

**TOWNSHIP COUNCIL WORKSHOP AGENDA**

MONDAY, MARCH 11, 2024

7:00 P.M.

**SALUTE TO THE FLAG**

**STATEMENT OF PUBLIC NOTICE** - TAKE NOTICE THAT ADEQUATE NOTICE OF THIS MEETING HAS BEEN PROVIDED IN ACCORDANCE WITH N.J.S.A. 10:4-8 AND N.J.S.A. 10:4-10 AS FOLLOWS: A NOTICE OF THE MEETING WAS PROMINENTLY POSTED ON THE BULLETIN BOARD AT THE MUNICIPAL BUILDING, LOCATED AT 225 MAIN STREET, LITTLE FALLS, N.J. ON JANUARY 4, 2024. A COPY OF THE NOTICE WAS SENT TO THE NORTH JERSEY HERALD & NEWS AND THE RECORD ON THE SAME DATE. ADDITIONALLY, A COPY OF THE NOTICE WAS FILED IN THE OFFICE OF THE TOWNSHIP CLERK ON SAID DATE.

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

**ROLL CALL**

NATIONAL NUTRITION MONTH PROCLAMATION

NATIONAL WOMEN'S HISTORY MONTH PROCLAMATION

PROCLAMATION RECOGNIZING RAMADAN

WORLD DOWN SYNDROME DAY PROCLAMATION

**PUBLIC COMMENT - GENERAL MATTERS AND AGENDA ITEMS**

ANYONE WISHING TO ADDRESS THE TOWNSHIP COUNCIL MAY DO SO THROUGH THE COUNCIL PRESIDENT. IT IS PREFERRED IF YOU GIVE YOUR NAME AND ADDRESS FOR THE RECORD. COMMENTS ARE TO BE LIMITED TO THREE MINUTES, HOWEVER, IF APPROPRIATE, YOU MAY BE GRANTED ADDITIONAL TIME IN THE SOLE DISCRETION OF THE COUNCIL PRESIDENT.

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

**ITEMS TO BE DISCUSSED:**

**MAYOR/ADMINISTRATOR:**

1. RESOLUTION AUTHORIZING INCREASE IN DEFERRED SCHOOL TAXES FOR LOCAL SCHOOL AND REGIONAL HIGH SCHOOL TAXES

2. RESOLUTION PROVIDING FOR INCREASE IN RESERVE FOR UNCOLLECTED TAXES PERCENTAGE
3. RESOLUTION TO INTRODUCE 2024 MUNICIPAL BUDGET
4. TAX REFUND RESOLUTION DUE TO STATE TAX COURT JUDGMENTS
5. RESOLUTIONS AUTHORIZING AFFORDABILITY ASSISTANCE GRANT WITH RENTERS OF AFFORDABLE HOUSING UNITS (RESOLUTIONS E-F)
6. RESOLUTION AWARDDING A CONTRACT TO DLS CONTRACTING FOR STANLEY STREET PARKING LOT IMPROVEMENTS
7. RESOLUTION APPROVING CHANGE ORDER FOR DOWNTOWN STREETScape IMPROVEMENTS (LF SECTION 3) - INCREASE OF \$37,173.17 IN CONTRACT PRICE
8. CAPITAL BUDGET AMENDMENT RESOLUTION

**ACTION ITEMS:**

RESOLUTION AUTHORIZING INCREASE IN DEFERRED SCHOOL TAXES FOR LOCAL SCHOOL AND REGIONAL HIGH SCHOOL TAXES [A]

RESOLUTION PROVIDING FOR INCREASE IN RESERVE FOR UNCOLLECTED TAXES PERCENTAGE [B]

RESOLUTION TO INTRODUCE THE 2024 MUNICIPAL BUDGET [C]

RESOLUTION AUTHORIZING THE TREASURER TO ISSUE A CHECK IN THE AMOUNT OF \$16,353.38 REPRESENTING TAX REFUNDS ON THE PROPERTY KNOWN AS BLOCK 186, LOT 21.01 DUE TO STATE TAX COURT JUDGMENTS [D]

RESOLUTION AUTHORIZING AFFORDABILITY ASSISTANCE GRANT WITH THE RENTER OF AN AFFORDABLE HOUSING UNIT LOCATED AT 405 MAIN STREET, UNIT 241, LITTLE FALLS, NJ [E]

RESOLUTION AUTHORIZING AFFORDABILITY ASSISTANCE GRANT WITH THE RENTER OF AN AFFORDABLE HOUSING UNIT LOCATED AT 405 MAIN STREET, UNIT 429 LITTLE FALLS, NJ [F]

RESOLUTION AWARDDING A CONTRACT TO DLS CONTRACTING FOR STANLEY STREET PARKING LOT IMPROVEMENTS IN THE AMOUNT OF \$760,091.60 [G]

RESOLUTION AUTHORIZING CHANGE ORDER INCREASING THE TOTAL CONTRACT PRICE IN THE AMOUNT OF \$34,173.17 FOR THE DOWNTOWN STREETScape IMPROVEMENTS (LF SECTION 3) PROJECT [H]

CAPITAL BUDGET AMENDMENT RESOLUTION [I]

BILL LIST [J]

**NEW BUSINESS**

SECOND READING AND PUBLIC HEARING OF ORDINANCE NO. 1477, AN ORDINANCE ENTITLED, "ORDINANCE OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF LITTLE FALLS, IN THE COUNTY OF PASSAIC, STATE OF NEW JERSEY, AMENDING THE TOWNSHIP CODE CHAPTER 71, FEES".

INTRODUCTION OF ORDINANCE NO. 1478, AN ORDINANCE ENTITLED, "BOND ORDINANCE TO APPROPRIATE AN ADDITIONAL SUM OF \$320,000 FOR THE CONSTRUCTION OF A MUNICIPAL PARKING LOT IN, BY AND FOR THE TOWNSHIP OF LITTLE FALLS, IN THE COUNTY OF PASSAIC, NEW JERSEY, TO MAKE A DOWN PAYMENT, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH ADDITIONAL APPROPRIATION AND TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS", WITH A SECOND READING AND PUBLIC HEARING SCHEDULED FOR APRIL 8, 2024.

INTRODUCTION OF ORDINANCE NO. 1479, AN ORDINANCE ENTITLED, "CALENDAR YEAR 2024 ORDINANCE TO EXCEED THE MUNICIPAL BUDGET COST OF LIVING ALLOWANCE AND TO ESTABLISH A CAP BANK", WITH A SECOND READING AND PUBLIC HEARING SCHEDULED FOR APRIL 8, 2024.

**COUNCIL TOPICS FOR DISCUSSION**

**PUBLIC COMMENT - AGENDA ITEMS ONLY**

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

**ADJOURN**

RESOLUTION [A] 24-03-11 - # \_\_\_\_\_

**AUTHORIZING INCREASE IN DEFERRED SCHOOL TAXES  
FOR LOCAL SCHOOL AND 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 additional amounts, and

WHEREAS, the Governing Body 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 Governing Body that the following Deferred School Taxes be hereby increased for the year ended December 31, 2023 as follows:

	<u>Deferred Regional High School Taxes</u>
Amount Deferred 12/31/2023	\$4,134,821.00
Amount Deferred 12/31/2022	\$3,965,912.00

BE IT FURTHER RESOLVED by the Governing Body that a certified copy of this resolution be filed with the Director of the Division of Local Government Services.

Adopted this 11th day of March, 2024, and certified as a true copy of an original.

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Clerk

**RESOLUTION PROVIDING FOR INCREASE IN  
RESERVE FOR UNCOLLECTED TAXES PERCENTAGE**

WHEREAS, the Township of Little Falls collected only 98.05% of the 2023 taxes due to an increase in taxpayers being delinquent as a result of unfavorable economic conditions in the local economy and real estate markets for 2023 and

WHEREAS, the Township of Little Falls's average collection percentage for the prior 3 years is 98.54%, as calculated below, and

	<u>Collection Percentage</u>
2023	98.05
2022	98.56
2021	<u>99.03</u>
Total	<u>295.64</u>
3-Year Average	98.55%

WHEREAS, the lower percentage collected in 2023 has an effect on the "Reserve for Uncollected Taxes" in 2024, and

WHEREAS, the Governing Body desires to anticipate 98.44% collection for 2024, to help reduce the "Reserve for Uncollected Taxes", with prior written consent of the Director of Local Government Services,

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Township of Little Falls, County of Passaic, State of New Jersey, that the prior written consent of the Director of Local Government Services be requested to anticipate 98.44% collection of taxes in 2024 in figuring the "Reserve for Uncollected Taxes".

BE IT FURTHER RESOLVED that a certified copy of this resolution be forwarded to the Office of the Director of Local Government Services.

Adopted this 11th day of March, 2024 and certified as a true copy of an original.

\_\_\_\_\_  
Clerk

APPROVED: \_\_\_\_\_, 2024

\_\_\_\_\_  
Director, Division of Local Government Services

**2024 Municipal Budget**  
of the Township of Little Falls,  
County of Passaic for the fiscal year 2024

**Revenue and Appropriation Summaries**

Summary of Revenues	Anticipated	
	2024	2023
1. Surplus	2,800,000.00	2,278,000.00
2. Total Miscellaneous Revenues	5,750,011.50	5,461,523.98
3. Receipts from Delinquent Taxes	780,000.00	400,000.00
4. a) Local Tax for Municipal Purposes	14,288,399.89	14,404,333.27
b) Addition to Local District School Tax		
c) Municipal Library Tax	729,409.00	651,432.00
Tot Amt to be Rsd by Taxes for Sup of Mun. Bud	15,017,808.89	15,055,765.27
<b>Total General Revenues</b>	<b>24,347,820.39</b>	<b>23,195,289.25</b>

Summary of Appropriations	2024 Budget	Final 2023 Budget
1. Operating Expenses: Salaries & Wages	9,069,403.00	8,459,980.00
Other Expenses	8,884,673.39	8,484,474.25
2. Deferred Charges & Other Appropriations	2,687,620.00	2,701,272.00
3. Capital Improvements	185,000.00	385,000.00
4. Debt Service (Include for School Purposes)	2,721,124.00	2,564,563.00
5. Reserve for Uncollected Taxes	800,000.00	600,000.00
<b>Total General Appropriations</b>	<b>24,347,820.39</b>	<b>23,195,289.25</b>
Total Number of Employees		

Balance of Outstanding Debt		
	General	Water Utility
Interest	532,257.00	
Principal	1,636,000.00	
<b>Outstanding Balance</b>	<b>21,479,000.00</b>	

Notice is hereby given that the budget and tax resolution was approved by the Governing Body of the Township of Little Falls, County of Passaic on March 11, 2024.

A hearing on the Budget and Tax Resolution will be held at The Municipal Building, on March April 8, 2024 at 7:00 o'clock P.M. at which time and place objections to the Budget and Tax Resolution for the year 2024 may be presented by taxpayers or other interested persons.

Copies of the Budget are available in the office of Cynthia Kraus, Borough Clerk at the Municipal Building, 225 Main Street, Little Falls, New Jersey, Phone #973-890-4500 during the hours of 9:00 A.M. to 4:00 P.M..

**RESOLUTION (    ) 24-03-11# \_\_\_\_\_**

**WHEREAS**, the following property in the Township of Little Falls, New Jersey known as Block 186 Lot 21.01, Quick Quality Restaurants a/k/a Burger King @ 655 Route 46 East, has overpaid real estate taxes in the Years 2021 and 2022 due to State Tax Court Judgments; and

**WHEREAS**, the Judgments were entered on January 18, 2024; and Stipulation of Settlement states no interest is to be paid on the refunds if taxpayer and their attorney receive the refunds within **60 days from January 18, 2024 which would be on or before March 18, 2024**; and

**WHEREAS**, Year 2021 assessed value was \$1,731,200 and Judgment reduced the assessed value to \$1,506,800 with a difference of -\$224,400 with tax rate of \$3.212 totaling \$7,207.73 refund; and

**WHEREAS**, the Year 2022 assessed value was \$1,731,200 and the Judgment reduced the assessed value to \$1,453,000 with a difference of -\$278,200 with a tax rate of \$3.286 totaling \$9,141.65 refund; and

**WHEREAS**, the Year 2023 assessed value was reduced in Year 2023 with an assessed value of \$1,640,000 and Year 2024 assessed value was reduced to \$1,107,200 both in Assessor's MOD IV system for the Tax Duplicates; 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 Treasurer:

<u>Tax Year &amp; Qtr.</u>	<u>Block Lot</u>	<u>Taxpayer/ Location</u>	<u>Payee</u>	<u>Amount</u>
2021/4	186/21.01	Quick Quality Rest. 655 Route 46 East	Quick Quality Restaurants c/o Zipp & Tannenbaum, LLC 282 Raritan Center Parkway Edison NJ 08837	\$7,207.73
2022/4	186/21.01	Quick Quality Rest. 655 Route 46 East	Quick Quality Restaurants c/o Zipp & Tannenbaum, LLC 282 Raritan Center Parkway Edison NJ 08837	<u>9,141.65</u>

**Page 2 (Quick Quality Restaurants)**

**Total Refunds =**

**\$16,353.38**

APPROVED: \_\_\_\_\_

cc: Finance Dept.  
Tax Collector  
Assessor  
Dept.



**RESOLUTION [E] 24-03-11 - #\_\_\_\_\_**

**RESOLUTION AUTHORIZING AFFORDABILITY ASSISTANCE GRANT WITH THE RENTER OF AN AFFORDABLE HOUSING UNIT LOCATED 405 MAIN ST, UNIT 241, LITTLE FALLS, NJ 07424**

**WHEREAS**, Linasia M Carlos [will rent/rents] property located at 405 Main St, Unit 241, Little Falls, NJ 07424, which property is governed by the statutes, ordinances, rules and regulations restricting ownership and use of the property as an Affordable Housing unit; and

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

**WHEREAS**, the Township is willing to extend a grant to the tenant in the amount of \$578.00.

**NOW THEREFORE BE IT RESOLVED** on this 11<sup>th</sup> day of March, 2024, by the Township Council of Little Falls, County of Passaic, State of New Jersey, that:

1. The Mayor, Administrator, Clerk and attorney are hereby authorized to execute an Affordability Assistance Program grant with the renter of an Affordable Housing unit at 405 Main St, Unit 241, Little Falls, NJ 07424.

**CERTIFICATION**

I, Cynthia Kraus, Clerk of the Township of Little Falls, certify that the foregoing resolution was adopted by the Township Council of the Township of Little Falls at its meeting held on the 11<sup>th</sup> day of March, 2024.

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Cynthia Kraus, Clerk

**RESOLUTION [F] 24-03-11 - #\_\_\_\_\_**

**RESOLUTION AUTHORIZING AFFORDABILITY ASSISTANCE GRANT WITH THE RENTER OF AN AFFORDABLE HOUSING UNIT LOCATED 405 MAIN ST, UNIT 429, LITTLE FALLS, NJ 07424**

**WHEREAS**, dina G gharaibeh [will rent/rents] property located at 405 Main St, Unit 429, Little Falls, NJ 07424, which property is governed by the statutes, ordinances, rules and regulations restricting ownership and use of the property as an Affordable Housing unit; and

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

**WHEREAS**, the Township is willing to extend a grant to the tenant in the amount of \$1,098.00.

**NOW THEREFORE BE IT RESOLVED** on this 11<sup>th</sup> day of March, 2024, by the Township Council of Little Falls, County of Passaic, State of New Jersey, that:

1. The Mayor, Administrator, Clerk and attorney are hereby authorized to execute an Affordability Assistance Program grant with the renter of an Affordable Housing unit at 405 Main St, Unit 429, Little Falls, NJ 07424.

**CERTIFICATION**

I, Cynthia Kraus, Clerk of the Township of Little Falls, certify that the foregoing resolution was adopted by the Township Council of the Township of Little Falls at its meeting held on the 11<sup>th</sup> day of March, 2024.

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Cynthia Kraus, Clerk



RESOLUTION [H] 23-01-23 - #\_\_\_\_\_

RESOLUTION AWARDING CHANGE ORDER TO GRADE CONSTRUCTION  
FOR THE FY2020 NJDOT DOWNTOWN STREETScape IMPROVEMENTS PROJECT (LF SECTION 3)

WHEREAS, the Township Council has received a recommendation from the Township Engineer, Alaimo Group Consulting Engineers, regarding the contract for the Downtown Streetscape Improvements Project (LF Section 3) to change contract items as listed in the original specification; and

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

WHEREAS, the Township Council has a contract with Grade Construction for FY2020 NJDOT Downtown Streetscape Improvements Project, which was awarded by public bidding under the Local Public Contracts Law.

NOW, THEREFORE, BE IT RESOLVED, that the Township Council authorizes a change order to Grade Construction in the amount of \$34,173.17, making the revised contract amount \$1,051,182.04

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APPROVED: \_\_\_\_\_

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

**TOWNSHIP OF LITTLE FALLS  
COUNTY OF PASSAIC**

WHEREAS, the Township of Little Falls desires to establish the 2024 Temporary Capital Budget of said municipality by inserting therein the following project.

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

Section 1. The 2024 Temporary Capital Budget of the Township of Little Falls is hereby established by the adoption of the schedule to read as follows:

Temporary Capital Budget of the  
Township of Little Falls  
County of Passaic, New Jersey  
Projects Scheduled for 2024  
Method of Financing

<u>Project</u>	<u>Est. Costs</u>	<u>Grants</u>	<u>Budget Appr. Fund</u>	<u>Capital Imp. Fund</u>	<u>Bonds</u>	<u>Self-Liquidating Bonds</u>
Supplemental Appropriation-Municipal Parking Lot	320,000			16,000	304,000	

Section 2. The Clerk be and is authorized and directed to file a certified copy of this resolution with the Division of Local Government Services Department of Community Affairs, State of New Jersey, within three days after the adoption of this project for 2024 Temporary Capital Budget, to be included in the 2024 Permanent Capital Budget as adopted.

ROLL CALL:

**ORDINANCE NO. 1477**

**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 143 Parks and Recreation Facilities

**Farmers Market Vendor Fees:**

*At the discretion of the CFO, annually.*

Full Time Vendor (All 24 Markets): \$25 - \$45 Per Market

Part Time Vendor (11-23 Total Markets): \$30 - \$50 Per Market

Guest Vendor (1-10 Total Markets): \$35 - \$55 Per Market

**Farmers Market Tote Bag Sponsorship Fees:**

*At the discretion of the CFO, annually.*

Planter: \$100 - \$500 (First 12 Markets)

Harvester: \$100 - \$500 (Second 12 Markets)

**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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PASSED: \_\_\_\_\_

ATTEST:

APPROVE:

\_\_\_\_\_  
Cynthia Kraus, Municipal Clerk

\_\_\_\_\_  
James Belford Damiano, Mayor

BOND ORDINANCE NO. 1478

BOND ORDINANCE TO APPROPRIATE AN ADDITIONAL SUM OF \$320,000 FOR THE CONSTRUCTION OF A MUNICIPAL PARKING LOT IN, BY AND FOR THE TOWNSHIP OF LITTLE FALLS, IN THE COUNTY OF PASSAIC, NEW JERSEY, TO MAKE A DOWN PAYMENT, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH ADDITIONAL APPROPRIATION AND TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS.

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WHEREAS, the Township Council of the Township of Little Falls has heretofore authorized the construction of a municipal parking lot on Township-owned property located at the corner of Stanley Street and Stevens Avenue in, by and for said Township, and appropriated the sum of \$500,000 therefor pursuant to ordinance no. 1461 adopted by the Township Council of said Township on June 26, 2023; and

WHEREAS, the Township Council now finds and determines that the additional sum of \$320,000 is required for such improvement, NOW, THEREFORE,

BE IT ORDAINED by the Township Council of the Township of Little Falls, in the County of Passaic, New Jersey (the "Township"), as follows:

Section 1. The additional sum of \$320,000 is hereby appropriated to the payment of the cost of the improvement authorized by ordinance no. 1461 adopted by the Township Council of the Township on June 26, 2023 (the "Prior Ordinance"). Said additional appropriation shall be met from the down payment appropriated and from the proceeds of the sale of the bonds authorized by this ordinance. Said improvement has been and shall be made as a general improvement and no part of the cost thereof has been nor shall be assessed against property specially benefited.

Section 2. It is hereby determined and stated that (1) the making of such improvement (hereinafter referred to as



"purpose") is not a current expense of said Township, and (2) it is necessary to finance said purpose by the issuance of obligations of said Township pursuant to the Local Bond Law (Chapter 2 of Title 40A of the New Jersey Statutes Annotated, as amended; the "Local Bond Law"), and (3) the estimated cost of said purpose authorized by the Prior Ordinance is \$820,000, including the sum of \$500,000 appropriated by the Prior Ordinance and the \$320,000 appropriated by this ordinance, and (4) \$41,000 of said sum is to be provided by the down payment, including the \$25,000 appropriated by the Prior Ordinance and the \$16,000 hereinafter appropriated to finance said purpose, and (5) the estimated maximum amount of bonds or notes necessary to be issued for said purpose is \$779,000, including the \$475,000 authorized by the Prior Ordinance and the \$304,000 hereinafter authorized, and (6) the cost of such purpose includes the aggregate amount of \$75,000, including the \$50,000 provided in the Prior Ordinance and the sum of \$25,000 hereby stated, which is estimated to be necessary to finance the cost of such purpose, including architect's fees, accounting, engineering and inspection costs, legal expenses and other expenses, including interest on such obligations to the extent permitted by Section 20 of the Local Bond Law.

Section 3. It is hereby determined and stated that moneys exceeding \$16,000, appropriated for down payments on capital improvements or for the capital improvement fund in budgets heretofore adopted for said Township, are now available to finance said purpose. The sum of \$16,000 is hereby appropriated from such moneys to the payment of the cost of said purpose.

Section 4. To finance said purpose, bonds of said Township of an aggregate principal amount not exceeding \$304,000

are hereby authorized to be issued pursuant to the Local Bond Law. Said bonds shall bear interest at a rate per annum as may be hereafter determined within the limitations prescribed by law. All matters with respect to said bonds not determined by this ordinance shall be determined by resolutions to be hereafter adopted.

Section 5. To finance said purpose, bond anticipation notes of said Township of an aggregate principal amount not exceeding \$304,000 are hereby authorized to be issued pursuant to the Local Bond Law in anticipation of the issuance of said bonds. In the event that bonds are issued pursuant to this ordinance, the aggregate amount of notes hereby authorized to be issued shall be reduced by an amount equal to the principal amount of the bonds so issued. If the aggregate amount of outstanding bonds and notes issued pursuant to this ordinance shall at any time exceed the sum first mentioned in this section, the moneys raised by the issuance of said bonds shall, to not less than the amount of such excess, be applied to the payment of such notes then outstanding.

Section 6. Each bond anticipation note issued pursuant to this ordinance shall be dated on or about the date of its issuance and shall be payable not more than one year from its date, shall bear interest at a rate per annum as may be hereafter determined within the limitations prescribed by law and may be renewed from time to time pursuant to and within limitations prescribed by the Local Bond Law. Each of said notes shall be signed by the Mayor and by a financial officer and shall be under the seal of said Township and attested by the Township Clerk or Deputy Township Clerk. Said officers are hereby authorized to execute said notes in such form as they may adopt in conformity with law. The power to determine any

matters with respect to said notes not determined by this ordinance and also the power to sell said notes, is hereby delegated to the Chief Financial Officer who is hereby authorized to sell said notes either at one time or from time to time in the manner provided by law.

Section 7. It is hereby determined and declared that the period of usefulness of said purpose, according to its reasonable life, is a period of ten years computed from the date of said bonds.

Section 8. It is hereby determined and stated that the Supplemental Debt Statement required by the Local Bond Law has been duly made and filed in the office of the Township Clerk of said Township, and that such statement so filed shows that the gross debt of said Township, as defined in Section 43 of the Local Bond Law, is increased by this ordinance by \$304,000 and that the issuance of the bonds and notes authorized by this ordinance will be within all debt limitations prescribed by the Local Bond Law.

Section 9. Any funds received from private parties, the County of Passaic, the State of New Jersey or any of their agencies or any funds received from the United States of America or any of its agencies in aid of such purpose, shall be applied to the payment of the cost of such purpose, or, if bond anticipation notes have been issued, to the payment of the bond anticipation notes, and the amount of bonds authorized for such purpose shall be reduced accordingly.

Section 10. The Township intends to issue the bonds or notes to finance the cost of the improvement authorized by the Prior Ordinance and described herein. If the Township incurs such costs prior to the issuance of the bonds or notes, the Township hereby states its reasonable expectation to

reimburse itself for such expenditures with the proceeds of such bonds or notes in the maximum principal amount of bonds or notes authorized by this bond ordinance.

Section 11. The full faith and credit of the Township are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this ordinance. Said obligations shall be direct, unlimited and general obligations of the Township, and the Township shall levy ad valorem taxes upon all the taxable real property within the Township for the payment of the principal of and interest on such bonds and notes, without limitation as to rate or amount.

Section 12. The capital budget is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency therewith and the resolutions promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director, Division of Local Government Services, is on file with the Township Clerk and is available for public inspection.

Section 13. This ordinance shall take effect twenty days after the first publication thereof after final passage.

**ORDINANCE NO. 1479**

**CALENDAR YEAR 2024**

**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 2.50% 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 it advisable and necessary to increase its CY 2024 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 1.00% increase in the budget for said year, amounting to \$164,590.71 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 2024 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 \$576,067.49 and that the CY 2024 municipal budget for the Township of Little Falls be approved and adopted in accordance with this ordinance; and,

**BE IT FURTHER ORDAINED**, that any 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.