

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

**Monday, February 26, 2018**

Council President Anthony Sgobba called the meeting to order at 7:00 p.m. with the following members present: Maria Cordonnier, Willam Liess, 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 Nordan Murphy

Township Employees present: Assistant to the CFO, Pamela Cannataro, Township Auditor Steve Wielkoltz, Police Chief Steven Post, DPW Superintendent Philip Simone, and Deputy Registrar Marlene Simone.

Following the Salute to the Flag, Council President SGOBBA requested a moment of silence for the seventeen individuals killed in the recent Parkland high school shooting in Florida. The Statement of Public Notice was then read.

**STATEMENT OF PUBLIC NOTICE:** Take notice that adequate notice of this meeting has been provided in accordance with N.J.S.A. 10:4-8 and N.J.S.A. 10:4-10 as follows: A notice of the meeting was prominently posted on the bulletin board at the Municipal Building, located at 225 Main Street, Little Falls, N.J. on January 2, 2018. A copy of the notice was mailed to the North Jersey Herald and News and The Record on the same date. Additionally, a copy of the notice was filed in the office of the Township Clerk on said date.

**APPROVAL OF MINUTES**

It was moved by Councilmember Vancheri, seconded by Councilmember Cordonnier, that the Minutes of the Workshop Meeting of February 12, 2018 and the Minutes of the Regular Meeting of January 22, 2018 be and they were approved.

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

The Council President declared the motion passed.

**REMARKS FROM CHAIR**

Council President SGOBBA stated the meeting will be available for viewing on the Township's website.

**COUNCIL MEMBER REPORTS**

Councilmember VANCHERI stated he is scheduling a Transportation Committee meeting in March. The Flood Board will convene in the next two weeks.

Councilmember CORDONNIER reported she and Councilmember Liess are organizing a pasta dinner and play for seniors performed by School # 1 students. She announced the Historical Society will be celebrating its 50<sup>th</sup> anniversary in conjunction with the Township's 150<sup>th</sup> anniversary. The first Artwalk, sponsored by the County, will be held on April 28, 2018. The Open Space Committee is working on executing grants for Duva field upon completion of field and lighting improvements. New bleachers, new dugouts and a batting cage will then be installed.

Councilmember SEBER stated the Municipal Alliance will meet in April to discuss upcoming activities.

Councilmember LIESS announced planning of the Memorial Day parade will commence. The Little Falls Historical Society will produce a paper on the history of the Township. The Senior Advisory Board continues to work on events to educate the seniors in the Township.

**MAYOR'S REPORT**

The Mayor announced he attended a roundtable discussion with the Governor. A DOT grant was awarded to the Township in the amount of \$600,000, and was the highest grant in Passaic County and all of the 40<sup>th</sup> legislative district.

**PROCLAMATION HONORING LFAC PURPLE PANDAS**

At this time, Mayor Damiano congratulated the members of the LFAC Purple Pandas who won the 3<sup>rd</sup> and 4<sup>th</sup> grade boys and girls 2017 North Jersey Recreation Soccer League's Championship. The Mayor read and presented a Proclamation to each team member.

**PROCLAMATION HONORING LFAC FCFC**

Mayor Damiano then read a Proclamation congratulating LFAC FCFC on their win of the 2017 North Jersey Recreation Soccer League Championship for 5<sup>th</sup> and 6<sup>th</sup> grade girls and presented each team member with a Proclamation.

**2018 BUDGET PRESENTATION**

Mr. Cuccia explained the laws surrounding the budget, providing comprehensive detail of the annual budget requirements, the budget calendar, budget cap, revenues and appropriations, transfers and emergencies, and the audit. Tonight's meeting includes the formal budget introduction with an anticipated adoption on March 26, 2018.

**Meeting of February 26, 2018**

Mayor Damiano presented the proposed 2018 budget and indicated the information will be available on the Township’s website as well. The Mayor highlighted revenues, appropriations, debts and the new tax rate. He commented that the anticipated surplus, which was substantially higher than the prior year, could be applied to emergencies, improve the Township’s bond rating, and will help pay down debt service. He reviewed the EMS program, noting a net positive cash flow, and estimated this would enable the Township to spend less money than with the former volunteer program. Mayor Damiano discussed an amendment to the EMS billing procedure in cases of refusal of medical attention. A breakdown of budget revenue throughout the municipality was explained as well as appropriations by source. The Mayor reviewed a municipal debt comparison over the years, underlining the significance of the assessed value of the municipality and the impact of flood mitigation programs.

Mayor Damiano explained the tax rate is based upon the assessed value of the municipality. The average home in Little Falls is valued at \$306,699. The average tax increase on the average home is \$4.23 per month, an increase of \$55 on the average home for the year. Little Falls has the fifth lowest tax rate in the County.

The Mayor provided a breakdown of the municipal and county portion of the taxes, how property tax monies are allocated, as well as information on the municipal tax rate where municipalities have colleges in their towns. Lastly, the Mayor concluded his presentation by discussing the capital budget. Authorization to make the expenditures still requires a capital ordinance adopted by the Township Council for the specific project. The capital budget addresses the needs of the Township’s infrastructure and equipment, and if authorized by the Council, will reflect an increase in current debt \$164,250. The Mayor itemized capital requests by Department as well including improvements to the areas of stormwater, sanitary sewer, load program, municipal facilities, and ADA compliance. As previously stated by the Mayor, the Township’s received a \$600,000 grant, which he believed the Council would use to make improvements to the downtown area.

It was moved by Councilmember Cordonnier, seconded by Councilmember Seber, to approve the following:

Waiver of Reading in Full of 2018 Municipal Budget

**TOWNSHIP OF LITTLE FALLS  
PASSAIC COUNTY, NEW JERSEY  
RESOLUTION [A] 18-02-26 - #1**

Resolution Re: Waiver of Reading in Full of the 2018 Budget

**WHEREAS**, N.J.S. 40A:4-8 permits that the Budget as advertised may be read by its title providing that at least one week prior to the date of the hearing a complete copy of the approved budget shall

- a) be posted in a public place where public notices are customarily posted and at the free public library, and
- b) is made available to each person requesting the same during said week and during the public hearing, and

**WHEREAS**, the Township of Little Falls has complied with the aforesaid requirements.

**NOW, THEREFORE, BE IT RESOLVED**, by the Governing Body, the reading in full of the 2018 Budget be dispensed with.

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Increase in Deferred School Taxes

**TOWNSHIP OF LITTLE FALLS  
PASSAIC COUNTY, NEW JERSEY  
RESOLUTION [B] 18-02-26 - #2**

Resolutions Re: Authorizing Increase in Deferred School Taxes for Regional High School Taxes

**WHEREAS**, the Division of Local Government Services requires that the Governing Body of any municipality which has Deferred School Taxes must authorize any increase in the deferral of any amounts; and

**WHEREAS**, the Township has decided that an increase in Deferred School Taxes is in the best interest of the Township of Little Falls at this time;

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Township Council that the following Deferred School Taxes be hereby increased for the year ended December 31, 2017 as follows:

	Deferred Regional High School Taxes
Amount Deferred 12/31/17	\$3,766,497
Amount Deferred 12/31/16	<u>\$3,627,671</u>

**BE IT FURTHER RESOLVED**, by the Mayor and Township Council that a certified copy of this resolution be filed with the Director of the Division of Local Government Services.

Introduction of 2018 Municipal Budget

**TOWNSHIP OF LITTLE FALLS  
PASSAIC COUNTY, NEW JERSEY  
RESOLUTION [C] 17-02-26 - #3**

Re: Introduction of 2018 Budget

**BE IT RESOLVED**, that the following statements of revenues and appropriations attached hereto constitute the local Budget of the Township of Little Falls, Passaic County, New Jersey for the year 2018.

**BE IT FURTHER RESOLVED**, that the said budget be published in the Herald News in the issue of March 2, 2018, and that a hearing on the Budget will be held at the Municipal Building on April 9, 2018 at 7:00 o’clock (P.M.) or as soon thereafter as the matter may be reached.

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

The Council President declared the motion passed.

Ordinance No. 1315 - It was moved by Councilmember Cordonnier, seconded by Councilmember Vancheri, that there be introduced and the meeting of March 26, 2018 set as the date for the public hearing of the following:

**ORDINANCE NO. 1315  
TOWNSHIP OF LITTLE FALLS  
CALENDAR YEAR 2018 ORDINANCE TO EXCEED  
THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK  
(N.J.S.A. 40A-4-45.14)**

**WHEREAS**, the Local Government Cap Law, N.J.S. 40A:4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget to 2.5% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and,

**WHEREAS**, N.J.S.A. 40A:4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

**WHEREAS**, the Township Council of the Township of Little Falls in the County of Passaic finds its advisable and necessary to increase its CY 2018 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

**WHEREAS**, the Township Council hereby determines that a 1.0% increase in the budget for said year, amounting to \$121,881 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

**WHEREAS**, the Township Council hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

**NOW, THEREFORE BE IT ORDAINED**, by the Township Council of the Township of Little Falls, in the County of Passaic, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2018 budget year, the final appropriations of the Township of Little Falls shall, in accordance with this ordinance and N.J.S.A. 40A:4-45.14, be increased by 3.5%, amounting to \$426,582, and that the CY 2018 municipal budget for the Township of Little Falls be approved and adopted in accordance with this ordinance; and,

**BE IT FURTHER ORDAINED**, that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

**BE IT FURTHER ORDAINED**, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and,

**BE IT FURTHER ORDAINED**, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

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

The Council President declared the motion passed.

**ATTORNEY'S REPORT**

Mr. Wenzel had nothing to report.

**PUBLIC HEARING ON OPEN SPACE FARMLAND AND PRESERVATION TRUST FUND  
APPLICATION FOR IMPROVEMENTS TO LOUIS STREET PARK**

It was moved by Councilmember Cordonnier, seconded by Councilmember Vancheri, that the public hearing on the Open Space Farmland and Preservation Trust Fund Application for Improvements to Louis Street Park be and it was opened.

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

The Council President declared the motion passed.

Mr. Cuccia explained the public hearing is set for the improvements to Louis Street Park, including parking, dugouts, lighting, bleachers, and various other small improvements.

Iris Rivera – 63 Weaver Street, questioned what services the Township offers for individuals with special needs. Council President SGOBBA instructed Ms. Rivera that this public hearing is only for the open space application, however, she may issue her query during the public comment offered later in the meeting.

John Switzer, 44 Louis Street, questioned whether proposed plans would be available for residents. Mayor Damiano stated before a grant can be applied for, anyone who resides within 200 feet of the border of the proposed improvements must be notified. While current improvements were previously noted by Mr. Cuccia, a meeting with the Mayor, Township Engineer, grant firm, and Township Administrator will occur to discuss more specific items. Once the application is approved, all proposed upgrades will be announced and an opportunity to speak to them will be provided.

Angela Mazza, 1 Garden Street, questioned how the Engineer would be selected. Mayor Damiano explained the process. The Township engineering firm will be consulted to help estimate the improvements needed and cost thereof. As with any project that is over the bid threshold, it will have to go out for bid. The DPW Superintendent, Township Attorney, and Township Engineer review the submitted bids. The lowest responsible bidder will be awarded the contract, not necessarily the lowest bidder.

Kevin Goluska, 3 Garden Street, questioned whether a topography test will be conducted and whether an updated diagram of the houses to be demolished in the flood zone will be disseminated to residents. Mayor Damiano stated engineering addresses any elevation issues that there may be in the revisions being made to a park improvement or any facility when it is performed. Therefore, there will be some aspect of a topography engineering report. Mayor Damiano also explained the Township is in the process of concluding the SRL-15 program, which was the last funded program by the municipality for home buyouts. Many of the closings have not occurred, and until the closing date, the owner may back out. Once the entire SRL-15 program has been closed and each of the individuals that have indicated their interest have their homes purchased, then an updated map can be provided. Mr. Goluska queried whether a certified letter would be disseminated when the park upgrades were adopted. The Mayor responded that this is the only official notice by mail. Advertising for the park upgrades will be made through the online Council Meeting Agenda which is posted prior to each Council Meeting. Mr. Goluska questioned what type

## Meeting of February 26, 2018

of surface would be used near the dugouts. Mayor Damiano stated lots purchased with FEMA dollars must be pervious, however, Township owned property can use an impervious surface. He added that the actual location of the dugout has not been finalized.

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

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

The Council President declared the motion passed.

### PUBLIC COMMENT

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

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

The Council President declared the motion passed.

Iris Rivera, 63 Weaver Street, questioned what type of programs the Township offers for individuals with special needs. She also recounted she had difficulty registering her son with the State's Special Needs Registry. She further questioned whether the police receive special training for individuals with disabilities. Mayor Damiano indicated the municipality itself does not have programs targeted for special needs. A majority of the special needs programs that the municipality refers individuals to, are either through our schools or the County programs. Mayor Damiano offered to obtain information on such services for Ms. Rivera.

Mayor Damiano explained in step by step detail how Ms. Rivera could register her son under the special needs registry on the LFNJ website by going under the Resources tab, then Office of Emergency Management tab. The link is offered through the Township's website or through the government website, which is Registerready.nj.gov.

Mayor Damiano stated the Police Department is trained to handle individuals with special needs. Ms. Rivera questioned whether the Township has methods to identify people with special needs. The Mayor suggested Ms. Rivera contact the County or schools and offered to provide the contact information.

Louis Fernandez, Harrison Street, commented that the entire Town needs to be beautified, not only the Town Center. Mayor Damiano agreed that the Township has focused a lot of energy, time and funds on the Town Center, however, the Mayor disagreed that the rest of the Township has been neglected. The Mayor explained the rationale for the focus on the Town Center. Towns from end to end thrive because of a Town center that has a booming atmosphere. Mayor Damiano referenced Montclair and Ridgewood as examples that have a thriving downtown, and that their recognition and popularity revolve around the town center. The Mayor noted that one of the biggest complaints the Township receives involves issues pertaining to the Town Center. With regard to other parts of the Township, the Mayor explained the Township allocates over \$300,000 per year to road and infrastructure improvements. The Township has applied to DOT grants that have been utilized on streets throughout the Township, referencing the examples of Donato Drive, Woodcliffe Avenue, and Morningside Circle. The Township is looking to bring in a more positive atmosphere to our town center which will trickle down throughout the municipality

Mr. Fernandez further stated nothing has been done to help residents affected by the Peckman River. Mayor stated the purchase of the excavator is a major project that is currently underway and will alleviate the flooding issues along the Peckman. Additionally, the Township is in discussion with the Army Corps of Engineers to modify the plan to alleviate many of the flooding issues in the area where Mr. Fernandez resides.

Barry Donohue, 134 Glen Rock Road, on behalf of the Board of Resident Ridge, Mr. Donahue wished to express his appreciation for the Council's consideration of Glen Rock Road. He also commended Chief Post's professional response to an issue on Glen Rock Road and a later encounter several years later.

Arnold Korotkin, 181 Long Hill Road, questioned whether a line by line budget would be available on the Township website for Resolutions A and C. He requested clarification with regard to the correct date for the public hearing of Ordinance No. 1315 and the resolution for deferred taxes for the high school.

Ms. Kraus reiterated the correct public hearing date for Ordinance No. 1315 will be March 26, 2018. Mayor Damiano explained that municipalities use January 1 to December 31 calendar while schools use July 1 to June 30 calendar. Mr. Cuccia elaborated that the purpose of the deferred school taxes is a tax billing issue. The Township pays the schools monthly based upon half of one budget and half of the other. The portion that is deferred, that is billed in the new tax bill which has not come out yet, is calculated. That is what is found in the resolution and is the reason it is deferred, because the Township only bills once a year.

Mr. Korotkin referred to Resolution E, and queried whether the grant has been applied for, whether the Township has received it, and what the specific improvements are. Mayor Damiano responded that the Township is in the process of applying for a CDBG grant to improve both the Civic Center and entranceway to the Morris Canal lot. The Morris Canal improvement will be on the western entrance on Main Street. The rear entrance of the Civic Center will be made ADA compliant.

**Meeting of February 26, 2018**

Mr. Korotkin referred to Resolution F, and questioned how the Township will assist all people who feel they have been discriminated against to seek equity under the federal and state laws. Mayor Damiano responded that the resident will be given the procedures to undertake if they feel they have been discriminated against.

Regarding Resolution G, Mr. Korotkin queried where block 96, lots 8, 9, 10, and 20 are located. Additionally, he requested clarification of the nature and extent of improvements which were set forth in the resolution of the Township’s Planning Board on October 5, 2017. Mayor Damiano provided detail on the location and explained that the total estimated bonding costs of \$43,200 includes sidewalks, curbing, buffer landscaping and 20% contingency.

Lastly, Mr. Korotkin questioned Ordinance No. 1313 as to why certain streets were designated as one-way and whether residents had an opportunity to contribute input. The Mayor recalled that in February he announced that any time an ordinance to be introduced affects a particular area of Town, the residents therein will receive a hand delivered letter. The Mayor explained the proposal is to amend the current ordinance which now prohibits all traffic from entering the furthest west end of Woodcliffe Avenue.

Dorothy O’Haire, Turnberry Road, referred to Highview Homes and expressed her concerns regarding the sewage pipe. Additionally, she stated the flood gauge on Francisco Avenue bridge was taken out for maintenance and then not replaced because of lack of payment.

Mr. Simone stated there is a pumping station at Autumn Pointe, and a two inch line runs down Lindsley Road to the bridge, which was approved by the County and DEP. Mr. Simone believed the enclosure referred to by Ms. O’Haire to be insulation to protect against the weather. Ms. O’Haire then expressed concern that the curb was removed and might pose a flooding danger.

Mayor Damiano indicated the curb will be replaced when the weather is warm. In regards to the gauge, the Mayor stated the gauge was removed for lack of payment without advising the municipality. Mayor Damiano explained that municipalities can only provide payment once a job has been completed. If payment was sought prior to installation of the third gauge, a change order should have been submitted to the municipality, at which time the municipality would have issued a check. A request was made to replace the gauge immediately.

With regard to the DOT gauge, Mayor Damiano responded that he and Mayor Kazmark have spoken with the Governor regarding receiving permission from the DOT to install the gauge, and are hoping for a resolution shortly.

Ms. O’Haire discussed the new Army Corp. of Engineers plan. Mayor Damiano responded he believed the NED to have benefits that will outweigh the cost of the plan, however, more information is needed. The Mayor noted he has drafted a letter to the Army Corp. of Engineers indicating the Township would like to further discuss the NED plan to make further amendments.

John Veteri, 133 Prospect Street, reviewed the sewer ordinance and expressed concern that small projects may be penalized, discouraging smaller development. Mayor Damiano stated the Township has significant issues with influx and infiltration. This is cost that the developers assist in providing in order to help improve the municipality. The Mayor believed the fees to be reasonable and emphasized that the ordinance is not meant to penalize small developers as fees are not being increased, and in some cases being reduced. Mayor Damiano also believed it to be in line with surrounding municipalities.

Tracey Sweezy, 272 Woodcliffe Avenue, questioned whether the one way could be modified with regard to Ordinance No. 1313.

Mayor Damiano proposed the Council table the vote on Ordinance No. 1313 to enable an opportunity to eliminate Woodcliffe Avenue on the one way street ordinance and to introduce an ordinance that only causes that further westerly section of Woodcliffe Avenue to be a Do Not Enter sign between the hours of 6am and 8pm on Monday through Friday. The Mayor stated it would provide the same result with a better outcome because it does not affect our residents in a negative way.

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

Poll: Ayes: Cordonnier, Liess, 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 2018

MUNICIPAL CLERKS REPORT  
Month of January 2018

ABC LICENSES		
OTHER LICENSES		
Business Licenses	\$4,128.00	
Pre-paid Business Licenses		
Raffle Licenses	140.00	
		\$4,268.00

**Meeting of February 26, 2018**

REGISTRAR OF VITAL STATISTICS		
Fees & Permits	\$264.00	
Marriage Licenses-LF		
Marriage Licenses-NJ		\$264.00
MRNA		
Street Maps		
Zoning Maps		
Zoning Ordinances		
Document Copies		
Garage Sales		
Misc. Fees & Refunds:		
TOTAL MRNA		
TOTAL CURRENT ACCOUNT		<u>\$4,532.00</u>
TOTAL TO TREASURER		<u>\$4,532.00</u>

Municipal Clerks Dog/Cat License Report - Month of January 2018

MUNICIPAL CLERK'S DOG/CAT LICENSE REPORT

Month of January 2018

<b>Dog Licenses issued 01/01/2018 to 01/31/2018</b>	
Nos. 350 to 354 = 5 Licenses	
Amount due Little Falls	\$34.00
Amount due State	\$12.00
Total Cash Received	\$46.00
<b>Cat Licenses issued 01/01/2018 to 01/31/2018</b>	
Nos. 27 to 28	
Licenses Issued	
Total Cash Received	<u>\$16.00</u>
 Total to Treas.	 <u>\$62.00</u>

Tax Collector's Report – Month of January, 2018

**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 2018

Categories 01-	January 1-31, 2018	2018 Year to Date
2018 Taxes	\$3,329,257.43	\$3,329,257.43
2017&2016 Taxes	125,037.02	125,037.02
Interest	8,154.26	8,154.26
Duplicate Tax Bills	15.00	15.00
Insufficient Check Fee	40.00	40.00
6% Penalty Fee	3,370.82	3,370.82
<b>GRAND TOTALS</b>	<b>\$3,465,874.53</b>	<b>\$3,465,874.53</b>

Delinquent 2016 Taxes	\$817,904.16
Delinquent 2017 Taxes	<u>\$358,273.55</u>
<b>Total Delinquent Taxes</b>	<b>\$1,176,177.71</b>

<b>2018 Refunds this month =</b>	-0.00
<b>2018 Year to date refunds =</b>	-0.00

**Breakdown of refunds for years 2013-2018 completed in 2018(see attached).**

**REFUNDS IN THE YEAR 2018**

Months	2013 STCJ	2014 STCJ	2015 STCJ	2016 STCJ	2017 STCJ	2018 CBJ	Regular 2018	2018 Veteran/Widow	2018 Senior/Disabled	Exempt 2018	Total by Months
January	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
<b>Totals</b>	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00

Note: The above figures represent the months that the Tax Collector did the adjustments in the computer; the Resolution(s) may have been adopted in the next month.

STCJ = State Tax Court Judgments.  
 CBJ= County Board Judgments.

Municipality of Township of Little Falls  
 Office of the Tax Collector  
 Township of Little Falls Tax Collector Trust 1 (Lien Monies), Lakeland Bank  
 Revenues for the Month of January 2018

		2018
	<u>Deposit</u>	<u>Year-to-Date</u>
January 2018	\$19,800.97	\$19,800.97
Total Collected as of January 31, 2018		\$19,800.97

**Meeting of February 26, 2018**

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 2018

	Liens with Premiums <u>Redeemed/ (-)</u>	<u>Bal. /Dep. (+)</u>
Balance Brought Forward (January 1, 2018)		\$286,300.00
January 2018	\$ -8,900.00	\$277,400.00
<b>Ending Balance as of January 31, 2018</b>		<b>\$277,400.00</b>

Tax Collector's Annual Report 2017

**TAX COLLECTOR'S 2017 CURRENT YEAR  
ANNUAL REPORT N.J.S.A. 54:4-91**

**Current Year Taxes:**

2017 Current Year Levy	\$47,096,388.76	
2017 Added/Omitted Taxes	<u>253,010.42</u>	
2017 Total Current Year Tax Levy		\$47,349,399.18

**Less:**

Taxes Collected in 2016	\$ 212,486.41	
Taxes Collected in 2017 (- refunds)	46,512,916.23	
Deductions Allowed/Disallowed	<u>87,750.00</u>	
Sub-Total Current Year Levy	\$46,813,152.64	

Tax Title Liens as of 12/31/17	\$ 23,646.06	
Canceled	34,221.87	
Total Credits	<u>\$46,871,020.57</u>	
<b>Amount Outstanding as of 12/31/17</b>		<b>\$ 478,378.61</b>

**2016 Delinquent Taxes:**

Balance as of 12/31/16		\$ 680,183.61
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**Increased By:**

2016 Added Assessments	\$ 5,698.45	
2016 Omitted/Added Assessments	838,693.35	
Refunds	46,884.60	
Prepaid Applied	27.93	
Senior Disallowances	3,841.77	\$ 895,146.10

**Decreased By:**

Other Adjustments	-39,985.56	
Overpaid not Refunded	-6,909.30	-46,894.86

Total Cash Paid		-\$710,530.69
<b>Balance as of 12/31/17</b>		<b>\$817,904.16</b>

**Recreation Report – Month of January, 2018**

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 2018	4,284	165	333

**Civic Center Report - Month of January, 2018**

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 2018	365

**APPLICATIONS**

HENRY BUIKEMA AMERICAN LEGION POST 121, INSTANT RAFFLE ANNUAL LICENSE, 3/2/18 – 3/2/19, 55 VAN NESS AVENUE, LITTLE FALLS

FAIRFIELD HSA, ON-PREMISE 50/50, 4/27/18, 6:00 P.M. – 11:00 P.M., 4-6 WOODHULL AVENUE, LITTLE FALLS

FAIRFIELD HSA, TRICKY TRAY, 4/27/18, 6:00 P.M. – 11:00 P.M. 4-6 WOODHULL AVENUE, LITTLE FALLS

LITTLE FALLS ALLIANCE FOR A BETTER COMMUNITY, TRICKY TRAY, 4/21/18, 6:00 P.M. – 9:00 P.M., 215 ROUTE 23, LITTLE FALLS

LITTLE FALLS ALLIANCE FOR A BETTER COMMUNITY, TRICKY TRAY, 4/24/18, 6:00 P.M. – 9:00 P.M., 215 ROUTE 23 LITTLE FALLS

LITTLE FALLS ALLIANCE FOR A BETTER COMMUNITY, ON-PREMISE 50/50, 6/28/18 THROUGH 8/30/18, 7:00 P.M. – 8:30 P.M., WILMORE ROAD PARK, LITTLE FALLS

**Meeting of February 26, 2018**

THE DIANE D'APOLITO-MAY BEYOND THE RAINBOW CHARITABLE FOUNDATION, ON-PREMISE 50/50, 3/24/18, 7:00 P.M. – 11:00 P.M., 215 ROUTE 23, LITTLE FALLS

THE DIANE D'APOLITO-MAY BEYOND THE RAINBOW CHARITABLE FOUNDATION, TRICKY TRAY, 3/24/18, 7:00 P.M. – 11:00 P.M. 215 ROUTE 23, LITTLE FALLS

LITTLE FALLS FIRE DEPARTMENT AUXILIARY APPLICATION, MAYER ROSENBERG, LORRAINE DRIVE, CLIFTON, EAGLE HOSE CO. #1

NJ STATE FIREMEN'S ASSOCIATION, SARAH RAMOS, LITTLE FALLS FIRE DEPARTMENT

**CORRESPONDENCE**

REQUEST FROM ENTERPRISE FIRE COMPANY NO. 2 FOR PERMISSION TO HOLD ANNUAL BOOT DRIVE FUNDRAISER ON FRIDAY, MAY 4, 2018 FROM 4:00 P.M. TO 7:00 P.M. AT THE INTERSECTION OF MAIN STREET AND UNION AVENUE AND ON SATURDAY, MAY 5, 2018 FROM 10:00 A.M. TO 4:00 P.M. AT THE INTERSECTIONS OF MAIN STREET AND STEVENS AVENUE AND MAIN STREET AND UNION AVENUE

**RESOLUTIONS**

Improvements to Louis Street Park

**RESOLUTION [D] 18-02-26 - #4**

**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 Louis Street 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.

FY 2018 Passaic County CDBG Application for Improvements to Civic Center

**RESOLUTION [E] 18-02-26 - #5**

**WHEREAS**, the Mayor and Council of the Township of Little Falls are requesting funding through the Passaic County Community Development Block Grant Program for improvements to the Community Civic Center; 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.

Fair Housing

**RESOLUTION [F] 18-02-26 - #6**

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.

Developer's Agreement- Highview Homes Concerning 139 Center Avenue

**RESOLUTION [G] 18-02-26 - #7**

**RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF LITTLE FALLS, IN THE COUNTY OF PASSAIC, STATE OF NEW JERSEY, TO AUTHORIZE THE EXECUTION OF A DEVELOPER'S AGREEMENT BETWEEN HIGHVIEW HOMES LF, LLC AND THE TOWNSHIP OF LITTLE FALLS CONCERNING CONSTRUCTION ON REAL PROPERTY IDENTIFIED AS BLOCK 96, LOT 8, 9, 10 & 20 ON THE OFFICIAL TAX MAP OF THE TOWNSHIP OF LITTLE FALLS, NEW JERSEY, MORE COMMONLY KNOWN AS 139 CENTER AVENUE, LITTLE FALLS, NEW JERSEY**

**WHEREAS**, Highview Homes LF, LLC, a New Jersey Limited Liability Company, (hereinafter "Developer") with an address of 280 Highway 35, Suite 150, Red Bank, New Jersey 07701 received Preliminary and Final Site Plan Approval to develop a certain real property designated as Block 96, Lot 8, 9, 10 & 20 on the Official Tax Map of the Township of Little Falls, (Property);

**WHEREAS**, the nature and the extent of the improvement/development aforesaid are set forth in the Resolution of the Township of Little Falls Planning Board dated October 5, 2017; and



**Meeting of February 26, 2018**

**WHEREAS**, the Developer is required to enter into a Developer's Agreement with the Township of Little Falls ("Township") setting forth the rights, duties and obligations of the parties in connection with the Development; and

**WHEREAS**, there has been prepared a Developer's Agreement by and between the Developer and the Township; and

**WHEREAS**, the Township desires to authorize the execution of the Developer's Agreement subsequent to its execution by the Developer;

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Little Falls, County of Passaic, State of New Jersey, they being the Governing Body thereof as follows:

1. All the terms and conditions of a certain Developer's Agreement by and between the Township of Little Falls and the Developer are hereby approved, ratified and confirmed by the Township of Little Falls.

2. The Mayor and Clerk are hereby authorized to execute said Developer's Agreement subsequent to the execution by the Developer and together with other appropriate officers and employees of the Township are hereby authorized to take all steps necessary to effectuate the purposes of this Resolution.

3. The Township hereby authorizes and approves any non-substantive modifications to the Developer's Agreement as may be recommended and approved by the Township Engineer and Township Attorney prior to execution.

4. This Resolution shall take effect immediately.

Bill List

**RESOLUTION [H] 18-02-26 #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 Cordonnier, seconded by Councilmember Liess, that the Consent Agenda be approved as printed.

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

The Council President declared the motion passed.

**REGULAR AGENDA**

**NEW BUSINESS**

Ordinance No. 1306— It was moved by Councilmember Vancheri, seconded by Councilmember Seber, that the public hearing on Ordinance No. 1306, "**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 7 ENTITLED TRAFFIC,**" be and it was opened.

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

The Council President declared the motion passed.

No one having come forward to be heard, it was moved by Councilmember Cordonnier, seconded by Councilmember Vancheri, that the public hearing on Ordinance No. 1306 be and it was closed.

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

The Council President declared the motion passed.

It was moved by Councilmember Vancheri, seconded by Councilmember Seber, that the Ordinance No. 1306 be and it was adopted.

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

The Council President declared the motion passed.

Ordinance No. 1308— It was moved by Councilmember Cordonnier, seconded by Councilmember Vancheri, that the public hearing on Ordinance No. 1308, "**ORDINANCE OF THE TOWNSHIP OF LITTLE FALLS AMENDING AND SUPPLEMENTING THE ZONING PROVISIONS OF THE TOWNSHIP CODE CHAPTER 280, ARTICLE XXII, FENCES,**" be and it was opened.

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

The Council President declared the motion passed.

No one having come forward to be heard, it was moved by Councilmember Cordonnier, seconded by Councilmember Vancheri, that the public hearing on Ordinance No. 1308 be and it was closed.

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

The Council President declared the motion passed.

It was moved by Councilmember Cordonnier, seconded by Councilmember Liess, that the Ordinance No. 1308 be and it was adopted.

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

The Council President declared the motion passed.

**Meeting of February 26, 2018**

Ordinance No. 1309— It was moved by Councilmember Cordonnier, seconded by Councilmember Seber, that the public hearing on Ordinance No. 1309, “**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,**” be and it was opened.

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

The Council President declared the motion passed.

No one having come forward to be heard, it was moved by Councilmember Seber, seconded by Councilmember Vancheri, that the public hearing on Ordinance No. 1309 be and it was closed.

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

The Council President declared the motion passed.

It was moved by Councilmember Vancheri, seconded by Councilmember Liess, that the Ordinance No. 1309 be and it was adopted.

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

The Council President declared the motion passed.

Ordinance No. 1310—It was moved by Councilmember Cordonnier, seconded by Councilmember Seber, that there be introduced and the meeting of March 26, 2018 set as the date for the public hearing of the following:

**ORDINANCE NO. 1310  
TOWNSHIP OF LITTLE FALLS, PASSAIC COUNTY  
ELECTRONIC SMOKING OR VAPOR DEVICES AMENDING SECTION IN THE TOWNSHIP CODE ENTITLED CODE  
SECTION 122- ARTICLE VI “LICENSING OF ELECTRONIC SMOKING OR VAPOR ESTABLISHMENTS”**

**122-30. Definitions.**

**ELECTRONIC SMOKING OR VAPOR DEVICE** – An electronic smoking device that can be used to deliver nicotine or other substances to the person inhaling from the device, including, but not limited to, an electronic cigarette, cigar, cigarillo, hookah, pipe or any cartridge or other component of the device or related product.

**ELECTRONIC SMOKING OR VAPOR DEVICE OPERATION** – Any establishment, person, entity, or business that sells electronic smoking or vapor devices including, but not limited to, an electronic cigarette, cigar, cigarillo, hookah, pipe or other smoking or vapor device, or any cartridge or other component of the device or related product.

**122-31. Right of entry.**

It shall be lawful for any member of the Township Department of Health, the Health Officer, Health Inspectors or any person acting under and by the authority of the Township Department of Health to enter in and upon any premises within the Township in the exercise of the powers or in the fulfillment of its or their duties conferred or imposed by law or township ordinance and the rules and regulations thereunder. Any person hindering, obstructing, delaying, resisting, preventing or interfering with such right of access shall be deemed to violate the provisions of this article.

**122-32. License required; fees; inspection.**

- A. It shall be unlawful for any person(s) or any corporate body to conduct an electronic smoking or vapor device operation, as defined in Chapter 122 herein without first having procured a license from the Health Officer.
- B. No person shall carry on, conduct or operate an electronic smoking or vapor device operation within the Township without first obtaining a license therefor from the Health Officer.
- C. The annual license fee to be paid for an electronic smoking or vapor device establishment shall be \$500.00.
- D. Electronic smoking or vapor device operations are subject to periodic compliance inspections by the health department. Fees for the re-inspection of any operation which is necessitated by violations of any of the provisions set forth in this article observed during the initial inspection shall be \$100.00.
- E. Electronic smoking or vapor device operations must be conducted inside a place of business located within a retail zone. A license will only authorize sales of related devices or products at the place of business identified on the application.
- F. It shall be unlawful for the electronic smoking or vapor device operation to allow the use of sampling of the devices or related products in the public right of way or in an egress where pedestrians or customers must pass that falls within the storefront occupied by the operation or that fall in front of businesses in the same building that directly neighbor the said operation.

**122-33 Application for license; renewal license.**

- A. Application for an electronic smoking or vapor device operation shall be submitted on forms to be furnished by the Board of Health. The application shall be accompanied by the applicable license fee of \$500.00 in cash, check or money order.
- B. A renewal license may be applied for by a license for premises licensed during the previous licensed period.
- C. Each and every applicant for a license for an electronic smoking or vapor device operation shall set forth the following information in writing on forms provided by the Health Officer:
  - (1) The applicant’s name, business name, business address, applicant’s phone number and the business’s phone number.
  - (2) The applicant’s email address.
  - (3) If the applicant is an individual, the applicant’s residence address.
  - (4) If the applicant is a partnership, corporation, limited liability company, or any other type of business entity, the applicant shall set forth the full name and residence address of each partner, member or officer of the business entity.
  - (5) If the applicant is a partnership, corporation, or limited liability company, the applicant must submit a certificate from the State of New Jersey that the business entity, regardless of form, is in good standing, according to the records of the State of New Jersey.

**122-34. Issuance of license; contents; expiration date.**

A. The granting of an electronic smoking or vapor device establishment license shall be by the Health Officer. The Health Officer shall not issue or renew a license until he/she has confirmed that the establishment is in compliance with all provisions set forth within this Article VI of code section 122.

- B. The license shall state:
  - (1) Date of issuance
  - (2) Name of establishment
  - (3) Name of owner
  - (4) Purpose for which issued
  - (5) Location of licensed premises

C. The term of the license shall be for one year, commencing January 1<sup>st</sup> and expiring December 31<sup>st</sup> of each year.

**122-35. License not transferable; display of license.**

- A. A license issued under this Article shall not be transferable to any other person or to any other location.

## Meeting of February 26, 2018

- B. The issued license shall be conspicuously displayed at all times on the licensed premises.
- 122-36 Age restrictions; proof of age; signage.**
- A. No person, either directly or indirectly by an agent or employee, or by a vending machine owned by the person or located in the person's establishment, shall sell, offer for sale, distribute for commercial purposes at no cost or minimal cost or with coupons or rebate offers, give or furnish, to a person under ~~19~~ 21 years of age, any electronic smoking or vapor device that can be used to deliver nicotine or other substances to the person inhaling from the device, including, but not limited to, an electronic cigarette, cigar, cigarillo, hookah, pipe or device of another form, or any cartridge or other component of the electronic smoking or vapor device or related products.
- B. An electronic smoking or vapor device operation must require proof of age from any customer who is of the appearance of 26 years of age or younger. Proof must come in the form of a valid government issued photo ID.
- C. Signage must be conspicuously posted at the point of display and at the point of sale. The sign must state the following in English with letters no less than 1 inch in size as follows:
- (1) "A person who sells or offers to sell an electronic smoking or vapor device, components, cartridges or related products to a person under ~~19~~ 21 years of age shall pay a penalty of up to \$1,000 and may be subject to a license suspension or revocation. Proof of age may be required for purchase. Those persons or establishments in violation shall be prosecuted."
  - (2) "Smoking, sampling or using an electronic smoking or vapor device inside this place of business is prohibited by NJ State law. Those establishments or individuals in violation shall be prosecuted."
- D. No electronic smoking or vapor device operation shall offer or allow the smoking or sampling of an electronic smoking or vapor device to anyone who is under ~~19~~ 21 years of age.
- 122-37. Suspension or revocation of license.**
- A. Licenses issued under this chapter may be revoked or suspended by the Township Council, after a public hearing. Reasons for automatic suspension or revocation of an establishment license include but are not limited to the following:
- (1) Fraud, misrepresentation or false statement in the application for the establishment license.
  - (2) Fraud, misrepresentation or false statement made while operating the licensed business in the Township.
  - (3) Conducting the licensed business within the Township in an unlawful manner or in such a manner as to constitute a menace to the health, safety, or general welfare of the public.
  - (4) The owner and/or operator or any employee refuses to permit any duly authorized Township Police Officer or health official to inspect the premises or the operations therein.
  - (5) Any violation of this chapter.
- B. In addition to any penalty prescribed, any license under this Article is subject to revocation for violating any provision of this Article or where the operation of the licensed premises is otherwise detrimental to the preservation of health, safety and welfare of the public. The Township Clerk shall serve the licensee with a written complaint setting forth specifically the grounds of the complaint along with a notice indicating the time and place to appear before the Township Council for a hearing. Such service shall be made by personal service or certified and regular mail at least ten (10) days before the hearing date. The Township Council after such hearing may revoke the license.
- C. Should it be determined that the conduct of the licensee is detrimental to the health, safety and general welfare of the public, such establishment's license may be suspended by the Health Officer or designee and the establishment shall close until all violations are corrected. The Health Officer may also recommend revocation of the license and suspend the license pending the revocation hearing referred to in Section B above. This hearing must be concluded within forty-five (45) days of the date of suspension and closure of the establishment.

**122-38. Violations and penalties.**

A person who violates the provisions of this Article including the owner of the operation or the employee of the operation who actually sells or otherwise provides an electronic smoking or vapor device or related product to a person under ~~19~~ 21 years of age, shall be liable to a civil penalty of not less than \$250 for the first violation, not less than \$500 for the second violation, and \$1,000 for the third and each subsequent violation.

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

The Council President declared the motion passed.

Ordinance No. 1311-It was moved by Councilmember Cordonnier, seconded by Councilmember Liess, that there be introduced and the meeting of March 26, 2018 set as the date for the public hearing of the following:

### ORDINANCE NO. 1311

#### 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

**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 195 SEWER CONNECTIONS

ARTICLE I

Sewer Connection Regulations

195-7B-Escrow deposit to compensate Township Engineer for engineering services performed in connection with review of plans and specifications and field inspections

As determined by Engineer

ARTICLE II

Sewer Connection Fees

195-11-Filing of application for connection:

Residential use \$500/residential unit

Commercial or industrial use \$1,000

195-13-Residential sewer connections

1 to 5 residential units \$6,000/dwelling unit

6 to 15 residential units \$5,000/dwelling unit

16 to 25 residential units \$4,000/dwelling unit

26 to 50 residential units \$3,000/dwelling unit

51 plus residential units \$2,500/dwelling unit

195-14-Commercial or industrial sewer connections:

195-14B-Connection fee \$3/square foot of floor area; minimum \$6,000

195-14C-Preconnection inspection \$500

195-15-Mixed-used premises connections:

Residential unit filing fee \$500/each, plus costs

Commercial/industrial structure filing fee \$1,000/each, plus costs

Residential unit connection fee \$see residential sewer connection fees 195-13

Commercial/industrial use connection fee \$3/square foot, plus charges; minimum \$6,000

Credits are provided by the Township for the existing residential sewer connections, when calculating the current sewer connection fee.

**Meeting of February 26, 2018**

One-half of each of the sewer connection fees listed above (including for residential, commercial/industrial and mixed-use properties) shall be deposited upon receipt in the Township’s General Capital Fund in a special reserve entitled “I&I” dedicated to fund infiltration/inflow repairs and improvements to the Township’s sanitary sewer system.

**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:

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.

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

The Council President declared the motion passed.

Ordinance No. 1312-It was moved by Councilmember Vancheri, seconded by Councilmember Seber, that there be introduced and the meeting of March 26, 2018 set as the date for the public hearing of the following:

**ORDINANCE NO. 1312  
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 7 ENTITLED  
TRAFFIC, SECTION 7-17.1, “VEHICULAR TRAFFIC EXCLUDED FROM CERTAIN STREETS”**

**WHEREAS**, the Township of Little Falls (“Township”) is a public body corporate and politic of the State of New Jersey; and  
**WHEREAS**, the Township’s Code of General Ordinances (“Code”) currently provide vehicular traffic excluded from certain streets in the Township; and

**WHEREAS**, the municipal council (“Municipal Council”) of the Township has determined to amend Chapter 7 entitled Traffic Section 7-17.1 Vehicular Traffic Excluded from Certain Streets as follows;

**7-17.1 Vehicular Traffic Excluded from Certain Streets Speed Limits:**

- A. Vehicular traffic, except for Township-authorized vehicles performing official functions, is prohibited on the following streets or parts thereof:

<b>Name of Street</b>	<b>Location</b>
Glen Rock Road	From the intersection of Overlook Road along a southwesterly direction to a point intersecting the northeast boundary line of Block 240.02.

- B. Any person operating a motor vehicle in violation of Subsection A above shall be subject to a fine of \$50. No appearance in municipal court shall be required for the payment of this fine.
  7. The entire section of the Township Code 17-17.1 is hereby repealed.
  8. A copy of this Ordinance shall be available for public inspection at the offices of the Township Clerk.
  9. This Ordinance shall take effect upon its final passage by the Municipal Council, and approval by the Mayor and publication as required by law.

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

The Council President declared the motion passed.

Ordinance No. 1313-It was moved by Councilmember Seber, seconded by Councilmember Vancheri, to table the introduction of Ordinance No. 1313, “**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 7, ENTITLED, TRAFFIC, SECTION 7-8, ONE-WAY STREETS.**”

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

The Council President declared the motion passed.

Ordinance No. 1314-It was moved by Councilmember Liess, seconded by Councilmember Seber, that there be introduced and the meeting of March 26, 2018 set as the date for the public hearing of the following:

**ORDINANCE NO. 1314  
ORDINANCE OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF LITTLE FALLS, COUNTY OF PASSAIC, STATE OF  
NEW JERSEY, FURTHER AMENDING THE TOWNSHIP OF LITTLE FALLS CODE CHAPTER 7, ARTICLE I, SECTION 7-15,  
“TRAFFIC, ROUTES FOR TRUCKS OVER THIRTEEN TONS”**

**WHEREAS**, pursuant to *N.J.S.A. 40:67-16.1*, the Township of Little Falls (the “Township”) is authorized to adopt a system of truck routes throughout the Township concerning trucks having a total combined gross weight of vehicle plus load, in excess of thirteen (13) tons, from Township streets; and

**WHEREAS**, pursuant to *N.J.S.A. 46:67-16.2*, no trucks shall be prevented from making deliveries of merchandise or other property along streets from which trucks in excess of thirteen (13) tons are excluded from Township streets; and

**WHEREAS**, due to concerns regarding the health and safety of motorists and pedestrians in the Township, the municipal council of the Township (the “Municipal Council”) seeks to amend the municipal roadways upon which trucks having a total combined gross weight of vehicle plus load in excess of thirteen (13) tons can travel; and

**WHEREAS**, in furtherance of the proposed amendment to the Township Code of General Ordinances (the “Code”) concerning roadways upon which trucks having a total combined gross weight of vehicle plus load in excess of thirteen (13) tons can travel, the Township will submit the proposed ordinance for approval to the Passaic County Traffic Engineer in order to receive the County Traffic Engineer’s approval; and

**Meeting of February 26, 2018**

**WHEREAS**, the Township will subsequently submit the following proposed ordinance for approval to the New Jersey Department of Transportation; and

**WHEREAS**, the Municipal Council has determined to amend Chapter 7, Article I, Section 7-15 of the Township Code to read as follows;

**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 aforesaid recitals are incorporated herein as though fully set forth at length.
2. The Municipal Council hereby amends Chapter 7, Article I, Section 7-15 of the Township Code to read as follows:  
**§7-15 Routes for trucks over thirteen (13) tons**

**A.** A system of truck routes in the Township of Little Falls is hereby established pursuant to the provisions of N.J.S.A. 40:67-16.1.  
**B.** All trucks registered at a gross vehicle weight in excess of thirteen tons (26,000 pounds) shall be excluded from all streets in the Township except from those streets designated hereinbelow, which form a part of the system of truck routes upon which trucks are permitted to travel and operate:

<b>Name of Street</b>	<b>Location</b>
Cedar Grove Road	Francisco Avenue to the Essex County line
[ <u>Browertown Road</u> ]	[ <u>North of the eastbound RT 46 ramp</u> ]
East Main Street	Entire length
Lindsley Road	Main Street to the Essex County Line
Lindsley Road	Essex County Line to Cedar Grove Road
Long Hill Road	Browertown Road to <del>Ridge Road</del> [ <u>Clove Road</u> ]
Long Hill Road (a.k.a. Upper Mountain Avenue)	Clove Road to Essex County Line
Main Street	Entire length
Maple Street	Entire length
McBride Avenue	Entire length
Notch Road	Entire length
Paterson Avenue	Entire length
Ridge Road	Entire length
Stevens Avenue	Entire length
Union Avenue (Boulevard)	Main Street to the Wayne Township Line
Fairfield Road	From Main Street to the Essex County Line

State Roads:

Route 23	Entire Length
Route 46	Entire Length

C. Signage for truck routes shall be provided by the Township in accordance with N.J.S.A. 40:67-16.4

D. Any violation of this section shall be punishable by a fine of \$125 per offense. No appearance in Municipal Court shall be required for the payment of this fine.

3. 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.

4. A copy of this Ordinance shall be available for public inspection at the offices of the Township Clerk.

5. 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.

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

The Council President declared the motion passed.

**PUBLIC COMMENT –GENERAL MATTERS**

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

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

The Council President declared the motion passed.

Kevin Goluska, 3 Garden Street, questioned whether Ordinance No. 1314 would affect trucks coming within the flood area. Mayor clarified that any truck or vehicle doing business within the municipality will be permitted to traverse whatever street they need to in order to make their delivery or to perform the work that they are doing. The ordinance pertains to thru traffic and pass thru trucks which will need to follow the designated truck routes throughout the Township.

Ted L'Estrange, Otisville, NY, expressed his concern to raise awareness to condemn China's State-sanctioned harvesting of organs from Falun Gong practitioners for profit. Mr. L'Estrange provided Mr. Cuccia with information on the subject.

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

Poll: Ayes: Cordonnier, Liess, 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 9:04 p.m.

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Cynthia Kraus  
 Municipal Clerk