

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

Monday, February 25, 2019

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

Absent: Township Engineer

Township Employees present: Police Chief Steve Post, DPW Superintendent Phillip Simone, Deputy Registrar Marlene Simone, and Police Administrative Assistant Steve Maye.

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 2, 2019. 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 Cordonnier, seconded by Councilmember Vancheri, that the Minutes of the Regular Meeting of January 28, 2019, and the Minutes of the Workshop Meeting of February 11, 2019 be and they were approved.

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

The Council President declared the motion passed.

REMARKS FROM THE CHAIR

Council President SGOBBA reported

COUNCIL MEMBER REPORTS

Councilmember KAHWATY announced the Little Falls Green Fair scheduled for March 30, 2019 is progressing well with several organizations and businesses committed to attend. The Prevention of Domestic Violence Committee will hold a meeting on March 5, 2019 at 7:00 pm.

Councilmember VANCHERI reported members of the Parade Committee will meet in March to begin planning the Memorial Day Parade. Councilmember VANCHERI also met with the Boy Scouts and Girl Scouts to set up two more additional days to clean up the Township. The Transportation Committee received a resident complaint concerning Long Hill Road and Ridge Road. Mayor Damiano responded that traffic data from the past ten years of that intersection was reviewed. The Traffic Officer also monitored the flow in that area. There were five accidents in the past ten years, which does not designate it as a dangerous intersection. The Mayor stated his perception of the area was that there was no present danger.

Councilmember CORDONNIER met with Mr. Pace to discuss the expansion of Memorial Park. Members of the Open Space Committee will tour some of the parks that have been upgraded in Essex County with interactive and special needs apparatus to learn what is available.

Councilmember SEBER reported the Municipal Alliance is in the process of scheduling a date for senior citizens to utilize a drop box for unused or expired drugs. The 5th and 6th grade dance will be held on May 3, 2019 at the Recreation Center and will include a question and answer session. The ongoing LEAD program has been well received and educates children in the school system on the effects of drugs and alcohol. Lastly, the Municipal Alliance will provide funding for the Little Falls Junior Police Academy and will also purchase a drug identification awareness board.

MAYOR'S REPORT

MAYOR'S APPOINTMENT OF TANYA SEBER TO THE LITTLE FALLS LIBRARY BOARD AS MAYOR'S ALTERNATE WITH ADVICE AND CONSENT OF THE COUNCIL

Mayor Damiano explained the appointment of Councilmember Seber.

It was moved by Councilmember Cordonnier, seconded by Councilmember Vancheri to approve the appointment of Councilmember Tanya Seber to the Little Falls Library Board as Mayor's Alternate:

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

The Council President declared the motion passed.

Meeting of February 25, 2019

INTRODUCTION OF MAYOR’S BUDGET – At this time Mayor Damiano provided a highlighted version of the 2019 Municipal Budget. A lengthier presentation will occur in March with a public hearing and adoption scheduled for the April 8, 2019 Meeting.

ATTORNEY’S REPORT

Mr. Wenzel had nothing to report.

PUBLIC COMMENT

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

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

The Council President declared the motion passed.

Council President SGOBBA requested residents with questions regarding the budget approach the podium first.

Cathleen Zehnacker, 141 Browertown Road, raised concerns regarding Ordinance No. 1345 and Ordinance No. 1346 related to the Payment in Lieu of Taxes (PILOT) program. Councilmember CORDONNIER stated this has been presented and discussed previously at Council and Planning Board meetings. Mayor Damiano addressed issues raised by Ms. Zehnacker related to the availability of a financial statement, allocation of funds to the schools, how properties in question were acquired, and benefits of the PILOT program to the Township.

Luis Fernandez, 54 Harrison Street, requested clarification on the PILOT program. Mr. Wenzel elaborated how the PILOT program exempts the improvement portion of taxes, while land taxes continue to be paid by the property owner. What would have been an improvement assessment changes over to a payment in lieu of taxes based upon what is known as an annual service charge. A projection is made on the value and cost of the project over a thirty year period and payments are made on a sliding scale over time. At the end of the thirty year period the property is reassessed with land and improvement and it is returned to the regular tax rolls. The payment goes into the municipality not as taxes but as payment in lieu of taxes. The municipality has the flexibility to decide how to appropriate those funds. Mayor Damiano stated the amount paid in the PILOT can never be less than what the standard taxes that would be paid on the property are, and often exceed the prior taxes paid on the property.

Bob Dombrowski, 3 Garden Street, questioned whether flooding would be addressed. Mayor Damiano noted the project is a decrease in current impervious surface. Additional improvements include oversized underground pipes and a decrease in the flow of water from the site into the Township’s street system.

James Tobin, 6 Francisco Avenue, requested clarification with regard to Ordinance No. 1345 and Ordinance No. 1346. In response, Councilmember SGOBBA indicated there will be a development with townhomes and an apartment building. Mayor Damiano provided an in depth explanation on the PILOT program using a hypothetical example and elaborated upon how the PILOT program would be mutually beneficial. In response to Mr. Tobin’s query, the PILOT for the 102 townhomes will transfer to the owner and the 185 units of apartments will transfer to the property owner, who is the developer.

Jim Doran, 22 Riverview Circle, questioned the geographical location, total number of units, whether there would be retail, and adequate parking. Mayor Damiano stated there would be 102 townhomes and 185 apartments totaling 287 units, with no retail units. Additionally, there will be a four story parking garage to accommodate the apartments, and garage, driveway and additional parking for the 102 townhomes.

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

Poll: Ayes: Cordonnier, Kahwaty, Seber, Vancheri, and Council President Sgobba
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 2019

MUNICIPAL CLERKS REPORT
Month of January 2019

ABC LICENSES		
OTHER LICENSES		
Business Licenses	\$13,800.00	
Pre-paid Business Licenses		
Raffle Licenses	850.00	
		\$14,650.00
REGISTRAR OF VITAL STATISTICS		
Fees & Permits	\$568.00	
Marriage Licenses-LF	\$6.00	
Marriage Licenses-NJ	\$50.00	
		\$664.00

Meeting of February 25, 2019

MRNA

Street Maps		
Zoning Maps		
Zoning Ordinances		
Document Copies	\$8.25	
Garage Sales		
Misc. Fees & Refunds:		
TOTAL MRNA		<u>\$8.25</u>
TOTAL CURRENT ACCOUNT		<u>\$15,282.25</u>
TOTAL TO TREASURER		<u>\$15,282.25</u>

Municipal Clerks Dog/Cat License Report - Month of January, 2019

MUNICIPAL CLERK'S DOG/CAT LICENSE REPORT
Month of January 2018

Dog Licenses issued 01/01/2019 thru 01/31/2019		
Nos. 335 to 339 = 5 Licenses		
Amount due Little Falls		\$34.00
Amount due State		\$12.00
Total Cash Received		\$46.00
Cat Licenses issued 01/01/2019 thru 01/31/2019		
Nos. 25 to 25		
Licenses Issued 1		
Total Cash Received		8.00
Total to Treas.		<u>\$54.00</u>

Tax Collector's Report – January, 2019

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 2019

Categories 01-	January 1-31, 2019	2019 Year to Date
2019 Taxes	\$2,916,251.87	\$2,916,251.87
2018, 2017, 2016 Taxes	92,263.38	92,263.38
Interest	3,582.01	3,582.01
Duplicate Tax Bills	15.00	15.00
Insufficient Check Fee	40.00	40.00
Municipal Copy Fee	0.30	0.30
6% Penalty Fee	1,272.94	1,272.94
GRAND TOTALS	\$3,013,425.50	\$3,013,425.50

	Delinquent 2016 Taxes	\$817,595.89
	Delinquent 2017 Taxes	1,074.88
	Delinquent 2018 Taxes	305,677.35
Total Delinquent Taxes	\$1,124,348.12	

2019 Refunds this month =	-\$0.00
2019 Year to date refunds =	-\$0.00

Breakdown of refunds for years 2014-2019 completed in 2019(see attached).

REFUNDS IN THE YEAR 2019

Months	2014 STCJ	2015 STCJ	2016 STCJ	2017 STCJ	2018 STCJ	2019 CBJ	2018 Regular	2019 Regular	2019 Senior/Disabled	Exempt 2019	Total by Months
January	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$864.19	\$0.00	\$0.00	\$0.00	\$864.19
Totals	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$864.19	\$0.00	\$0.00	\$0.00	\$864.19

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 2019

	Deposit	2019 Year-to-Date
January 2019	\$0.00	\$0.00
Total Collected as of January 31, 2019		\$0.00

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 2019

	Liens with Premiums Redeemed/ (-)	Bal./Dep. (+)
Balance Brought Forward (January 1, 2019)		\$235,800.00
January 2019	\$0.00	0.00
Ending Balance as of January 31, 2019		\$235,800.00

Meeting of February 25, 2019

Recreation Report – Month of January, 2019

The following is a condensed version of our Excel work spread sheet providing the data on an ongoing basis for the Receptions Center.

Participants: indicates only those who participated in the various programs held here during the each month, it is not reflective of any spectators who might have attended these events.

Session: indicates the number of events held during each month.

Hours: indicates the total number of hours which were used to hold the session during each month and is not reflective of the total number hours the facility was open. It should be noted that the utilized number of hours may exceed the total number of hours of operation due to multiple events occurring at the same time.

Recreation Center Usage Report

Month	Participants	Sessions	Hours Utilized
January 2019	3,800	190	350

Civic Center Report - Month of January, 2019

The following is a condensed version of our Excel work spread sheet providing the data on an ongoing basis for the Civic Center.

Month	Participants
January 2019	437

Police Department Report - Month of January, 2019

PATROL DIVISION MONTHLY REPORT – January, 2019

This agency handled 2,558 details between January 1, 2019 and January 31, 2019.

This agency completed **495** reports between January 1, 2019 and January 31, 2019.

This agency had **XXXXXX** inbound telephone calls and **XXXXXX** outbound calls during the month of January, 2019.

This agency received **647** 911 calls during the month of January, 2019.

The Little Falls Police Department handled **2,558** details and wrote **495** Operation/Investigation reports between January 1, 2019 and January 31, 2019.

The patrol division patrolled **12,976** miles during the month of January, 2019.

Calls for Service

Call Type	Total
Medical emergency	67
Fire Department incident	2
Narcans deployment	0
Burglar alarms/false	27
Burglar alarms/valid	6
Domestic violence incidents	2
Burglary	0
Criminal mischief	2
Theft	3
Suspicious person/vehicle/incident	18
General investigation	17
Noise complaint	3
All others not listed	348

Traffic Summary

Crashes	Total
Motor vehicle crashes	65
Motor vehicle crash injuries	9
Motor vehicle crash fatalities	0
Enforcement	Total
Motor vehicle stops	540
Speeding summonses	25
DWI summonses	9
Driving while suspended summonses	8
Uninsured vehicle summonses	16
Moving violations	326
Parking violations	41
Total summonses issued	367

Arrest Summary

Total Arrests - 33

Type of Arrest	Total
CDS	9
DWI	8
Warrant	5
Domestic Violence	3
Theft	3
All others	5

Directed Patrol Summary

Detail Type	Total
School arrival	62
School dismissal	52
School walk through	51
Radar post	144
Park check	95
Vacant house check	35
Extra attention check	4
DWI/Aggressive driving patrol	0
Foot patrol	4

Meeting of February 25, 2019

Patrol Division Time & Attendance

Type of Hours	Total
Vacation	36
Holiday	48
Compensatory	86
Sick	90
Personal time	12
Credit time	240
Administrative	0
PBA day	24
Schedule transition	24
Bereavement	0
Overtime due to Training	0
Overtime hours to maintain minimum staffing level	7
Overtime due to incident/weather/other event	4

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

Patrol staffing level during month: 4.25

Major incident/Notable achievement

--

COMMUNITY POLICING

Detail Type	Total
Cell block inspection	22
School arrivals	15
School dismissals	10
School walk thru	10
Vacant house checks	30
Child car seat installations	1
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	1

Special projects/details

<ul style="list-style-type: none"> * Court Officer (4) times * Assisted Sgt. Pressing with all three school security assignments. * Taught (7) L.E.A.D. classes Mondays and Friday. 3rd and 7th grades. * Worked shift 1/9 * Assisted all three schools with their mandatory lock down drills. * Covered (1) school crossing 1/25. * (School Function) Participated in School #1 Career Day 1/15. * Completed N.J. Learn class on Immigration 1/30. <p>Future Projects:</p> <ul style="list-style-type: none"> * Began Preparation for 2019 Jr. Police Academy. * Scheduling Otto the Auto program for School #2.

TRAFFIC DIVISION

Detail Type	Total
Traffic details	20
Radar posts	13
Crashes investigated	7
Speedometer calibrations	0
Alcotest maintenance assignments	2
Traffic meetings attended	2
Traffic complaints received	0
Road job safety checks	5
Assisted patrol	23
Enforcement	Total
Motor vehicle stops	49
Moving summonses	58
Parking summonses	6
Total summonses issued	64

Special projects/details

<p>Assigned to patrol division for (7) shifts instead of traffic.</p> <p>Conducted radar recertification for Ptl. Fleck</p> <p>Bicycle safety program and construction ordinance in progress.</p>

Investigative Division Monthly Division Report

Month: January, 2019

Case Management

9 Cases were assigned during the month of January, currently 4 of 9 remain open/active. 9 cases were closed from the previous months. ___ cases remain open/inactive, until further information is gained.

Meeting of February 25, 2019

Off-Hour Call-outs

0 incident required a detective to respond during off hours, for the month of January.

Monthly Staffing

Hours Off 48 Overtime Hours 13 Division Strength

Vehicles

D-1 (GMC Envoy): Mileage 108,599 Repairs Needed N/A
 D-2 (Chevy Tahoe) Mileage ----- Repairs Needed
 D-3 (Ford Explorer) Mileage 87,753 Repairs Needed N/A
 Undercover vehicles, repairs needed N/A

Complaints Issued

1 Criminal complaints (Warrants/Summonses) were signed by the investigative division during the month of January.

Narcotics

0 arrests were made by the investigative division for drug related offenses. There is 1 open/active drug investigations, during the month of January.
 0 Confidential Informants were registered.
 0 Controlled buys were made.
 71 pounds of prescription medication were deposited in the Prescription Drug Box. 0 trips were made to Cavanta Essex Co. in Newark for disposal, during the month of January.

Grand Jury/Superior Court Appearances

Detectives were required to appear in Superior court or Grand Jury for 2 cases during the month of January.

Search Warrants

0 Search Warrants and 0 Communication Data Warrants (CDW's) were executed during the month of January.

Internal Affairs

2 Internal Affairs complaints were indexed during the month of January. 0 Internal Affairs complaints were investigated and closed. 3 cases remain open and under investigation. 0 cases resulted in disciplinary action, requiring a suspension of ten (10) or more days.

Background Investigations

The investigative division conducted 12 Police Applicant investigations, 0 Dispatcher Applicant investigations and 0 Crossing Guard Applicant investigations in the month of January.

Megan's Law Restrictions

There were 0 New Registrations, 0 re-registrations and address verifications. 0 moved out of our jurisdiction during the month of January. There are currently 10 registered Sex Offenders residing in the Township.

Property and Evidence

During the month of January, 10 pieces of Property were entered into the Beast Evidence System and secured. (includes found property, recovered stolen property and items left for safekeeping)
 1 Firearms/weapons were entered into the Beast Evidence System and secured.
 26 pieces of Evidence were entered into the Beast Evidence System and secured.
 14 pieces of Drug Evidence were transported to the N.J. State Police Lab.
 7 piece of Forensic Evidence were transported to the N.J. State Police Labs at Hamilton or Holmdel, N.J.
 0 Drug Screens were transported to the N.J. State Medical Examiner's Office.
 \$1670 Dollars in seized currency were turned over to the Passaic County Prosecutor's Office for forfeiture proceedings.

Notable Cases

Case Number	Charges	Detective/s Assigned	Length of Investigation

Notes

12 Entry Level background investigations were completed.

SUPPORT SERVICES DIVISION – Administrative Monthly Report – JANUARY, 2019

RECORDS BUREAU

Discovery and OPRA

21 Discovery Packages were prepared for defense attorneys, the public defender, and the public during the month of *January*.
 22 Discovery Cases involving Digital (Audio/Video) files were processed and uploaded to Dropbox for defense attorneys, the public defender and prosecutors during the month of *January*.
 30 OPRA requests were processed for the month of *January*.

1036 Pages of reports were facilitated and forwarded to the Township Clerk's Office for OPRA requests during the month of *January*.

\$648.60 was collected by the Records Bureau during the month of *January*.
 Discover \$16.60/Firearms \$17.00/Accidents \$515.00/Fingerprints \$XX.XX/Solicitor \$XX.XX
 3 Expungement Orders were received and processed for the month of *January*.

Firearms

7 Applications for Firearms Permits/ID cards were received from residents during the month of *January*.
 9 Firearms Permits and 3 Firearm ID cards were prepared, finalized, and provided to residents during the month of *January*.

Background Investigations

Firearms – 6 firearms background investigation /permit was processed during the month of *January*.
Permit to Carry – 0 permit to carry applications were completed during the month of *January*.
Solicitor(s)- 0 solicitor's permit backgrounds were processed during the month of *January*.
CAD Search - 0 CAD inquiries were conducted for the hiring process of other agencies in *January*.

Meeting of February 25, 2019

TRAINING

Internal Affairs – Det. Macaluso, Det. Gilchrist

Firearm Qualifications: Yearly qualification dates were reserved at Guns for Hire in January for Spring, Summer, Fall and Winter Qualifications to take place in the months of March, June, September and December.

Handgun Qualifications

- None at this time.

Shotgun Training

- None at this time.

Rifle Training

- None at this time.

Taser Training

- None at this time.

Online Training

Power DMS:

- Training courses **scheduled and/or in-progress:** 2019 Bloodborne Pathogens
- Training Courses **completed:** None at this time.

NJ Learn Training:

- Department-wide Police Officer Training on Attorney General’s Immigration Directive 2018-6

Other:

- None at this time.

Field Training

- None at this time.

SYNOPSIS OF TRAINING

On 1/30, *Detectives Jason Macaluso and Dawn Gilchrist* attended the required 8 hour Internal Affairs training in accordance with Attorney General Internal Affairs guidelines. The training was hosted by the Passaic County Prosecutor’s Office and this certification allows the Detectives to perform Internal Affairs investigations.

On 1/25, the *Little Falls Police Department* began a required law enforcement officer online training course pursuant to new Attorney General Directive 2018-6. Strengthening Trust Between Law Enforcement and Immigrant Communities, commonly referred to as the Immigrant Trust Directive (procedures for interaction with federal civil immigration authorities). Repealing and superseding NJ Attorney General Directive 2007-3, this new directive (2018-6) promotes reporting of crimes to law enforcement by members of immigrant communities, builds trust with those communities, and ensures New Jersey law enforcement resources are appropriately directed toward the enforcement of the criminal laws of this state.

DISPATCHER TIME OFF AND COVERAGE

Dispatcher Time Off

COMP – 0 Hours HOL – 8 Hours VAC – 0 Hours PER – 8 Hours
 C/T – 63 Hours SICK – 48 Hours FML - 12 Hours

Dispatcher Coverage – Overtime

Part-time Dispatcher Hours Worked – 121 hours Full-time Dispatcher OT Comp – 0 hours
 Part-time Dispatcher Training (Aguilar) – 91 hours Dispatch OT Covered by Patrol – 0 hours
 Part-time Dispatcher Training (Norton) – 48 hours Full-time Dispatcher OT CASH – 22 hours

Accreditation, IT Projects, Technical Issues, Discovery Recordings

None at this time.

FLEET MANAGEMENT (See Attached)

Date	Unit	Mileage	Maintenance/ Complaint	Repair	Location	Invoice	Cost	BD#	OOS	BIS	DIS
1/3/19	C-2	125003	Dead battery	Replace batteries	Roberts	5521113	\$250.00	S/C	1/3	1/3	1
1/4/19	816	41792	Noise in Front End	Replaced front stabilizer	Wayne Ford	235038	\$137.66	716	1/4	1/7	3
1/8/19	810	62489	Oil Service		DPW	N/A	\$0.00	754			
1/8/19	810	62489	Brakes		DPW	N/A	\$0.00	S/C			
1/10/19	812	71272	Spot Light Not Working	Repaired	Atlantic	17767	\$89.00	741	1/15	1/15	1
1/17/19	C-1	122925	Power Steering leak	Removed from service	DPW	N/A	\$0.00		1/17		
1/17/19	812	71802	Noise in Front End	Replace engine bracket	DPW	N/A	\$0.00	741	1/17	1/21	5
1/17/19	812	71802	Noise in Front End	Engine bracket	Wayne Ford	302589	\$56.25	741	1/17	1/17	0
							Total	\$532.91			10

PATROL DIVISION MONTHLY MILEAGE REPORT

January 2019

UNIT	STARTING MILEAGE	ENDING MILEAGE	TOTAL
800	2025	2369	344
810	62169	63002	833
811	22431	24326	1895
812	70628	72127	1499
813	9074	11208	2134
814	31507	31507	0
815	9274	11409	2135
816	41798	42595	797
817	25957	28043	2086
818	47618	48871	1253
TOTAL MILEAGE			12976

Construction Report – Month of January, 2019

Uniform Construction Code

Permits Issued – 53
 Total Value of Construction - \$361,473
 Certificate of Occupancy - \$1,511.00
 Permit Fees Collected - \$14,200.00
 Permit Fees Waived - \$550.00
 Total Fees Collected - \$15,711.00

Meeting of February 25, 2019

Zoning

Fence Permits – 0 @ \$50.00
 Zoning Fees – \$16,132.00
 Total Fees Collected - \$16,132.00

Property Maintenance

Certificates of Compliance Fees – \$2,460.00
 Zoning Inspections – 19
 Complaints – 13
 Violations Issued - 3
 Roll-off permits – \$50.00
 Total Fees Collected - \$2,510.00
TOTAL \$34,353.00

APPLICATIONS

RAFFLE, LITTLE FALLS ALLIANCE FOR A BETTER COMMUNITY, TRICKY TRAY, 4/9/19, 6:30 PM – 9:00 PM, 215 NEWARK POMPTON TURNPIKE, LITTLE FALLS

RAFFLE, LITTLE FALLS ALLIANCE FOR A BETTER COMMUNITY, ON-PREMISE 50/50, JUNE 27, 2019 THROUGH AUGUST 29, 2019, 7:00 PM – 8:30 PM, 215 NEWARK POMPTON TURNPIKE, LITTLE FALLS

RAFFLE, ST. JOHN THE BAPTIST RUSSIAN ORTHODOX CHURCH, TRICKY TRAY, 3/29/19, 4 PM – 9 PM, 29 WEAVER STREET, LITTLE FALLS

RAFFLE, ST. JOHN THE BAPTIST RUSSIAN ORTHODOX CHURCH, ON-PREMISE 50/50, 3/29/19, 4 PM – 9 PM, 29 WEAVER STREET, LITTLE FALLS

RAFFLE, LITTLE FALLS SCHOOL #2 PTA, ON-PREMISE 50/50, 4/13/19, 6:30 PM – 11 PM, 4-6 WOODHULL AVENUE, LITTLE FALLS

RESOLUTIONS

Tax Overpayment in Year 2018

**RESOLUTION [A] 19-02-25 - #1
 REFUND OF TAXES – REGULAR OVERPAYMENT**

WHEREAS, the following property in the Township of Little Falls, New Jersey has overpaid real estate taxes in 2018; and
WHEREAS, the Tax Collector is requesting that the Township Council direct the Treasurer to refund said amount 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 refund 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>
2018/4	155/4	Highview Homes At Totowa LLC Autumn Court	Highview Homes At Totowa LLC 280 Highway 35 Suite 150 Red Bank, NJ 07701	O/P	\$661.99
Total Refund					\$661.99

Cancellation of Taxes Due to FEMA Buyout Closings in 2018

**RESOLUTION [B] 19-02-25#2
 CANCELATION OF TAXES DUE TO FEMA BUYOUT CLOSINGS & TOWNSHIP PURCHASE OF PROPERTIES (TOWNSHIP EXEMP)**

WHEREAS, the Township of Little Falls purchased the following properties through the FEMA program in the Year 2018; and
WHEREAS, the 2018 taxes have been pro-rated from the closing dates; and
WHEREAS, the Township is requesting that their portion of the taxes be made exempt from the closing date, and the total unpaid taxes be canceled for the 2018 4th qtr. tax period as follows:

<u>BLOCK/LOT QUAL.</u>	<u>OWNER/ LOCATION/ CLOSING DATE</u>	<u>CANCEL 4TH QTR 2018 TAX AMOUNT</u>
81/8	George Sr & Lucy M Lawton 46 Zeliff Avenue December 20, 2018	\$ 142.44
82/24	Frank & Karen Della Porta 53 E Woodcliffe Avenue December 26, 2018	<u>59.76</u>
Total amount to be canceled/Township exempt		\$202.20

Meeting of February 25, 2019

Tax Overpayments Due to FEMA Buyout Closings in 2018

**RESOLUTION [C] 19-02-25 #3
REFUND OF TAXES DUE TO FEMA BUYOUTS**

WHEREAS, the following properties in the Township of Little Falls, New Jersey have overpaid real estate taxes in 2018 due to FEMA buyout closings; 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>	<u>Closing Date</u>
2018/4	81/8	George Sr & Lucy M Lawton 46 Zeliff Av	George Sr & Lucy M Lawton 78 Grove Street Little Falls, NJ 07424	FEMA buyout/ 12/20/18	\$142.44	
2018/4	82/24	Frank & Karen Della Porta 53 E Woodcliff Av	Frank & Karen Della Porta 57 Hawkhorn Court Savanhah, GA 31407	FEMA buyout/ 12/26/18	59.76	
Total Refund					\$202.20	

Singac Area Roadway Preservation Project

RESOLUTION [D] 19-02-25 - #4

At a meeting held on February 25, 2019, the Municipal Council of the Township of Little Falls adopted the following resolution:

The Municipal Council authorizes an application to the Passaic County Community Development Block Grant (CDBG) Program for the Signac Area Roadway Preservation Project described in the proposal. If awarded CDBG funds, the Municipality shall implement the activities in a manner to ensure compliance with all applicable federal, state, and local laws and regulations.

Little Falls Fair Housing

RESOLUTION [E] 19-02-25 - #5

The Township of Little Falls supports Title VIII of the Civil Rights Act of 1968 (Federal Fair Housing Law) and the New Jersey Law Against Discrimination. It is the policy of the Township of Little Falls to implement programs to ensure equal opportunity in housing for all persons regardless of race, color, religion, ancestry, sex (including pregnancy), national origin, nationality, familial status, marital or domestic partnership status, affectional or sexual orientation, atypical hereditary cellular or blood trait, genetic information, liability for military service, mental or physical disability, perceived disability, AIDS/HIV status and Lawful Income or Source of Lawful Rent Payment (Section 8). The Township of Little Falls further objects to discrimination in the sale, rental, leasing, financing of housing or land to be used for construction of housing, or in the provision of brokerage services because of race, color, religion, ancestry, sex, national origin, handicap or disability as prohibited by Title VIII of the Civil Rights Act of 1968 (Federal Fair Housing Law) and the New Jersey Law Against Discrimination. Therefore, the Municipal Council of the Township of Little Falls do hereby approve the following resolution.

BE IT RESOLVED, that within available resources, the Township of Little Falls will assist all persons who feel they have been discriminated against under one of the aforementioned categories, to seek equity under federal and state laws by filing a complaint with the New Jersey Division on Civil Rights and the U.S. Department of Housing and Urban Development, as appropriate.

BE IT FURTHER RESOLVED, that the Township of Little Falls shall publicize this resolution and through this publicity shall cause owners of real estate, developers, and builders to become aware of their respective responsibilities and rights under the Federal Fair Housing Law, the New Jersey Law Against Discrimination, and any local laws or ordinances.

BE IT FURTHER RESOLVED, that the municipality will at a minimum include, but not be limited to: (1) the printing and publicizing of this resolution, a fair housing public notice and other applicable fair housing information through local media, community contacts and placement on the Municipal website and in other social media; (2) distribution of posters, flyers, and any other means which will bring to the attention of those affected, the knowledge of their respective responsibilities and rights concerning equal opportunity in housing.

Award of Contract for Municipal Planner Services

**RESOLUTION [F] 19-02-25 - #6
AUTHORIZING THE AWARD OF FAIR AND OPEN CONTRACT FOR
PROVISION OF SERVICES OF TOWNSHIP PLANNER FOR 2019**

WHEREAS, the Township of Little Falls has a need to acquire services of Township Planner as a FAIR AND OPEN CONTRACT pursuant to N.J.S.A. 19:44A-20.5; and

WHEREAS, it is expected that the value of the acquisition of these services will exceed \$17,500; and

WHEREAS, the term of the contract is one year; and

WHEREAS, Jeff Janota, Planner/H2M Architects & Engineers has submitted a response to the Township's Request for Qualifications for provision of services of Township Planner and the submission clearly details Jeff Janota, Planner/H2M Architects & Engineers' qualifications and experience; and

WHEREAS, the award is subject to the Availability of Funds and certification of same in the 2019 budget;

NOW, THEREFORE, BE IT RESOLVED that the Township Council of the Township of Little Falls authorizes the Mayor to enter into a contract with Jeff Janota, Township Planner of the of the firm of H2M Architects & Engineers for the services as described herein; and

BE IT FURTHER RESOLVED that the Township Clerk is authorized and directed to cause notice to be published in the newspaper once in accordance with the provisions of statute.

BE IT FURTHER RESOLVED by the Township Council of the Township of Little Falls that, based on the recommendation of the Mayor, Jeff Janota, Planner/H2M Architects & Engineers, be and he is hereby appointed Township Planner for the Township of Little Falls for a one-year term ending December 31, 2019.

Statement of Consent Form for PSE&G TWA Application

**RESOLUTION [G] 19-02-25 - #7
RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A STATEMENT OF
CONSENT FORM FOR PSE&G TWA APPLICATION FOR
MOBILE WASTEWATER TREATMENT SYSTEM FOR UNDERGROUND TRANSMISSION LINE**

WHEREAS, PSE&G is applying to NJDEP for an Industrial Treatment Works Approval (TWA) Permit to install a temporary mobile treatment unit to treat groundwater associated with construction dewatering activities for its L-2238 underground electric transmission line between Totowa and Cedar Grove; and

Meeting of February 25, 2019

WHEREAS, the application requires that a Statement of Consent be executed by the Governing Body of the Township of Little Falls;
NOW, THEREFORE, BE IT RESOLVED, that the Township Council hereby authorizes the Mayor to execute said Statement of Consent form.

Bill List

RESOLUTION [H] 19-02-11 - #8

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

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

The Council President declared the motion passed.

REGULAR AGENDA

NEW BUSINESS

Ordinance No. 1345-It was moved by Councilmember Cordonnier, seconded by Councilmember Seber, that there be introduced and the meeting of March 25, 2019 set as the date for the public hearing of the following:

ORDINANCE NO. 1345

ORDINANCE OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF LITTLE FALLS, IN THE COUNTY OF PASSAIC, STATE OF NEW JERSEY, TO AUTHORIZE AND APPROVE THE APPLICATION FOR TAX EXEMPTION AND FINANCIAL AGREEMENT BY AND BETWEEN THE TOWNSHIP OF LITTLE FALLS AND LITTLE FALLS REDEVELOPERS URBAN RENEWAL LLC FOR SINGAC INDUSTRIAL ZONE REDEVELOPMENT AREA

WHEREAS, on September 25, 2017, the Township Council (“Council”) of the Township of Little Falls (“Township”), by Resolution No. [F] 17-09-25-#6, designated the Singac Industrial Zone, which consists of property identified on the Tax Maps of the Township of Little Falls as Block 77, Lots 1, 2, 2.01, 3, 4, 5, 6, 6.02, 7, 8, 8.01, 9, 17, 18, 20, and 20.01, as an area in need of redevelopment (the “Redevelopment Area”) under the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1, et seq., as amended and supplemented (“Redevelopment Law”); and

WHEREAS, on December 18, 2017, by Resolution No. [E] 17-12-18-#5, the Council designated Little Falls Redevelopers LLC as conditional redeveloper for the Redevelopment Area; and

WHEREAS, Little Falls Redevelopers LLC changed its corporate identification and became a urban renewal entity now known as Little Falls Redevelopers Urban Renewal LLC (“Entity”) as provided under the Long Term Tax Exemption Law, N.J.S.A. 40A:20-1 et seq., as amended and supplemented (“Exemption Law”); and

WHEREAS, on August 27, 2018, the Council, pursuant to the Redevelopment Law, by Ordinance No. 1330, approved and adopted the Singac Redevelopment Plan prepared by Jeffrey L. Janota, P.P., AICP of H2M (“Redevelopment Plan”) for the Redevelopment Area; and

WHEREAS, on December 17, 2018, the Council, by way of Resolution No. [F] 18-12-17-#6, approved and adopted the Redevelopment Agreement with Entity for the construction of a 185-unit multi-family residential building with parking garage and surface parking area of approximately 290 parking stalls and with related site improvements within a portion of the Redevelopment Area (the “Rental Project”) and at the same time designating Entity as the Redeveloper of the Rental Project; and

WHEREAS, Entity is or is about to be the fee simple owner of the property upon which the Rental Project is to be constructed and that land use approvals (subdivision and site plan) are currently pending before the Little Fall Planning Board; and

WHEREAS, Entity has submitted to the Mayor of the Township of Little Falls (“Mayor”) an application for tax exemption (“Application”), which is on file with the Township Clerk, requesting a long term tax exemption for the Rental Project, to be constructed by Entity within a portion of the Redevelopment Area in accordance with Section 8 of the Exemption Law; and

WHEREAS, the Mayor submits the Application to the Council with a recommendation for approval, a copy of such recommendation is on file with the Township Clerk; and

WHEREAS, the Entity also submitted to the Mayor a form of Financial Agreement, a copy of which is attached hereto as **Exhibit “A”** establishing the rights, responsibilities, and obligations of the Entity in accordance with the Exemption Law; and

WHEREAS, the Council has determined that the work to be undertaken by the Entity represents a project permitted under the Exemption Law and has further determined that the proposed Rental Project constitutes improvements made for the purposes of clearance, re-planning, development or redevelopment of an area in need of redevelopment within the Township, as authorized by the Redevelopment Law and Exemption Law, as applicable; and

WHEREAS, the Council makes the following findings in accordance with N.J.S.A. 40A:20-11(a) and N.J.S.A. 40A:20-11(b) regarding the relative benefits and costs of granting a tax abatement to Entity and the importance of same in realizing the development of the Rental Project:

- A) The development and construction of the Rental Project will be beneficial in that it will help revitalize the Redevelopment Area and serve as a catalyst for further private investment in the areas surrounding the Rental Project. It is anticipated that the development of the Rental Project will create approximately 300 full-time equivalent construction jobs over the duration of the construction of the Rental Project, as well as approximately 4 full-time permanent jobs in connection with the operation of the Rental Project. The Rental Project includes environmental remediation and return of the land to productive use. Pursuant to the attached Financial Agreement, the Rental Project is assumed to generate revenue for the Township well in excess of the municipal revenue generated by ad valorem taxes in 2018. The Township’s authorized officers and employees have determined that the benefits to the Township accruing as a result of the Rental Project will substantially outweigh the costs to the Township resulting from tax exemption.
- B) The tax exemption provisions of the Financial Agreement between the Entity and the Township through an Annual Service Charge will permit economic development to take place at the Rental Project that would not otherwise be feasible and provide the best opportunity for successful commerce. The relative stability and predictability of the Annual Service Charge associated with the Rental Project will: (1) make it more attractive to financial institutions whose participation is necessary in order to finance the Rental Project, and (2) provide a high level of maintenance for the Rental Project that will have a positive impact on the surrounding area and community.
- C) The Entity is required in regular intervals to make payment of an annual administrative fee which shall serve to offset the costs of monitoring the continued compliance of Entity with the terms and conditions of the Financial Agreement.
- D) All terms and conditions in the Financial Agreement reflect a fair and equitable resolution of the Entity’s ongoing obligation of payments to the Township and each and every provision therein shall be enforceable against the Entity and its successor and assignees for the benefit of the Township.
- E) The Application submitted by Entity is in proper format and provides the Council with the requisite information in order to consider granting the tax exemption sought by Entity.

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

- (1) The Application for tax exemption submitted by Entity is hereby approved in accordance with the Mayor’s recommendation.
- (2) The Financial Agreement and all exhibits and schedules thereto are hereby authorized and approved in substantially the form attached hereto as **Exhibit “A”**. Upon execution, all terms and conditions of the Financial Agreement shall be in full force and effect in accordance with the timeframes and prerequisites as outlined therein.

Meeting of February 25, 2019

- (3) The Mayor and Township Clerk are hereby authorized to execute the Financial Agreement in the form annexed hereto as **Exhibit "A"**, subject to such changes, omissions or amendments, as deemed necessary and appropriate after consultation with counsel.
- (4) The Mayor is further authorized to take any and all actions and to execute such other documents as may be necessary to effectuate the terms of the Financial Agreement, as deemed appropriate in consultation with counsel.
- (5) Any exemption from taxation as set forth in the Financial Agreement is hereby granted to the Entity, with respect to the Rental Project for the term set forth in the Financial Agreement; provided that in no event shall the term of the Financial Agreement exceed the earlier of (i) thirty-five (35) years from the date of execution of the Financial Agreement, or (ii) to the extent permitted by the Exemption Law, thirty (30) years from the Entity's receipt of a Certificate of Occupancy (as defined in the Financial Agreement) for the Rental Project and for only so long as the Entity remains subject to, and in compliance with, the Financial Agreement and the Exemption Law.
- (6) The Township Clerk is directed to forward two (2) executed copies of the Financial Agreement to the Township Attorney so that he may retain one (1) copy for his records and forward one (1) copy to counsel for the Entity. Further the Township Clerk shall file certified copies of this Ordinance and the Financial Agreement with the Tax Assessor of the Township, and to the Passaic County Chief Financial Officer and to the Passaic County Counsel for informational purposes, in accordance with Section 12 of the Exemption Law.
- (7) The Rental Project shall conform with all applicable federal, state and Township laws, ordinances and regulations relating to construction and use.
- (8) The Entity shall, in the operation of the Rental Project, comply with all applicable laws protecting any person from discrimination based upon race, religious principles, color, national origin or ancestry.

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

The Council President declared the motion passed.

Ordinance No. 1346-It was moved by Councilmember Cordonnier, seconded by Councilmember Kahwaty, that there be introduced and the meeting of March 25, 2019 set as the date for the public hearing of the following:

ORDINANCE NO. 1346

ORDINANCE OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF LITTLE FALLS, IN THE COUNTY OF PASSAIC, STATE OF NEW JERSEY, TO AUTHORIZE AND APPROVE THE APPLICATION FOR TAX EXEMPTION AND FINANCIAL AGREEMENT BY AND BETWEEN THE TOWNSHIP OF LITTLE FALLS AND LITTLE FALLS TOWNHOMES REDEVELOPERS URBAN RENEWAL LLC FOR SINGAC INDUSTRIAL ZONE REDEVELOPMENT AREA

WHEREAS, on September 25, 2017, the Township Council ("Council") of the Township of Little Falls ("Township"), by Resolution No. [F] 17-09-25-#6, designated the Singac Industrial Zone, which consists of property identified on the Tax Maps of the Township of Little Falls as Block 77, Lots 1, 2, 2.01, 3, 4, 5, 6, 6.02, 7, 8, 8.01, 9, 17, 18, 20, and 20.01 as an area in need of redevelopment (the "Redevelopment Area") under the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1, et seq., as amended and supplemented ("Redevelopment Law"); and

WHEREAS, on December 18, 2017, by Resolution No. [E] 17-12-18-#5, the Council designated Little Falls Redevelopers LLC as conditional redeveloper for the Redevelopment Area; and

WHEREAS, Little Falls Redevelopers LLC changed its corporate identification and became a urban renewal entity now known as Little Falls Townhomes Redevelopers Urban Renewal LLC ("Entity") as provided under the Long Term Tax Exemption Law, N.J.S.A. 40A:20-1 et seq., as amended and supplemented ("Exemption Law"); and

WHEREAS, on August 27, 2018, the Council, pursuant to the Redevelopment Law, by Ordinance No. 1330, approved and adopted the Singac Redevelopment Plan prepared by Jeffrey L. Janota, P.P., AICP of H2M ("Redevelopment Plan") for the Redevelopment Area; and

WHEREAS, on December 17, 2018, the Council, by way of Resolution No. [G] 18-12-17-#7, approved and adopted the Redevelopment Agreement with Entity for the construction of 102 stacked townhomes with related site improvements within a portion of the Redevelopment Area (the "Townhome Project") and at the same time designating Entity as the Redeveloper of the Townhome Project; and

WHEREAS, Entity is or is about to be the fee simple owner of the property upon which the Townhome Project is to be constructed and that land use approvals (subdivision and site plan) are currently pending before the Little Falls Planning Board; and

WHEREAS, Entity has submitted to the Mayor of the Township of Little Falls ("Mayor") an application for tax exemption ("Application"), which is on file with the Township Clerk, requesting a long term tax exemption for the Townhome Project to be constructed by Entity within a portion of the Redevelopment Area in accordance with Section 8 of the Exemption Law; and

WHEREAS, the Mayor submitted the Application to the Council with a recommendation for approval, a copy of such recommendation is on file with the Township Clerk; and

WHEREAS, the Entity also submitted to the Mayor a form of Financial Agreement, a copy of which is attached hereto as **Exhibit "A"** establishing the rights, responsibilities, and obligations of the Entity in accordance with the Exemption Law; and

WHEREAS, the Council has determined that the work to be undertaken by the Entity represents a project permitted under the Exemption Law and has further determined that the proposed Townhome Project constitutes improvements made for the purposes of clearance, re-planning, development or redevelopment of an area in need of redevelopment within the Township, as authorized by the Redevelopment Law and Exemption Law, as applicable; and

WHEREAS, the Council makes the following findings in accordance with N.J.S.A. 40A:20-11(a) and N.J.S.A. 40A:20-11(b) regarding the relative benefits and costs of granting a tax abatement to Entity and the importance of same in realizing the development of the Townhome Project:

- F) The development and construction of the Townhome Project will be beneficial in that it will help revitalize the Redevelopment Area and serve as a catalyst for further private investment in the areas surrounding the Townhome Project. It is anticipated that the development of the Townhome Project will create approximately 70 full-time equivalent construction jobs over the duration of the construction of the Townhome Project, as well as approximately 3 full-time permanent jobs in connection with the operation of the Townhome Project. The Townhome Project includes environmental remediation and return of the land to productive use. Pursuant to the attached Financial Agreement, the Townhome Project is assumed to generate revenue for the Township well in excess of the municipal revenue generated by ad valorem taxes in 2018. The Township's authorized officers and employees have determined that the benefits to the Township accruing as a result of the Townhome Project will substantially outweigh the costs to the Township resulting from tax exemption.
- G) The tax exemption provisions of the Financial Agreement between the Entity and the Township through an Annual Service Charge will permit economic development to take place at the Townhome Project that would not otherwise be feasible and provide the best opportunity for successful commerce. The relative stability and predictability of the Annual Service Charge associated with the Townhome Project will attract residents to the community and provide a high level of maintenance for the Townhome Project that will have a positive impact on the surrounding area and community.
- H) The Entity is required in regular intervals to make payment of an annual administrative fee which shall serve to offset the costs of monitoring the continued compliance of Entity with the terms and conditions of the Financial Agreement.
- I) All terms and conditions in the Financial Agreement reflect a fair and equitable resolution of the Entity's ongoing obligation of payments to the Township and each and every provision therein shall be enforceable against the Entity and its successor and assignees for the benefit of the Township.
- J) The Application submitted by Entity is in proper format and provides the Council with the requisite information in order to consider granting the tax exemption sought by Entity.

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

- (9) The Application for tax exemption submitted by Entity is hereby approved in accordance with the Mayor's recommendation.
- (10) The Financial Agreement and all exhibits and schedules thereto are hereby authorized and approved in substantially the form attached hereto as **Exhibit "A"**. Upon execution, all terms and conditions of the Financial Agreement shall be in full force and effect in accordance with the timeframes and prerequisites as outlined therein.

Meeting of February 25, 2019

- (11) The Mayor and Township Clerk are hereby authorized to execute the Financial Agreement in the form annexed hereto as **Exhibit "A"**, subject to such changes, omissions or amendments, as deemed necessary and appropriate after consultation with counsel.
- (12) The Mayor is further authorized to take any and all actions and to execute such other documents as may be necessary to effectuate the terms of the Financial Agreement, as deemed appropriate in consultation with counsel.
- (13) Any exemption from taxation as set forth in the Financial Agreement is hereby granted to the Entity, with respect to the Townhome Project for the term set forth in the Financial Agreement; provided that in no event shall the term of the Financial Agreement exceed the earlier of (i) thirty-five (35) years from the date of execution of the Financial Agreement, or (ii) to the extent permitted by the Exemption Law, thirty (30) years from the Entity's receipt of a Certificate of Occupancy (as defined in the Financial Agreement) for the Townhome Project for each unit and for only so long as the Entity remains subject to, and in compliance with, the Financial Agreement and the Exemption Law.
- (14) The Township Clerk is directed to forward two (2) executed copies of the Financial Agreement to the Township Attorney so that he may retain one (1) copy for his records and forward one (1) copy to counsel for the Entity. Further the Township Clerk shall file certified copies of this Ordinance and the Financial Agreement with the Tax Assessor of the Township, and to the Passaic County Chief Financial Officer and the Passaic County Counsel for information purposes, in accordance with Section 12 of the Exemption Law.
- (15) The Townhome Project shall conform with all applicable federal, state and Township laws, ordinances and regulations relating to construction and use.
- (16) The Entity shall, in the operation of the Townhome Project, comply with all applicable laws protecting any person from discrimination based upon race, religious principles, color, national origin or ancestry.

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

The Council President declared the motion passed.

Ordinance No. 1347-It was moved by Councilmember Cordonnier, seconded by Councilmember Seber, that there be introduced and the meeting of March 25, 2019 set as the date for the public hearing of the following:

**ORDINANCE NO. 1347
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 126 LITTERING**

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 that No person shall throw, drop, discard, or otherwise put or place, or cause to be thrown, put or placed, into, upon or within any street, public place, parking lot or public building, litter of any nature or any substance, matter or thing whatsoever whereby the safe, free or unobstructed use of the same by the public may be in any way impeded or interfered with, or whereby the same may be detrimental to the health, safety or welfare of the public. Nothing in this section shall prohibit the deposit of any such material in any public or private receptacles approved by the Township for such purpose. Nothing contained in this section shall be construed to prohibit construction, repair or maintenance equipment, materials or machinery from being utilized on such street, public place, parking lot or public building;

WHEREAS, the municipal council ("Municipal Council") of the Township has determined to amend Chapter 126, of the Code entitled Littering; and

WHEREAS, the Municipal Council has determined to amend said Chapter 126 of the Code section 128-18 to read as follows:

§ 126-18 Violations and penalties.

A. Any person, firm, corporation or other entity convicted of a violation of this chapter shall pay a fine of \$250 dollars for the first offence and \$500 dollars for the second offence and any subsequent offenses. Each violation shall require an appearance in Municipal Court. In addition, any person, firm, corporation or other entity convicted of a violation of this chapter shall pay all expenses incurred for the removal of said litter. The fine maybe suspended at the discretion of the court when the matter is remediated to the satisfaction of the Municipal Court Judge. If the matter is not sufficiently remediated the Judge may order the Township Department of Public Works to undertake said remediation. The Superintendent of the Township Department of Public Works shall then provide an account of the expenses incurred in said removal to be used in the prosecution of violations under this chapter.

B. Each day that litter is thrown dropped, discarded or otherwise place any **litter** of any nature upon public property other than in a litter receptacle in violation of this chapter and said litter remains at the location of the violation after notice has been given to the violator to remove the same shall constitute a separate violation. Separate violations shall continue for each day the violator fails to remove the litter in an appropriate manner.

C. The provisions of this chapter shall be read together with N.J.S.A. 13:1E-99.3.

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

- 1. The aforementioned recitals are incorporated herein as though fully set forth at length.
- 2. The Municipal Council hereby amends Chapter 126-18 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 240 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 immediately on final passage by the Municipal Council, upon approval by the Mayor and publication as required by law.

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

The Council President declared the motion passed.

PUBLIC COMMENT –GENERAL MATTERS

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

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

The Council President declared the motion passed.

Cathleen Zehnacker, 141 Browertown Road, expressed her points of disagreement and commented on the need for more information to be made available to the public regarding Ordinances No. 1345 and No. 1346 such that the public might have a better understanding of the PILOT program. Mr. Wenzel reviewed the process by which ordinances are introduced, documents are made available to the public, and that there will be an opportunity for the

Meeting of February 25, 2019

public to ask questions at March 25, 2019 meeting. Councilmember CORDONNIER discussed the area in question, requesting the Mayor's input on number of residences, jobs, and condition of properties. Mayor Damiano noted the eight acres of property were generating \$300,000 in taxes per year. Councilmember CORDONNIER further questioned whether property values around the area would increase as a result of redevelopment, to which the Mayor estimated it would.

Luis Fernandez, 54 Harrison Street, requested additional clarification on the PILOT program. Mayor Damiano agreed the terminology in statutes may be confusing, however, he assured that there would be no financial harm to the municipality. He noted the amount of money paid in the future is always estimated and will be available at the March 25, 2019 Regular Meeting. In response to Mr. Fernandez' query as to the absence of the Township Engineer, the Mayor indicated that it was not financially prudent to have the Township Engineer come to every meeting unless there is an issue to address.

James Tobin, 6 Francisco Avenue, questioned the geographic location of the properties. Mayor Damiano provided clarification.

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

Poll: Ayes: Cordonnier, 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 Cordonnier, seconded by Councilmember Seber, that the meeting be and it was adjourned at 8:16 p.m.

Cynthia Kraus
Municipal Clerk