the “start of construction” of the improvement. Substantial improvement also means “cumulative substantial improvement.” This term includes structures which have incurred “substantial damage”, regardless of the actual repair work performed or “repetitive loss”. The term does not, however, include either:
- (1) Any project for improvement of a structure to correct existing violations of State or local health, sanitary or safety code specifications which have been identified by the local code enforcement officer and which are the minimum necessary to assure safe living conditions; or

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- (2) Any alteration of a "historic structure", provided that the alteration will not preclude the structure's continued designation as a "historic structure".

VARIANCE — A grant of relief from the requirements of this chapter that permits construction in a manner that would otherwise be prohibited by this chapter.

VIOLATION — The failure of a structure or other development to be fully compliant with this ordinance. A new or substantially improved structure or other development without the elevation certificate, other certifications, or other evidence of compliance required in 44 CFR §60.3(b)(5), (c)(4), (c)(10), (e)(2), (e)(4), or (e)(5) is presumed to be in violation until such time as that documentation is provided.

WATER SURFACE ELEVATION — the height, in relation to the North American Vertical Datum (NAVD) of 1988, (or other datum, where specified) of floods of various magnitudes and frequencies in the flood plains of coastal or riverine areas.

§ 86-6. Lands to which this chapter applies.

This chapter shall apply to all special flood hazards within the jurisdiction of the Township of Little Falls, Passaic County, New Jersey.

§ 86-7. Basis for establishing areas of special flood hazard.

- A. The areas of special flood hazard for the Township of Little Falls, Community No. 340401, are identified and defined on the following documents prepared by the Federal Emergency Management Agency:
- (1) A scientific and engineering report "Flood Insurance Study, Passaic County, New Jersey (All Jurisdictions)" dated April 17, 2020.
 - (2) Flood Insurance Rate Map for Passaic County, New Jersey (All Jurisdictions) as shown on index and panel numbers 34031CIND0B, 34031C0194G, 34031C0213G, 34031C0214G, 34031C0251G, and 34031C0252G, whose effective date is April 17, 2020.
 - (3) Best Available Flood Hazard Data. These documents shall take precedence over effective panels and FIS in construction and development regulations only. Where the effective mapping or Base Flood Elevation conflict or overlap with the Best Available Flood Hazard Data, whichever imposes the more stringent requirement shall prevail.
- B. The above documents are hereby adopted and declared to be a part of this chapter. The Flood Insurance Study, maps and advisory documents are on file at 225 Main Street, Little Falls, NJ 07424.

§ 86-8. Penalties for noncompliance.

No structure or land shall hereafter be constructed, re-located to, extended, converted, or altered without full compliance with the terms of this chapter and other applicable regulations. Violation of the provisions of this chapter by failure to comply with any of its requirements (including violations of conditions and safeguards established in connection with conditions) shall constitute a misdemeanor. Any person who violates this chapter or fails to comply with any of its requirements shall, upon conviction thereof, be liable to the penalty stated in Chapter 1, General Provisions, Article 1, for each violation, and in addition shall pay all costs and expenses involved in the case. Nothing herein contained shall prevent the Township of Little Falls from taking such other lawful action as is necessary to prevent or remedy any violation.

§ 86-9. Abrogation and greater restrictions.

This chapter is not intended to repeal, abrogate, or impair any existing easements, covenants, or deed restrictions. However, where this chapter and other ordinance, easement, covenant, or deed restriction conflict or overlap, whichever imposes the more stringent restrictions shall prevail.

§ 86-10. Interpretation.

In the interpretation and application of this chapter, all provisions shall be:

- A. Considered as minimum requirements;
- B. Liberally construed in favor of the governing body; and
- C. Deemed neither to limit nor repeal any other powers granted under state statutes.

§ 86-11. Warning and disclaimer of liability.

- A. The degree of flood protection required by this chapter is considered reasonable for regulatory purposes and is based on scientific and engineering considerations. Larger floods can and will occur on rare occasions. Flood heights may be increased by man-made or natural causes. This chapter does not imply that land outside the area of special flood hazards or uses permitted within such areas will be free from flooding or flood damages.
- B. This chapter shall not create liability on the part of the Township of Little Falls, any officer or employee thereof or the Federal Insurance Administration for any flood damages that result from reliance on this chapter or any administrative decision lawfully made thereunder.

§ 86-12. Establishment of development permit.

The Township of Little Falls shall establish and maintain a local development permitting system to determine whether such proposed construction or other development is reasonably safe from flooding. A local Development Permit shall be obtained before construction or development begins, including placement of manufactured homes, within any area of special flood hazard established in § 86-7. Application for a Development Permit shall be made on forms furnished by the Construction Official and may include, but not be limited to; plans in duplicate drawn to scale showing the nature, location, dimensions, and elevations of the area in question; existing or proposed structures, fill, storage of materials, drainage facilities; a description of the flood design class, and the location of the foregoing. Specifically, the following information is required:

- A. Elevation in relation to 0 foot elevation NAVD 88 datum, of the lowest floor (including basement) of all structures;
- B. Elevation in relation to 0 foot elevation NAVD 88 datum to which any structure has been floodproofed.
- C. Certification by a registered professional engineer or architect that the floodproofing methods for any nonresidential structure meet the floodproofing criteria in section § 86-18B; and,
- D. Description of the extent to which any watercourse will be altered or relocated as a result of proposed development.
- E. Any forms, plans, or information required pursuant to any applicable FEMA publication.

§ 86-13. Designation of local administrator.

The Construction Official is hereby appointed to administer and implement this chapter by granting or denying development permit applications in accordance with its provisions.

§ 86-14. Duties and responsibilities of administrator.

Duties of the Construction Official shall include, but not be limited to:

- A. Permit review. The Construction Official shall:
- (1) Review all development permits to determine that the permit requirements of this chapter have been satisfied.
 - (2) Review all development permits to determine that all necessary permits have been obtained from those federal, state or local governmental agencies from which prior approval is required.
 - (3) Review all development permits to determine if the proposed development is located in the floodway and assure that the encroachment provisions of § 89-19A are met.
 - (4) Review all permit applications to determine whether proposed building sites are reasonably safe from flooding.
 - (5) Review all permit applications to determine whether development complies with all applicable FEMA Publications.
 - (6) Review all permit applications to determine whether development complies with all applicable New Jersey Land Use requirements.
- B. Use of other base flood and floodway data. When base flood elevation and floodway data has not been provided in accordance with § 86-7, Basis for establishing the areas of special flood hazard, the Construction Official shall obtain, review, and reasonably utilize any base flood elevation and floodway data available from a federal, state or other source, in order to administer § 86-18A, Specific standards for flood hazard reduction, Residential construction, and § 86-18B, Specific standards for flood hazard reduction, Nonresidential construction.
- C. Information to be obtained and maintained. The Construction Official shall:
- (1) Obtain and record on a current Elevation Certificate the actual elevation (in relation to 0-foot elevation

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- (2) NAVD88 datum) of the lowest floor (including basement) of all new or substantially improved structures, and whether or not the structure contains a basement.
- (2) For all new or substantially improved floodproofed structures:
 - (a) Verify and record on a Floodproofing Certificate the actual elevation (in relation to 0-foot elevation NAVD88 datum); and
 - (b) Maintain the floodproofing certifications required in § 86-12C.
- (3) Record the study date of the Best Available Flood Hazard Data (and other documents) used to determine the actual elevation of the lowest floor (including basement) of all new or substantially improved structures; and
- (4) Maintain for public inspection all records pertaining to the provisions of this chapter.
- D. Alteration of watercourses. The Construction Official shall:
 - (1) Notify adjacent communities and the New Jersey Department of Environmental Protection, Bureau of Flood Engineering, and the Land Use Regulation Program prior to any alteration or relocation of a watercourse and submit evidence of such notification to the Federal Insurance Administration.
 - (2) Require that maintenance is provided within the altered or relocated portion of said watercourse so the flood-carrying capacity is not diminished.
- E. **Substantial Damage Review**
 - a) After an event resulting in building damages, assess the damage to structures due to flood and non-flood causes.
 - b) Record and maintain the flood and non-flood damage of substantial damage structures and provide a letter of Substantial Damage Determination to the owner and the New Jersey Department of Environmental Protection, Bureau of Flood Engineering.
 - c) Ensure substantial improvements meet the requirements of sections 86-18A SPECIFIC STANDARDS, RESIDENTIAL CONSTRUCTION, 86-18, SPECIFIC STANDARDS, NONRESIDENTIAL CONSTRUCTION and 86-18C, SPECIFIC STANDARDS, MANUFACTURED HOMES.
- F. Interpretation of firm boundaries. The Construction Official shall make interpretations, where needed, as to the exact location of the boundaries of the areas of special flood hazards (for example, where there appears to be a conflict between a mapped boundary and actual field conditions). The person contesting the location of the boundary shall be given a reasonable opportunity to appeal the interpretation as provided in §§ 86-15 and 86-16.
- G. Report changes in flooding conditions. Obtain and record changes in flooding conditions and report the technical or scientific data to the Federal Insurance Administrator on a six (6) month basis or sooner in accordance with Volume 44 Code of Federal Regulations Section 65.3.

§ 86-15. Appeal Board; variance procedure.

- A. The Planning Board, as established by the Township of Little Falls, shall hear and decide appeals and requests for variances from the requirements of this chapter.
- B. The Planning Board shall hear and decide appeals when it is alleged there is an error in any requirement, decision, or determination made by the Construction Official in the enforcement or administration of this chapter.
- C. Those aggrieved by the decision of the Planning Board, or any taxpayer, may appeal such decision to the Superior Court of New Jersey as provided by New Jersey Statutes Annotated.
- D. In passing upon such applications, the Planning Board shall consider all technical evaluations, all relevant factors, standards specified in other sections of this chapter, and:
 - (1) The danger that materials may be swept onto other lands to the injury of others;
 - (2) The danger to life and property due to flooding or erosion damage;
 - (3) The susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owner;
 - (4) The importance of the services provided by the proposed facility to the community;
 - (5) The necessity to the facility of a waterfront location, where applicable;
 - (6) The availability of alternative locations for the proposed use which are not subject to flooding or erosion damage;
 - (7) The compatibility of the proposed use with existing and anticipated development;
 - (8) The relationship of the proposed use to the comprehensive plan and floodplain management program of that area;
 - (9) The safety of access to the property in times of flood for ordinary and emergency vehicles;
 - (10) The expected heights, velocity, duration, rate of rise, and sediment transport of the floodwaters and the effects of wave action, if applicable, expected at the site; and
 - (11) The costs of providing governmental services during and after flood conditions, including maintenance and repair of public utilities and facilities such as sewer, gas, electrical, and water systems, and streets and bridges.
- E. Upon consideration of the factors of Subsection D and the purposes of this chapter, the Planning Board may attach such conditions to the granting of variances as it deems necessary to further the purposes of this chapter.
- F. The Construction Official shall maintain the records of all appeal actions, including technical information, the justification for their issuance and report any variances to the Federal Insurance Administration upon request.

§ 86-16. Conditions for variances.

- A. Generally, variances may be issued for new construction and substantial improvements to be erected on a lot of 1/2 acre or less in size contiguous to and surrounded by lots with existing structures constructed below the base flood level, providing the items in § 86-15D have been fully considered. As the lot size increases beyond the 1/2 acre, the technical justification required for issuing the variance increases.
- B. Variances may be issued for the repair or rehabilitation of historic structures upon a determination that the proposed repair or rehabilitation will not preclude the structure's continued designation as a historic structure and the variance is the minimum necessary to preserve the historic character and design of the structure.
- C. Variances shall not be issued within any designated floodway if any increase in flood levels during the base flood discharge would result.
- D. Variances shall only be issued upon a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief.
- E. Variances shall only be issued upon:
 - (1) A showing of good and sufficient cause;
 - (2) A determination that failure to grant the variance would result in exceptional hardship to the applicant; and
 - (3) A determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, create nuisances, cause fraud on or victimization of the public as identified in § 86-15D, or conflict with existing local laws or ordinances.
- F. Any applicant to whom a variance is granted shall be given written notice that the structure will be permitted to be built with a lowest floor elevation below the base flood elevation and that the cost of flood insurance will be commensurate with the increased risk resulting from the reduced lowest floor elevation.

§ 86-17. General standards for flood hazard reduction.

- A. In all areas of special flood hazards, compliance with the applicable requirements of the Uniform Construction Code (N.J.A.C. 5:23) and the following standards, whichever is more restrictive, is required:
- B. Anchoring.
 - (1) All new construction and substantial improvements shall be anchored to prevent flotation, collapse, or lateral movement of the structure.
 - (2) All manufactured homes to be placed or substantially improved shall be anchored to resist flotation, collapse or lateral movement. Methods of anchoring may include, but are not to be limited to, use of over-the-top or frame ties to ground anchors. This requirement is in addition to applicable state and local anchoring

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requirements for resisting wind forces.

- (1) Construction materials and methods. All new construction and substantial improvements shall be constructed with materials and utility equipment resistant to flood damage.
- (2) All new construction and substantial improvements shall be constructed using methods and practices that minimize flood damage.

C. Utilities.

- (1) All new and replacement water supply systems shall be designed to minimize or eliminate infiltration of floodwaters into the system;
- (2) New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of floodwaters into the systems and discharge from the systems into floodwaters;
- (3) On-site waste disposal systems shall be located to avoid impairment to them or contamination from them during flooding; and
- (4) For new construction and substantial improvements, the electrical, heating, ventilation, plumbing and air-conditioning equipment and other service facilities shall be designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding.

D. Subdivision proposals.

- (1) All subdivision proposals and other proposed new development shall be consistent with the need to minimize flood damage;
- (2) All subdivision proposals and other proposed new development shall have public utilities and facilities such as sewer, gas, electrical, and water systems located and constructed to minimize flood damage;
- (3) All subdivision proposals and other proposed new development shall have adequate drainage provided to reduce exposure to flood damage; and
- (4) Base flood elevation data shall be provided for subdivision proposals and other proposed new development which contain at least 50 lots or five acres (whichever is less).

E. Enclosure openings. All new construction and substantial improvements having fully enclosed areas below the lowest floor that are usable solely for parking of vehicles, building access or storage in an area other than a basement and which are subject to flooding shall be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwaters. Designs for meeting this requirement must either be certified by a registered professional engineer or architect or must meet or exceed the following minimum criteria: A minimum of two openings in at least two (2) exterior walls of each enclosed area, having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding shall be provided. The bottom of all openings shall be no higher than one foot above grade. Openings may be equipped with screens, louvers, or other covering or devices, provided that they permit the automatic entry and exit of floodwaters.

§ 86-18. Specific standards for flood hazard reduction.

In all areas of special flood hazards where base flood elevation data have been provided as set forth in § 86-7, Basis for establishing areas of special flood hazard, or in § 86-14B, Use of other base flood and floodway data, the following standards are required:

A. Residential construction.

New construction and substantial improvement of any residential structure located in an A, AE, AO or AH zone shall have the lowest floor, including basement together with the attendant utilities (including all electrical, heating, ventilating, air-conditioning and other service equipment) and sanitary facilities, elevated at or above the more restrictive of the following:

- (1) For A or AE zones:
 - (a) base flood elevation (published FIS/FIRM) plus one (1) foot,
 - (b) the best available flood hazard data elevation plus one (1) foot,
 - (c) as required by ASCE/SEI 24-14, Table 2-1, or
 - (d) as required by N.J.A.C. 7:13-3.
- (2) For AO or AH zones on the municipality's FIRM to elevate above the depth number specified in feet plus one (1) foot, above the highest adjacent grade (at least three (3) feet if no depth number is specified). And, require adequate drainage paths around structures on slopes to guide floodwaters around and away from proposed structures.
- (3) Record the method and elevation used above and, the Best Available Flood Hazard Design Data elevation, date and revision in the local Development Permit.

B. Nonresidential construction.

In an Area of Special Flood Hazard, all new construction and substantial improvement of any commercial, industrial or other nonresidential structure located in an A, AE, AO or AH zone shall have the lowest floor, including basement together with the attendant utilities and sanitary facilities as well as all electrical, heating, ventilating, air-conditioning and other service equipment:

Either:

- (1) Elevated at or above the more restrictive of the following:
 - (a) For A or AE zones:
 - i. base flood elevation (published FIS/FIRM) plus two (2) feet
 - ii. the best available flood hazard data elevation plus two (2) feet
 - iii. as required by ASCE/SEI 24-14, Table 2-1, or
 - iv. as required by N.J.A.C 7:13-3.
 - (b) For AO or AH zones on the municipality's FIRM to elevate above the depth number specified in feet plus two (2) feet, above the highest adjacent grade (at least three (3) feet if no depth number is specified). And, require adequate drainage paths around structures on slopes to guide floodwaters around and away from proposed structures;
 - (c) Record the method and elevation used above and, the Best Available Flood Hazard Design Data elevation, date and revision in the local Development Permit.

or

- (2) Be floodproofed so that below the more restrictive of the following:
 - (a) For A or AE zones:
 - i. base flood elevation (published FIS/FIRM) plus two (2) feet
 - ii. the best available flood hazard data elevation plus two (2) feet
 - iii. as required by ASCE/SEI 24-14, Table 6-1, or
 - iv. as required by N.J.A.C 7:13-3.
 - (b) For AO or AH zones on the municipality's FIRM to elevate above the depth number specified in feet plus two (2) feet above the highest adjacent grade (at least three (3) feet if no depth number is specified). And, require adequate drainage paths around structures on slopes to guide floodwaters around and away from proposed structures;
 - (c) The structure is watertight with walls substantially impermeable to the passage of water;
 - (d) Have structural components capable of resisting hydrostatic and hydrodynamic loads and effects of buoyancy; and,
 - (e) Be certified by a registered professional engineer or architect that the design and methods of construction are in accordance with accepted standards of practice for meeting the applicable provisions of this subsection. Such certification shall be provided to the official as set forth in § 86-14C(2)(b).
 - (f) Record the method and elevation used above and, the Best Available Flood Hazard Design Data elevation, date and revision in the local Development Permit.

C. Manufactured homes.

- (1) Manufactured homes shall be anchored in accordance with § 86-17A(2).
- (2) All manufactured homes to be placed or substantially improved within an area of special flood hazard shall:
 - (a) Be consistent with the need to minimize flood damage,
 - (b) Be constructed to minimize flood damage

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- (c) Have adequate drainage provided to reduced exposure to flood damage.
 - (d) Be elevated on a permanent foundation such that the top of the lowest floor is at or above the more restrictive of the following:
 - i. base flood elevation (published FIS/FIRM) plus two (2) feet
 - ii. the best available flood hazard data elevation plus two (2) feet as required by ASCE/SEI 24-14, Table 2-1, or as required by N.J.A.C 7:13-3.
 - iii. AO or AH zone elevation based upon the highest adjacent grade, plus the depth number specified in feet, plus two (2) feet (at least three (3) feet if no depth number is specified). And, require adequate drainage paths around structures on slopes to guide floodwaters around and away from proposed structures.
 - (e) Record the method and elevation used above and, the Best Available Flood Hazard Design Data elevation, date and revision in the local Development Permit.
- (3) All recreational vehicles located within an area of special flood hazard shall either:
- (a) Be on site for fewer than 180 consecutive days,
 - (b) Be fully licensed and ready for highway use, or
 - (c) Meet the requirements of § 86-12 and § 86-18 C(1) and C(2) above.

§ 86-19. Floodways.

Located within areas of special flood hazard established in § 86-7 are areas designated as floodways. Since the floodway is an extremely hazardous area due to the velocity of floodwaters which carry debris, potential projectiles, and erosion potential, the following provisions apply:

- A. Prohibit encroachments, including fill, new construction, substantial improvements, and other development unless a technical evaluation demonstrates that encroachment shall not result in any increase in flood levels during the occurrence of the base flood discharge.
- B. If Subsection A is satisfied, all new construction and substantial improvements must comply with § 86-17, 86-18 and 86-19.
- C. In all areas of special flood hazard in which base flood elevation data has been provided and no floodway has been designated, no new construction, substantial improvements, fill, or other development shall be permitted, unless it is demonstrated that the cumulative effect of any proposed development, when combined with all other existing and anticipated development, shall not increase the water surface elevation of the base flood more than two-tenths (0.2) of a foot at any point.

SEVERABILITY

If any section, subsection, paragraph, sentence, clause, or phrase of this Ordinance shall be declared invalid for any reason whatsoever, such a decision shall not affect the remaining portions of the Ordinance, which shall remain in full force and effect, and for this purpose the provisions of this Ordinance are hereby declared to be severable.

ENACTMENT

ADOPTION

This Ordinance shall be effective on March 23, 2020 and shall remain in force until modified, amended or rescinded by the Township of Little Falls, Passaic County, New Jersey.

Poll: Ayes: Kahwaty, Vancheri, and Council President Cordonnier
Nays: None

The Council President declared the motion passed.

Ordinance No.1379 - It was moved by Councilmember Kahwaty, seconded by Councilmember Vancheri, that there be introduced and the meeting of March 23, 2020 set as the date for the public hearing of the following:

ORDINANCE NO. 1379

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

WHEREAS, the Township of Little Falls ("Township") is a public body corporate and politic of the State of New Jersey; and
WHEREAS, the Township's Code of General Ordinances ("Code") currently provides for the regulation of its Fees in the Township;
WHEREAS, the municipal council ("Municipal Council") of the Township has determined to amend Chapter 71 of the Code entitled Fees; and

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

71-2 Fees Schedule

Chapter 143 PARKS AND RECREATION FACILITIES

ARTICLE I Rules and Regulations

LFAC Programs (PreK - 8th grade) Boys and Girls teams
Recreation Basketball (pre-Kindergarten through 8th grade) - \$50.00 - \$250.00
Recreation Baseball (preK - 8th grade boys) - \$35.00 - \$250.00
Recreation Softball (preK - 8th grade girls) - \$35.00 - \$250.00
Recreation Soccer (preK - 8th grade) - \$25.00 - \$250.00
Recreation Indoor Soccer (preK - 8th grade) - \$25.00 - \$250.00
Recreation Track and Field (preK - 8th grade) Spring and Fall - \$25.00 - \$250.00
Recreation Volleyball (prek-8th grade) - \$35.00 - \$250.00
Travel (note: baseball part of three towns and softball will not be included as of now based on current status)
Basketball (Girls/Boys) - \$250.00 - \$500.00
Champions League (Special Needs from preK to 12th grade)
Soccer - \$75.00 - \$150.00
Basketball - \$25.00 - \$150.00
Baseball/Softball - \$50.00 - \$150.00
Adult Programs
Women's Softball - \$50.00 - \$250.00
Men's Softball - \$75.00 - \$250.00
Tennis (Spring & Fall) - \$25.00 - \$250.00
Men's Basketball - \$50.00 - \$250.00

136. XI. Consistency, Severability and Repealer

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

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

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

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

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1. The aforementioned recitals are incorporated herein as though fully set forth at length.
2. The Municipal Council hereby amends Chapter 71 of the Code entitled Fees of the Code of the Township of Little Falls.
3. It is the intent of the Municipal Council to incorporate the additions and/or supplements contained in this Ordinance in to the Code. All of the remaining provisions in Chapter 71 of the Code entitled Fees of the Code shall remain unchanged and have full force and legal effect. All other ordinances enacted and inconsistent herewith are hereby modified pursuant to the terms of this Ordinance.
4. If any section, paragraph, subdivision, clause, sentence, phrase or provision of this Ordinance is declared unconstitutional or invalid by a court of competent jurisdiction, such decision shall not affect the remaining portions of this Ordinance.
5. A copy of this Ordinance shall be available for public inspection at the offices of the Township Clerk.
6. This Ordinance shall take effect after twenty (20) days of its final passage by the Municipal Council, upon approval by the Mayor and publication as required by law.

Poll: Ayes: Kahwaty, Vancheri, and Council President Cordonnier
Nays: None

The Council President declared the motion passed.

PUBLIC COMMENT –GENERAL MATTERS

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

Poll: Ayes: Kahwaty, Vancheri, and Council President Cordonnier
Nays: None

The Council President declared the motion passed.

Dominick Zingale, 300 Main Street, presented documents to Mr. Cuccia and made comments regarding an incident involving his son and the LFPD. Council President Cordonnier stated this matter is not appropriate for the governing body to discuss or comment on. Mr. Wenzel explained that the matter has ramifications for potential litigation issues, is being handled by the Township administration and will not be addressed by the Township the Council in open forum.

Luis Fernandez, 54 Harrison Street, presented several questions in reference to a tax appeal regarding Theta Holdings presented at the February 10, 2020 Meeting. Mr. Cuccia explained the refund was due to a State tax judgement law case and was not a regular tax appeal the Township passes. While the refund has no impact on the budget for 2020 as there are reserves in the budget for matters such as this, but there may be an impact on assessed values. Mr. Cuccia further elaborated that the additional money in the resolution is for professionals needed to make the presentation to the Local Finance Board. In response to Mr. Fernandez’s question regarding the new tax amount for the Overlook Building, Mr. Cuccia stated he will obtain the assessment and tax information requested. Council President CORDONNIER explained the Council’s role. Mr. Wenzel clarified once the decision has been entered by the court there is a period of time the taxpayer can no longer make another application because they have succeeded in reducing the assessment. In response to Mr. Fernandez, Mr. Cuccia explained that litigation is not discussed publicly until it is settled. Councilmember KAHWATY indicated Mr. Fernandez was holding the information in his hand; it is not being withheld.

Andrew Baggot-78 Franklin Road, Denville, owner 105/107 Main Street, stated the tax refund will eventually come back to the taxpayers. At the request of Mr. Baggot, Councilmember KAHATY elaborated upon the Town-wide clean up. Mr. Baggot stated he did not see the Minutes for November 18, 2019 and December 16, 2019 on the Township website. Mr. Kraus stated follow-up with the webmaster will occur, noting the December 16, 2019 Minutes were approved at this Meeting.

Raymond Kostroski, 170 Donato Drive, stated a bag of materials remains left from construction across from his home. Mr. Cuccia stated he will follow-up.

No one further having come forward to be heard, it was moved by Councilmember Vancheri, seconded by Councilmember Kahwaty, that the meeting be and it was closed to the public.

Poll: Ayes: Kahwaty, Vancheri, and Council President Cordonnier
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 7:53 p.m.

Cynthia Kraus
Municipal Clerk