

TOWNSHIP COUNCIL MEETING AGENDA

MONDAY, MARCH 25, 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. ELECTRONIC PROVISIONS HAVE BEEN ESTABLISHED FOR THE PUBLIC TO PARTICIPATE DURING THE PUBLIC COMMENT PORTION OF THE MEETING.**

ROLL CALL

MINUTES

APPROVAL OF MINUTES FROM THE REGULAR MEETING OF FEBRUARY 26, 2024
AND THE WORKSHOP MEETING OF MARCH 11, 2024

MAYOR'S REPORT

REMARKS FROM THE CHAIR

COUNCIL MEMBER REPORTS

WOMEN'S HISTORY MONTH PRESENTATION

ATTORNEY'S REPORT

PUBLIC COMMENT - AGENDA ITEMS ONLY

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.

CONSENT AGENDA

ALL ITEMS ON THE CONSENT AGENDA ARE CONSIDERED TO BE ROUTINE AND WILL BE ENACTED WITH A SINGLE MOTION. FOR ANY ITEMS UNDER REQUISITIONS THE TREASURER HAS SUPPLIED A CERTIFICATION OF THE AVAILABILITY OF FUNDS.

REPORTS

MUNICIPAL CLERK'S REPORT FOR THE MONTH OF FEBRUARY 2024

MUNICIPAL CLERK'S DOG/CAT LICENSE REPORT FOR THE MONTH OF FEBRUARY 2024

TAX COLLECTOR'S REPORT FOR THE MONTH OF FEBRUARY 2024

TAX COLLECTOR'S ANNUAL REPORT FOR 2023

RECREATION CENTER REPORT FOR THE MONTH OF FEBRUARY 2024

CIVIC CENTER REPORT FOR THE MONTH OF FEBRUARY 2024

POLICE DEPARTMENT REPORT FOR THE MONTH OF FEBRUARY 2024

CONSTRUCTION REPORT FOR THE MONTH OF FEBRUARY 2024

FINANCE DEPARTMENT REPORT FOR THE MONTH OF FEBRUARY 2024

HEALTH DEPARTMENT REPORT FOR THE MONTH OF JANUARY 2024

APPLICATIONS

RAFFLE, ST. GEORGE ANTIOCHIAN ORTHODOX CHRISTIAN CHURCH, GAMES OF CHANCE, 6/13/24, 5:00 P.M. - 10:00 P.M., 6/14/24, 5:00 P.M. - 11:00 P.M., 6/15/24, 6:00 P.M. - 11:00 P.M., 237 LONG HILL ROAD, LITTLE FALLS

RAFFLE, ST. GEORGE ANTIOCHIAN ORTHODOX CHRISTIAN CHURCH, ON-PREMISE 50/50, 6/13/24, 5:00 P.M. - 10:00 P.M., 6/14/24, 5:00 P.M. - 11:00 P.M., 6/15/24, 3:00 P.M. - 11:00 P.M., 237 LONG HILL ROAD, LITTLE FALLS

RAFFLE, ST. GEORGE ANTIOCHIAN ORTHODOX CHRISTIAN CHURCH, SUPER 50/50, 6/15/24, 9:00 P.M., 237 LONG HILL ROAD, LITTLE FALLS

RESOLUTIONS

RESOLUTION AUTHORIZING AFFORDABILITY ASSISTANCE GRANT WITH THE RENTER OF AN AFFORDABLE HOUSING UNIT LOCATED AT 405 MAIN STREET, UNIT 430, LITTLE FALLS, NJ [A]

RESOLUTION AUTHORIZING NEW JERSEY DEPARTMENT OF COMMUNITY AFFAIRS 2024 LOCAL RECREATION IMPROVEMENT GRANT PROGRAM [B]

RESOLUTION AUTHORIZING EXPENDITURE OF FUNDS THROUGH THE PASSAIC COUNTY OPEN SPACE AND FARMLAND PRESERVATION TRUST FUND FOR IMPROVEMENTS TO LOUIS STREET PARK [C]

RESOLUTION AUTHORIZING THE TOWNSHIP TO PARTICIPATE IN THE UNION COUNTY COOPERATIVE PRICING SYSTEM [D]

RESOLUTION APPROVING RENEWAL OF PLENARY RETAIL CONSUMPTION/PLENARY RETAIL DISTRIBUTION/CLUB LICENSE FOR THE PERIOD FROM JULY 1, 2022 THROUGH JUNE 30, 2023 [E]

BILL LIST [F]

NEW BUSINESS

INTRODUCTION OF ORDINANCE NO. 1480, AN ORDINANCE ENTITLED, "AN ORDINANCE OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF LITTLE FALLS, IN THE COUNTY OF PASSAIC, STATE OF NEW JERSEY, TO ADD CHAPTER 134 (MUTUAL AID) TO THE CODE OF THE TOWNSHIP OF LITTLE FALLS", WITH A SECOND READING AND PUBLIC HEARING SCHEDULED FOR APRIL 29, 2024.

INTRODUCTION OF ORDINANCE NO. 1481, AN ORDINANCE ENTITLED, "AN ORDINANCE OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF LITTLE FALLS, IN THE COUNTY OF PASSAIC, STATE OF NEW JERSEY, AMENDING AND SUPPLEMENTING CHAPTER 163 OF THE TOWNSHIP CODE REGARDING REQUIREMENT FOR INSPECTION OF LEAD-BASED PAINT IN CERTAIN RESIDENTIAL DWELLINGS", WITH A SECOND READING AND PUBLIC HEARING SCHEDULED FOR APRIL 29, 2024.

INTRODUCTION OF ORDINANCE NO. 1482, AN ORDINANCE ENTITLED, "AN ORDINANCE AMENDING THE LITTLE FALLS FIRE DIVISION IN THE CODE OF THE TOWNSHIP OF LITTLE FALLS CODE SECTION 3-7.8 ENTITLED, FIRE DIVISION", WITH A SECOND READING AND PUBLIC HEARING SCHEDULED FOR APRIL 29, 2024.

PUBLIC COMMENT - GENERAL MATTERS

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.

ADJOURN

RESOLUTION [A] 24-03-25 - # _____

RESOLUTION AUTHORIZING AFFORDABILITY ASSISTANCE GRANT WITH THE RENTER OF AN AFFORDABLE HOUSING UNIT LOCATED 405 MAIN ST, UNIT 430, LITTLE FALLS, NJ 07424

WHEREAS, Alexandra Cruz [will rent/rents] property located at 405 Main St, Unit 430, 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 \$1,358.00.

NOW THEREFORE BE IT RESOLVED on this 25th 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 430, 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 25th day of March, 2024.

Cynthia Kraus, Clerk

TOWNSHIP OF LITTLE FALLS

RESOLUTION [B] 24-03-25 - # _____

RESOLUTION AUTHORIZING NEW JERSEY DEPARTMENT OF COMMUNITY AFFAIRS 2024 LOCAL RECREATION IMPROVEMENT GRANT PROGRAM

WHEREAS, the Township of Little Falls desires to apply for and obtain a grant from the New Jersey Department of Community Affairs Local Recreation Improvement Grant for approximately \$100,000 in order to replace playground equipment at Amity Park; and

WHEREAS, the Township of Little Falls does hereby authorize the application for such a grant and recognizes and accepts that the Department may offer lesser or a greater amount upon receipt of the grant agreement from the New Jersey Department of Community Affairs; and

BE IT THEREFORE RESOLVED, that the Township of Little Falls does further authorize the execution of any such grant agreement; and also, upon receipt of the executed agreement from the Department, does further authorize the expenditure of funds pursuant to the terms of the agreement between the Township of Little Falls and the New Jersey Department of Community Affairs; and

BE IT FURTHER RESOLVED, that the persons whose names, titles, and signatures appear below are authorized to sign the application, and that they or their successors in said titles are authorized to sign the agreement, and any other documents necessary in connection therewith:

(signature)
James B. Damiano

(type or print name)
Mayor

(title)

(signature)
Cynthia Kraus

(type or print name)
Municipal Clerk

(title)

RESOLUTION [C] 24-03-25 - # _____

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.

APPROVED:

James Damiano, Mayor

CERTIFICATION:

I Hereby Certify That The Above Resolution Is A True Copy Of The Resolution Adopted By The Mayor And Council At Their Regular Meeting Held on March 25, 2024 at The Township of Little Falls Municipal Building, 225 Main St., Little Falls, New Jersey 07424.

Cynthia Kraus
Township Clerk

RESOLUTION [D] 24-03-25 – # _____

RESOLUTION AUTHORIZING THE TOWNSHIP TO PARTICIPATE IN THE
UNION COUNTY COOPERATIVE PRICING SYSTEM

WHEREAS, N.J.S.A. 40A:11-1 et seq authorizes contracting units to enter into Cooperative Pricing Agreements; and

WHEREAS, the County of Union hereinafter referred to as “the Lead Agency” has offered voluntary participation in a Cooperative Pricing System for the purchase of work, materials and supplies; and

WHEREAS, the Township of Little Falls in the County of Passaic, desires to participate in the Union County Cooperative Pricing Agreement.

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Little Falls, in the County of Passaic, State of New Jersey, that the Township Council authorizes the Township of Little Falls to participate in the Union County Cooperative Pricing Agreement and execute a Cooperative Pricing Agreement with the County of Union upon its approval by the Division of Local Government Services; and

BE IT FURTHER RESOLVED, that the County of Union as Lead Agency is expected to comply with the provisions of the Local Public Contracts Law (N.J.S.A. 40A:11-1 et. seq. and all of the provisions of the revised statutes of the State of New Jersey).

APPROVED: _____

cc: Finance Department
Police Department
Contract File
County of Union

TOWNSHIP OF LITTLE FALLS
PASSAIC COUNTY NEW JERSEY

RESOLUTION [E] 24-03-25 - # _____

BE IT RESOLVED by the Little Falls Township Council as follows:

WHEREAS, an application for renewal of a PLENARY RETAIL CONSUMPTION LICENSE has been filed as follows:

<u>License No.</u>	<u>License and/or t/a name</u>	<u>Fee</u>
1605-33-009-007	JJF Spirits, LLC 109 Newark Pompton Tpke.	\$2,200.00

and WHEREAS, it appears that the said application is in satisfactory form; that the applicant has complied with all necessary requirements; that the application is for renewal by the same person for the same stands; and that no objections, in writing or otherwise, have been made or filed to said application; and

WHEREAS, the Township Council is familiar with the aforementioned applicant and the place for which they apply and sees no objection;

NOW, THEREFORE, BE IT RESOLVED that the above-listed application be and the same is hereby granted; and

BE IT FURTHER RESOLVED that the license be issued accordingly, to become effective on July 1, 2022 and expire on June 30, 2023.

APPROVED:

ccc: ABC
cc: ABC File
Dept.

**TOWNSHIP OF LITTLE FALLS
ORDINANCE NO. 1480**

**AN ORDINANCE OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP
OF LITTLE FALLS, IN THE COUNTY OF PASSAIC, STATE OF NEW JERSEY,
TO ADD CHAPTER 134 (MUTUAL AID)
TO THE CODE OF THE TOWNSHIP OF LITTLE FALLS**

WHEREAS, N.J.S.A. 40A:65-4 et seq. authorizes any local unit of the State to enter into a contract with any other local unit within the State for the joint provision within their territorial jurisdictions of any service which any party to the agreement is empowered to render within its own jurisdiction; and

WHEREAS, pursuant to N.J.S.A. 40A:14-156 et seq., municipalities of the State of New Jersey are authorized, in the event of an emergency, to provide police assistance outside their territorial jurisdictions in order to protect life and property or to assist in suppressing a riot or disorder; and

WHEREAS, N.J.S.A. 40A:14-156.1 provides that municipalities may by reciprocal ordinances enter into an agreement for mutual police and fire aid in case of emergency; and

WHEREAS, several municipalities in the County of Passaic and in jurisdictions in County of Essex, County of Bergen, County of Hudson and County of Morris desire to enter into a Mutual Police Aid Agreement, for the purpose of memorializing the terms and conditions by which the participating local public safety agencies may render mutual police aid to any other participating local public safety agency requesting assistance; and

WHEREAS, the Township Council believes that it is in the best interests of the safety of the residents of the Township of Little Falls to enter into a Mutual Police Aid Agreement; and

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

NOW THEREFORE BE IT RESOLVED by the Township Council of the Township of Little Falls, that Chapter 134, Mutual Aide, of the Code of the Township of Little Falls, is hereby added with the following:

Chapter 134. Mutual Aid

§134-1 Establishment.

Pursuant to N.J.S.A. 40A:14-156.1, there is hereby established a Mutual Police Aid Agreement between the Township of Little Falls and with each and every municipality within the County of Passaic and the contiguous and non-contiguous municipalities located within the counties of Essex, Bergen, Morris and Hudson which may be authorized by the Township of Little Falls for intermunicipal police at the time of any and all emergencies. This article shall become effective as to every other municipality within said counties at such times that said municipality has in the past or may in the future adopt an agreement providing the same terms and conditions set forth herein

and including the Township of Little Falls within its coverage of the municipalities which adopts a reciprocal agreement.

§134-2 Requests for Assistance.

The Chief of Police of the Township of Little Falls, or his designee, is authorized to request assistance from the Chief of Police or other head of the Police Department of any other municipality that adopts a reciprocal agreement, to provide aid during and after any emergency in order to protect life and property or to assist in suppressing a riot or disorder.

§134-3 Grant of Assistance; Powers of Members.

The Chief of Police of the Township of Little Falls, or his designee, shall provide assistance to any other municipality that accepts the terms of this agreement and makes a valid request to supply such personnel and equipment, to the extent possible without endangering persons or property within the Township of Little Falls. The members of the Little Falls Police Department supplying such aid shall have the same powers, authority, rights and immunities as the members of the police force of the municipality to which assistance is rendered.

§134-4 Assumption of Costs.

The Township of Little Falls shall, upon providing assistance to another municipality which has enacted a reciprocal mutual aid agreement, assume the cost and expense of providing its personnel and equipment to the requesting municipality, except in such instances where the requesting municipality receives State or Federal aid by way of reimbursement. Under those circumstances, the costs incurred by the Township of Little Falls shall be submitted to the municipality requesting assistance for reimbursement out of the funds received by way of State or Federal aid.

§134-5 Injury and Death Benefits.

Pursuant to N.J.S.A. 40A:156.3, members of the Little Falls Police Department suffering injury, or their legal representatives if death results while rendering assistance in another municipality, shall be entitled to all such benefits they would have realized if injury or death had occurred in the performance of normal duties within the Township of Little Falls.

§134-6 Standard Operating Procedures.

The Chief of Police of the Township of Little Falls, or his designee, and the chiefs of the other participating municipalities or their designees shall jointly prepare written standard operating procedures (SOP) which shall address the implementation of this mutual police aid agreement. A copy of the SOP, and all amendments and revisions thereto, shall be filed with each participating Police Department.

§134-7 Senior ranking officer.

At such times that an emergency may occur and intermunicipal aid is requested, the Chief of Police of the municipality wherein said emergency exists shall be the senior ranking officer of all members of any Police Department which may be rendering assistance within the confines of said municipality.

§134-8 Effect on Other Mutual Aid.

The enactment of this shall not in any way limit any other provisions of law providing for or authorizing mutual aid by fire, police or first aid forces, whether volunteer or paid, either within the Township of Little Falls or outside of the Township of Little Falls.

§134-9 Term of Agreement.

This Mutual Police Aid Agreement shall have an initial term of one year and shall be automatically renewed for additional and successive one-year terms, unless and until one of the parties hereto elects to terminate the agreement by providing prior written notice to the other party to the agreement.

NOW, THEREFORE, BE IT FURTHER ORDAINED that:

1. Ordinances, resolutions and regulations or parts of ordinances, resolutions and regulations inconsistent herewith are hereby repealed to the extent of such inconsistency; and
2. If any section, subsection, clause or phrase of this Ordinance is for any reason held to be unconstitutional or invalid by a court of competent jurisdiction, such a decision shall not affect the remaining portion of the Ordinance; and
3. Except as hereby amended, the Code of the Township of Little Falls shall remain in full force and effect.
4. This Ordinance shall take effect twenty days after final passage and publication in accordance with law.

PASSED: _____

ATTEST:

APPROVE:

Cynthia Kraus
Municipal Clerk

James Belford Damiano
Mayor

ORDINANCE NO. 1481

AN ORDINANCE OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF LITTLE FALLS, IN THE COUNTY OF PASSAIC, STATE OF NEW JERSEY, AMENDING AND SUPPLEMENTING CHAPTER 163 OF THE TOWNSHIP CODE REGARDING REQUIREMENT FOR INSPECTION OF LEAD-BASED PAINT IN CERTAIN RESIDENTIAL DWELLINGS

WHEREAS, the Township of LITTLE FALLS (the "Township") maintains Chapter 163 entitled "Property Maintenance" of the Township Code, specifically the Property Maintenance Code; and,

WHEREAS, pursuant to P.L. 2021, c.182, all municipalities are required to inspect every single-family, two-family, and multiple rental dwelling located within the municipality on a recurring basis and at tenant turnover for lead-based paint hazards; and,

WHEREAS, the Governing Body determined it is in the best interests of Township residents to amend the Township Code at this time to require inspections for lead-based paint in certain residential rental dwellings to conform with the State law.

NOW THEREFORE BE IT ORDAINED, by the Governing Body of the Township of LITTLE FALLS, County of Passaic, State of New Jersey, that:

Section 1. The aforementioned recitals are incorporated in their entirety, as if restated herein .

Section 2. Chapter 163 of the Township Code, entitled "Property Maintenance" shall hereby be amended and supplemented, as follows: Article VI. Lead-Based Paint Inspections.

§ 171-23. Required Initial Inspection. The owner, landlord and/ or agent of every single-family, two-family, and/ or multiple dwelling unit offered for rental shall be required to obtain an inspection of the unit for lead-based paint hazards within two years of the effective date of the law, July 2, 2022, or upon tenant turnover, whichever is earlier.

§ 171-24. Required Recurring Inspection. After the initial inspection required by Section 171-23, the owner, landlord and/ or agent of such dwelling unit offered for rental shall be required to obtain an inspection of the unit for lead-based paint hazards every three years, or at tenant turnover, whichever is earlier, except that an inspection upon tenant turnover shall not be required if the owner has a valid lead-safe certification.

§ 171-25. Standards. Inspections for lead-based paint in rental dwelling units shall be governed by the standards set forth in N.J.S.A. 52:27D-437 .1et seq., and

N.J.S.A. 55:13A-1 et seq., as may be amended from time to time.

§ 171-26. Exceptions. A dwelling unit in a single-family, two-family, or multiple rental dwelling shall not be subject to inspection and evaluation for the presence of lead-based paint hazards, or for the fees for such inspection or evaluation, if the unit:

a. has been certified to be free of lead-based paint;

- b. was constructed during or after 1978; or
- c. is in a multiple dwelling that has been registered with the Department of Community Affairs as a multiple dwelling for at least 10 years, either under the current or a previous owner, and has no outstanding lead violations from the most recent cyclical inspection performed on the multiple dwelling under the "Hotel and Multiple Dwelling Law", N.J.S.A. 55:13A-1, et seq.
- d. is a single-family or two-family seasonal rental dwelling which is rented for less than six months' duration each year by tenants that do not have consecutive lease renewals; or
- e. has a valid lead-safe certification issued in accordance with N.J.S.A. 52:27D-437. 16(d)(2).

§ 171-27. If lead-based paint hazards are identified, then the owner of the dwelling shall remediate the hazards through abatement or lead-based paint hazard control mechanisms in accordance with N.J.S.A. 52:27D-437.16(d). Upon the remediation of the lead-based paint hazard, the Township Code Enforcement Officer or designee, as may be applicable, or the owner's private lead inspector, shall conduct an additional inspection of the unit to certify that the hazard no longer exists.

§ 171-28. If no lead-based paint hazards are identified, then the Township Code Enforcement Officer or designee or the owner's private lead inspector shall certify the dwelling as lead safe on a form prescribed by the Department of Community Affairs, which shall be valid for two years and shall be filed with the Township's Code Enforcement Officer. The Township Code Enforcement Officer shall maintain up-to- date information on inspection schedules, inspection results, tenant turnover and a record of all lead-free certifications issued pursuant to N.J.A.C. 5:17.

§ 171-29. In accordance with N.J.S.A. 52:27D-437.16(e), property owners shall:

- a. Provide evidence of a valid lead-safe certification and the most recent tenant turnover to the Township of LITTLE FALLS at the time of the cyclical inspection.
- b. Provide evidence of a valid lead-safe certification to new tenants of the property at the time of tenant turnover and shall affix a copy of such certification as an exhibit to the tenant's or tenants' lease.
- c. Maintain a record of the lead-safe certification which shall include the name or names of the unit's tenant or tenants if the inspection was conducted during a period of tenancy.

§ 171-30. Fees.

- a. Notwithstanding any other fees due pursuant to this Chapter, a fee in the amount of \$200.00 shall be paid for each lead-based paint inspection. Said fee shall be dedicated to meeting the costs of implementing and enforcing this subsection and shall not be used for any other purpose. Alternatively, a dwelling owner or landlord may directly hire a private lead evaluation contractor who is certified to provide lead paint inspection services by the Department of Community Affairs to satisfy the requirements of Section 171- 23 in which case no additional Lead-Based Paint inspection fee shall be paid.
- b. The fee for the filing of a lead-safe certification or lead-free certification shall be \$50.
- c. In a common interest community, any inspection fee charged shall be the responsibility of the unit owner and not the homeowners' association, unless the association is the owner of the unit.

§ 171-31. Violations and Penalties. In accordance with N.J.S.A. 52:27D-437. 19, the penalties for a violation of Article shall be as follows:

- a If a property owner has failed to conduct the required inspection or initiate any remediation efforts, the owner shall be given 30 days to cure the violation.
- b If the property owner has not cured the violation after 30 days, the property owner shall be subject to a penalty not to exceed \$1,000 per week until the required inspection has been conducted or remediation efforts have been initiated.

Section 3. Severability. If any section, paragraph, clause, or provision of this ordinance shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, clause or provision so adjudged and the remainder of the ordinance shall be deemed valid and effective.

Section 4. Repeal of Prior Ordinances. All ordinances or parts of ordinances inconsistent with or in conflict with this ordinance are hereby repealed to the extent of such inconsistency.

Section 5. Effective Date. This ordinance shall take effect after final passage and publication as provided by law.

Introduced: , 2024

Adopted : , 2024

Cynthia Kraus, RMC

Township Clerk

James Damiano Mayor

§ ORDINANCE NO. 1482

AN ORDINANCE AMENDING THE LITTLE FALLS
FIRE DIVISION IN THE CODE OF THE
TOWNSHIP OF LITTLE FALLS CODE SECTION 3-7.8 ENTITLED: FIRE DIVISION

The Township of Little Falls is repealing Code section 3.7.8 in its entirety and replacing code section 3.7.8 as follows:

3-7.8 Fire Division.

A.

Fire Division created. Within the Department of Administration, there is hereby created a Division of Fire, which shall consist of four fire companies with a total of 100 active members to be designated as Rescue Company Number 1 and Engine Companies Nos. 2, 3 and 4, each company with an active membership of not more than 25 members and shall be known as the Little Falls Township Fire Department (Department). Each Company is also authorized to carry 10 auxiliary members per company. The Fire Division may employ such officers, firefighters and other such personnel, subject to the approval of the Mayor and within the limits of available appropriations, to carry out the functions of the Division.

Each Company has ownership of its own Fire House for which the Township pays a rental fee of \$5,700.00 to Company #1, \$4,500.00 to Company #2, \$4,500.00, to Company #3 and \$4,500.00 to Company #4 for storage of Municipal Apparatus and Equipment thru the annual municipal budget. The Township will pay for utilities, i.e., gas, electric, land line phones and cable TV and internet for the Company owned Fire Houses and generator maintenance thru the annual

municipal budget. The Township provides all firematic apparatus, including the Department Chief's marked vehicle, 4 marked assistant chief's vehicles and various equipment for use by the Fire Department for firefighting purposes. The Township will provide gasoline for all Department vehicles.

Clothing Allowance will be provided by the Township and paid to each authorized company as follows:

Clothing Allowance to be paid to all active authorized members.

All active authorized members	\$700.00/yr.
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Additional Officer Stipends:

2 nd Lieutenant	\$250.00/yr.
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1 st Lieutenant	\$450.00/yr.
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Captain	\$650.00/yr.
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Assistant Chief	\$1,000.00/yr.
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Chief of the Department	\$4,300.00/yr.
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Annually, the Chief of the Department shall certify to the Township the number of active members in each company. The Township shall provide the calculated clothing allowance to each company for distribution to its members and line officers. Any funds not distributed to the members and line officers in accordance with this ordinance shall remain with the Company and be utilized for Company expenses or initiatives as determined by the Executive Officers of the Company.

The Township, at the request of the Company, will provide those insurance coverages integral to the operations of the company under the Townships Master Insurance Program offered by the Joint Insurance Fund.

The National Incident Fire Reporting System (NIFRS) will be prepared and managed by the Fire Official. Monthly reports will be provided to the Department Chief for Department files.

B.

The government and management of the Department shall be according to the constitution, bylaws and rules, which shall be adopted by the Fire Department and approved by the Mayor and Governing Body, provided the same shall not be inconsistent with the provisions of this chapter, the Township Policies and procedures, the rules and regulations for the Department which may be adopted from time to time by the Governing Body and approved by the Mayor. The Department shall present the current bylaws, rules and regulations for the Department annually to the Township Administrator for approval by the Mayor. Once approved by the Mayor the Township Council shall by formal resolution approve and adopt the Department, Bylaws. The Adopted bylaws shall be kept on file in the office of the Township Clerk.

[1] Company Bylaws shall not be in conflict with the provisions of this chapter, the Township Policies and procedures, and the rules and regulations for the Department.

C.

Fire Chief.

(1) Position created. The position of Chief of the Fire Department is hereby created. The Chief of Fire Department (Fire Chief) shall head the Division of Fire and serve under the direction and supervision of the Township Administrator. The Fire Chief shall serve for no more than two consecutive terms. A term shall be defined as three years in accordance with the Department bylaws. The Fire Chief shall be designated 1-0

(2) Appointment and election. The Fire Chief shall be elected in accordance with the provisions set forth in this section.

(3) Qualifications. The Fire Chief shall be qualified by training, experience and such certifications/licenses as required by statute and the New Jersey Division of Fire Safety for the duties of his office.

(4) Duties. The Fire Chief shall direct and control the operations of the Fire Department at all fire emergencies and have the following duties:

(a) Prescribe Standard Operating Procedures, rules and regulations subject to the review by the Township Administrator, and approval of the Mayor.

(b) Upon arrival at a fire, enter upon and take charge of any buildings involved or endangered. The Chief's authority while directing the Department members at a fire shall be absolute and the Chief shall, when necessary, at a fire, order a street to be closed or traffic rerouted and may call upon the Police Division for any assistance required.

(c) Control and be responsible for the care and proper operation of all fire apparatus, and equipment.

(d) Purchasing for the Department is administered by the Fire Chief and must comply with the Township purchasing policy and procedures.

(e) Make such recommendations to the Mayor and Administrator for the betterment of the Department as he/she may deem necessary.

(f) Report Department activity to the Administrator monthly, and on an annual basis, the condition of the Department, a record of the fires and the attendance at the fires.

(g) Have the authority to request from any property owner or tenant access to any building for the purpose of conducting a fire pre plan and walk through in order to protect the members of the Department should they be called upon to enter the building during an emergency.

(h) The Fire Chief shall monitor for sufficiency the local water supply and distribution system as it relates to fire fighting and shall inform the Township Administrator of the conditions found and make recommendations for improvements and increased efficiency of the system as conditions may require.

(i) Establish and maintain a training program for all firefighters in the Department

(j). In case of insubordination on the fire ground or at a firematic event, the Fire Chief may order a temporary suspension of a department member for a time not to exceed 5 days. The Fire Chief shall then make a formal report to the Township Administrator. If charges are sustained by the Township Administrator, the suspension will stand as ordered. If the situation requires continued discipline, suspension or termination, the Administrator shall inform the Mayor as to his/her determination. At this time the Township Labor Counsel shall be advised of the matter and will further investigate the situation. If extended suspension or termination is suggested the action to suspend or expel such member from the Department shall be made by formal letter to the member.

(5) Accusations of criminal conduct or activity or inappropriate actions as identified in the Township of Little Falls personnel policy manual will be brought to the attention of the Township Administrator and addressed in accordance with the Township of Little Falls Personnel Policy Manual standards. The affected member shall have the right to grieve the decision by following the grievance policy steps set forth in the Township's Personnel Policy Manual to resolve this dispute.

(6) Removal of Fire Chief - The Mayor or the Administrator may remove the Fire Chief for neglect of office, malfeasance, improper conduct or other cause noted in the Township Personnel Policy manual after a proper and independent investigation. The Chief may appeal the Decision in accordance with the procedures set forth in the Township's Personal Policy Manual.

(7) Absence of Fire Chief. In the absence of the Fire Chief, the four Assistant Chiefs shall select one of the Assistant Chiefs to temporarily or otherwise, perform all of the duties of the Fire Chief.

D.

Assistant Chiefs- Four Assistant Chiefs to be designated as follows:

Company 1 Assistant Chief 5-0

Company 2 Assistant Chief 2-0

Company 3 Assistant Chief 3-0

Company 4 Assistant Chief 4-0

In the absence of the Fire Chief the Assistant Chiefs shall perform the following duties:

(a) Direct and control the operations of the Fire Department at all fire emergencies in compliance with the established incident command system and have the following duties:

(b) Upon arrival at a fire, enter upon and take charge of any buildings involved or endangered. The Assistant Chief's authority while directing the Department members at a fire shall be absolute and the Assistant Chief shall, when necessary, at a fire, order a street to be closed or traffic rerouted and may call upon the Police Division for any assistance required.

(c) Control and be responsible for the care and proper operation of all fire apparatus, and equipment.

(d) Make such recommendations to the Fire Chief for the betterment of the Department as he/she may deem necessary.

(e) Make such recommendations to the Fire Chief to request from any property owner or tenant access to any building for the purpose of conducting a fire pre plan and walk through in order to protect the members of the Department should they be called upon to enter the building during an emergency.

(f) Assist the Fire Chief with the Training Program for the Department.

(g) In case of insubordination on the fire ground or at a firematic event, the Assistant Chief may order a temporary suspension of a department member for a time not to exceed 3 days. The Assistant Chief shall then make a formal report to the Township Administrator. If charges are sustained by the Township Administrator, the suspension will stand as ordered.

E.

Captains.

The Captain of each company shall notify the Department Fire Chief of any firefighter by July 15, of each year who has not attended the required number of meetings, fires, and training drills during the first 6 months of the year. The Department Fire Chief Shall Certify to the Township Administrator, in writing, the name of all firefighters who have not attended the required number of meetings, fires, and training drills during first 6 months of the year. The Administrator shall thereupon notify the members and the Captains of said companies, in writing, that those member have been placed on guarded status. Each Company shall provide its members with a remedial plan to allow them to meet the required standard for membership in good standing over the next six-month period. The member may request the Board of Fire Officers review the attendance record and seek reinstatement to full active membership. If the member is not satisfied

with the result before the Board of Fire Officers, the member shall follow the grievance policy steps set forth in the Township's Personnel Policy Manual to resolve this dispute.

F.

Election of officers.

(A) Chief.

[1] In accordance with the provisions of this chapter, the Chief of the Fire Department shall be elected for a term of three years at an annual meeting of the members to be held on the second Thursday of December. The Chief may be elected for no more than two consecutive terms.

[2] If there are no willing and qualified candidates to run for Department Chief, at the end of two consecutive terms held by the Department Chief. The Department Chief, completing the second consecutive term, shall be allowed to run for Department Chief for a one- year term with the written approval of the Mayor. The Department Chief elected to a one-year term shall not run for Department Chief against any willing and qualified candidate, who when elected shall serve a three-year term. Pursuant to Section (A) [1] above. Should the Department Chief serve for three consecutive one -year terms, that Chief shall be eligible to run for a new three-year term in accordance with section (A) [1] above.

[3] The Chief shall hold office for a term of three years, which term shall commence on the date of his election at the meeting.

[4] In the event of the death, resignation or removal of the Chief, the membership of the Fire Department shall hold a special election on the second Thursday next following the death, or the effective date of the resignation or removal, and elect in accordance with the terms hereof another person to fill the office of the Chief for the unexpired term. The

remainder of that term shall not count towards the two consecutive terms that a Chief can hold.

[5] If the membership of the Fire Division shall fail to hold the special election, The Assistant Chiefs shall select one of the Assistant Chiefs to act as the Chief of the Department until expiration of the unexpired term.

[6] If the Assistant Chiefs cannot select an Assistant Chief to act as the Chief of the Department and no election to fill the position is held, then the Mayor shall appoint a qualified Department member to fill the unexpired term of the Department Chief.

(B) Assistant Chiefs.

[1] Each of the four Assistant Chiefs shall be elected from a different fire company and the fourth Assistant Chief is to be elected from the same fire company of which the Chief of the Fire Division is a member.

[2] In the event of the death, resignation or removal of an Assistant Chief, the membership of the Fire Company shall hold a special election on the second Thursday next following the vacancy and elect in accordance with the terms hereof another person to fill the office of Assistant Chief from that Company. The vacancy will be filled by the ratification of the company's choice, with the new Assistant Chief becoming the Assistant Chief from said Company for the remainder of the term.

G.

Eligibility.

(a) No person shall be eligible to be Chief of the Fire Division who has not served at least three years as an Assistant Chief, unless no member qualifies for the position, in which case the next three Assistant Chief's with the most years of Assistant Chief service shall be eligible.

(b) No person shall be eligible to be an Assistant Chief of the Fire Division who has not served at least two years as Captain of one of the four fire companies established in the Township.

(c) All other officers of the Fire Department must be members in good standing at the time of election and shall be elected in accordance with the provisions of the applicable Company and Department bylaws.

(d) No person shall be eligible to be a Department or Company Line officer who has not served three years as an active fire fighter.

H.

Election under direction of The Township Clerk and the Township Administrator.

(a) The election of all officers of the Fire Division shall be under the direction of the Township Clerk and/or Deputy Clerk, and the Township Administrator, and the election shall be by secret written ballot. The Township Clerk will oversee the casting and collection of ballots as the roll for eligible voters is called by the Secretary of the Fire Division. The Sergeant-at-Arms shall assist in maintaining an orderly and accurate voting process.

(b) No member of the Fire Department shall be eligible to vote unless they have served at least six months as an active member of the Department.

(c) The results of any election shall be reported to the Governing Body by the Township Clerk at the next Township Council Meeting.

I.

Rejection by the Mayor

(a) The Mayor may reject any person who has been elected Chief or Assistant Chief for cause.

(b) In the event of rejection of the officer as provided herein, the membership of the Fire Department shall hold a special election on the second Thursday next following the date of the rejection by the Mayor and shall elect in accordance with the terms hereof another person to fill the office of the persons rejected by the Mayor. If the membership of the Fire Department shall fail to hold the special election, then, and in that event, the Mayor, shall fill and appoint a qualified member to the unexpired term of office.

J.

Board of Fire Officers.

(a) Composition. The Department Chief, and the four Assistant Chiefs shall constitute a Board of Fire Officers. The Captains of each Company shall serve as alternates to the Board. If an Assistant Chief is unable to attend a meeting of the Board, the Captain of the respective Company shall attend and vote as an alternate member. The Board of Fire Officers shall meet at least once in each quarter. The Board will be primarily responsible for framing the ongoing vision of the Township's emergency Fire response system. The Board will serve to ensure transparency and coordinate with the Township Administration to develop recommendations for a plan to maintain the Fire response system in the Township of Little Falls. The Board of Fire Officers shall advise and consult with the Fire Chief on matters affecting the welfare and morale of the Department members.

(b) Presiding officer. The Department Chief shall be the presiding officer and designate one of the members of the Board to act as Secretary and keep minutes of the meetings.

(c) The minutes of the meetings of the Board of Fire Officers will be maintained as permanent record of the Fire Department. A copy of said record shall be forwarded to the Township Clerk to keep on file as a permanent record of the Township.

K.

Company Officers.

(1) Election of Officers. Before the second Thursday in December in each year, each fire company shall elect an Assistant Chief, Captain, First Lieutenant and Second Lieutenant, all of which must be a member in good standing and meet the eligibility requirements established by the Department and Company bylaws at the time of the election, and report the result of the election to the Chief and the President of the Department at the annual Department meeting. Company Officers terms shall commence the second Thursday in December and run until the following year's second Thursday in December.

(2) Duties of Captain.

(a) The Captain of each company shall have full charge of the company, apparatus and equipment under the direction of the Company Chief and shall keep records of fires, drills, and attendance of his members at all meetings, drills, training and fire calls and furnish the Department Chief with a copy on or before the 15th of the following month.

(b) The Captain shall by November 15th of each year furnish the Department Chief with an inventory of all apparatus and equipment assigned to the respective company by the Township and a separate report of company-owned equipment used by the Department.

(3) Duties of Lieutenants. The Lieutenants shall assist the Captain and in the Captain's absence assume the duties of the Captain.

L.

Membership.

(1) Composition. The 100 authorized members of the Department shall be the active members of the four companies, each of which may admit new members, in accordance with the authorized strength defined herein, according to each company's bylaws, to the extent that the bylaws do not conflict with this section. The Department may also carry up to 40 auxiliary members, 10 from each company.

(2) Compensation. The member may receive such compensation for extraordinary services rendered as is provided by the Mayor and Governing Body.

(3) Eligibility and qualifications.

(a) All applicants for membership shall be between the age of 18 and the state maximum permitted age and be a resident of the Township or an immediately bordering municipality when accepted as a member of a Company.

(b) Each applicant shall file a written application in duplicate on a form to be provided by the Department, one copy of which shall be filed with the Township Clerk who shall maintain a list of Members of the Little Falls Fire Department, once the applicant has been accepted as a member of the Company, the Company secretary will provide a letter to the Township Clerk stating that the member has been accepted along with the effective date of membership.

(c) Each application shall be accompanied by a certificate from the health care provider clearing the applicant for attendance at the Fire Academy/or Fire and certifying

that the health care provider has examined the applicant and is of the opinion that the applicant is physically fit to perform the duties of a fire fighter.

(d) All applicants must obtain and maintain a Firefighter 1 certificate from the New Jersey Division within 2 years of becoming an auxiliary member.

(e) All members must comply with Department training requirements established by the Department Chief. The Division training requirements shall be sent to the Township Administrator for approval.

(f) To remain a member of the Fire Department, a member shall be in good standing in accordance with the approved by-laws of the fire company to which the member belongs. Each member shall be afforded the opportunity to be a member in good standing by attending and participating at Company meetings and training drills.

(g) A member who resigns or is expelled from a particular company may join another Company if approved by the members of the other Fire Company in accordance with their By-Laws. The Board of Fire Officers may review the decision made by the company accepting the member only in terms of allocating the proper manpower in order to keep each company viable for fire response. This decision may be appealed to the Township Administrator by the Company accepting the new member. The Decision of the Administrator shall be final and not subject to appeal.

(h) No member shall be permitted to transfer from one company to another unless the transfer shall be acceptable to both companies involved. The Board of Fire Officers may review the decision made by the company accepting the member only in terms of allocating the proper manpower in order to keep each company viable for fire response.

This decision may be appealed to the Township Administrator by the Company accepting the new member. The Decision of the Administrator shall be final and not subject to appeal.

(4) Duties:

(a) Upon an alarm of fire or emergency, it shall be the duty of the members of the Department to report immediately to their respective firehouses and convey their apparatus to the place of the fire or emergency, or report directly to the fire or emergency if the apparatus has already left, and perform any duty that may be required of them by the officer in charge at the scene. They shall remain on duty until relieved by order of the Chief.

(5) Auxiliary firefighters. A Firefighter's Auxiliary to the Fire Department is hereby established, which shall be subject to the following provisions:

(a) Each auxiliary firefighter shall be at least 18 years old and assigned to one of the four fire companies in the Township.

(b) Auxiliary firefighters shall have no voting powers nor hold any offices within the Fire Department.

(c) The status and assignment of auxiliary firefighters shall be under the control of the applicable fire company Captains and Company Chief.

(d) Auxiliary firefighters will have no seniority and will have no line number in the Fire Department.

(e) Auxiliary firefighters shall, based upon their level of ability and training, participate at all Company meetings, training drills, and wash nights and at fires and emergencies scenes at the direction of their Company Officers.

(f) Any auxiliary firefighter who wishes to move to active membership must complete all requirements established by the applicable fire company bylaws and Fire Department bylaws.

M.

Deputy Chief Position Established

(1) The position of Deputy Chief is hereby established in the Department. A Department Chief having served at least four (4) terms may be considered by the Department for the position of Deputy Chief, with the designation 6-0. At the annual meeting of the members to be held on the second Thursday of December a qualifying Department Chief shall be elected by the active membership of the Department to the Honorary position of Deputy Chief by a 2/3ds vote of the eligible active voting members.

(2) The Deputy Chief shall function in the command role at the scene of an emergency, in compliance with the Incident Command System.

N. Exempt certificates.

Each member of the Department who has performed in accordance with the New Jersey Statutes covering Exempt Firefighters certificates for seven years shall be entitled to an Exempt certificate in compliance with the New Jersey Statutes 40A:14-56 et.al. thereof, signed by the Mayor, the Township Clerk and the Department Fire Chief and shall be entitled to wear such badge as shall be designated by the Mayor and shall be considered an exempt member of the Fire Department. Copy of each members exempt certificate shall be filed with the Township Clerk.

Q.

Interference with Fire Department

No person shall interfere with, impede or delay any fire apparatus in any manner, nor willfully drive or cause any vehicle to be driven over any hose, or other fire apparatus or equipment, nor in any manner willfully damage, deface or injure any apparatus, hose or equipment, nor give or cause to be given any false alarm of fire, nor meddle with, injure or destroy any of the property belonging to the Township of Little Falls Fire Department or any fire company.

P.

Removal of fire apparatus from the Township.

No fire apparatus shall be taken outside of the limits of the Township for fire or emergency duty without order of the Chief or Acting Chief, nor for any other purpose without approval of the Department Chief and Notification by the Department Chief to the Township Administrator.

Q.

Junior Firefighter's Auxiliary.

A Junior Firefighter's Auxiliary to the Fire Department is hereby created and shall be subject to the following provisions:

(1) Each junior firefighter shall be at least 14 years old, but not more than 18 years old, and assigned to one of the four fire companies in the Township.

(2) Junior firefighters shall have no voting powers nor hold any offices in the Fire Department.

(3) The use of junior firefighters for any task within the Fire Department shall be governed by the applicable state laws, regulations and/or guidelines.

(4) Junior firefighters shall be under the control and direction of the fire company Captains and Chief.

(5) Applicants must be residents of the Township, complete the standard application form and have a medical examination completed by the Township.

(6) Each junior firefighter, while enrolled in school or college, must provide his or her report card to his or her fire company Chief and/or Captain indicating that he or she has maintained a "C" average. In the event the grade average of said Junior Firefighter falls below a "C," the junior firefighter will be subject to disciplinary action or dismissal after evaluation by the Board of Fire Officers, who shall have final authority as to the dismissal of said junior firefighter.

(7) Any activities undertaken by a junior firefighter shall be governed by the laws of the State of New Jersey, including, without limitation, the New Jersey Department of Labor Workers Compensation Law, New Jersey Child Labor Laws, New Jersey PEOSHA 12:100 and those state laws governing the establishment of a Junior Firemen's Auxiliary, eligibility for membership, and rules and regulations governing activities of a Junior Firemen's Auxiliary (N.J.S.A. 40A:14-95 through N.J.S.A. 40A:14-98).

(8) Junior firefighter activities and participation shall be governed by the applicable Township of Little Falls Fire Department.

(9) The Fire Department shall provide the junior firefighter with personal protective equipment meeting the current New Jersey PEOSHA requirements promulgated under N.J.A.C. 12:100-10, standards for firefighters.

(10) Junior firefighters may respond to alarms only under direct supervision and be permitted to assist in Fire Department operations. They shall not be permitted to drive any fire apparatus.

(11) Junior firefighters shall not engage in interior structural firefighting nor any hazardous material incident operations. They shall not be exposed to an emergency environment where self-contained breathing apparatus may be required. For purposes of this subsection, an emergency environment where self-contained breathing apparatus may be required shall include, but not be limited to: heat, toxic gases, smoke, interior structural firefighting, hazardous material incidents, confined space or below grade operations, oxygen-deficient atmospheres, and/or other products of combustion.

(12) Junior firefighters shall not be permitted to operate certain equipment, including but not limited to the following: jaws of life, chain saws, vent saws, come-along fire extinguishers and air chisels. Junior firefighters may operate the following equipment: porta power, flares, oxygen, suction unit or seatbelt cutters.

(13) Training provided to junior firefighters shall meet the Uniform Fire Code and State of New Jersey Standards for Fire Training and Certification promulgated under N.J.A.C. 5:18C.

(14) Junior firefighters shall not be permitted to carry and/or operate blue warning lights.

R.

LOSAP

Emergency Services Volunteer Defined Contribution Program.

(1) A defined contribution program known as a Length of Service Award Program (LOSAP) is hereby established pursuant to N.J.S.A. 40A: 14-183 et seq. for the benefit of the active volunteer members of the emergency services organization operating under the Township's jurisdiction, which is the Township of Little Falls Volunteer Fire Department.

(2) The program shall provide for annual contributions to a deferred income account for each active volunteer member of the aforesaid emergency services organization that meets the criteria set forth below, such contributions being made in accordance with the plan established by the Township of Little Falls pursuant to N.J.S.A. 40A:14-183 et seq., such plan being administered in accordance with the laws of the State of New Jersey, this subsection and any applicable rules of the Internal Revenue Service. The Township Council shall sponsor a responsible fiduciary for the administration of said plan and the investment and accounting for the funds maintained hereunder.

(3) The proposed estimated total amount to be budgeted for the program shall be \$115,000, based upon a maximum of 100 qualifying volunteers.

(4) The proposed maximum annual Township contribution for an active volunteer shall be \$1,350. Subject to the adoption of the within program, the maximum annual contribution may be increased from time to time by application of the consumer price index factor as provided by the state and upon the approval of the Director of the Division of Local Government Services.

(5) An active volunteer member shall be eligible to participate in the Length of Service Award Program immediately upon the commencement of the active volunteer member's performance of active emergency services in the Township's emergency services organization.

Members who have served for a year or part of a year and have earned sufficient points to gain a monetary reward to their deferred income account shall be considered to have vesting rights from that time forward for all LOSAP contributions. Vested members shall be able to withdraw the deposited funds at any time in accordance with current IRS rules, New Jersey state laws and applicable rules established by the plan's fiduciary administrator. In the event of the death of a volunteer member who is vested, contributions made to the member's account shall be distributed to the member's immediate family in accordance with current IRS rules and New Jersey state laws.

(6) A year of active emergency service commencing after the establishment of the program should be credited for each calendar year in which an active volunteer member accumulates at least 30 points that are granted in accordance with the following schedules. Annual contributions shall be made to each eligible member in accordance with the following schedules.

(a) Point system: Sixty-point annual goal for maximum contribution points may be earned as either all fire call points or a combination of fire call points and activity points.

No more than 24 activity points shall be earned annually. Fire calls earn 0.3 points each.

Fire Calls Earned Points

50	15
100	30
150	45
	60

Fire Calls Earned Points

(b) Annual twenty-four point maximum for activities as detailed below:

Activities	Points Per	Max Yearly Points
Company Drill	1	12
Division drills	2	8
Division meetings	1	4
Engineer certification*	5	5
Truck certification*	5	5
Firematic training	5	10
Memorial Day parade	5	5
Line and Company officer**	15	15
Company admin. officer**	15	15
Dept. admin. officer**	15	15
EMT training***	20	12

* Members must qualify every year.

** Member can only get credit for one position a year and must serve eight months in a calendar year.

*** Member can only get credit in year certification was obtained.

(c) Additional activity points shall be credited for accumulated years with the Little

Falls Fire Division as follows:

Years Points

1 to 5 1

6 to 10 3

11 to 15 6

16 to 20 10

(d) Percentage of maximum annual contributions to be paid based upon points accumulated annually.

Points Accumulated Annually % of Maximum Annual Contribution to be Paid

60 or more 100%

50 to 59 75%

40 to 49 50%

30 to 39 25%

Less than 30 points 0%

(7) The crediting of prior years' service shall be solely in accordance with the above schedule. The determination of number of years' credit for each participant shall be made in accordance with the provisions of the state statutes. In no event shall the total amount exceed the maximum amount allowed by law.

(8) In computing credit for those active volunteer members who also serve as paid employees within the local government unit of the state, credit shall not be given for activities performed during the individual's regularly assigned work periods.

(9) The participating emergency services organization shall maintain all required records on forms prescribed by the requirements of the service award program and shall comply with all statutory provisions concerning the Length of Service Award Program. Each year the participating emergency services organization shall furnish to the Township Clerk an annual certification list, certified under oath, of all volunteer members, which shall identify those active volunteer members who have qualified for credit under the award program for the previous year. A volunteer member may request in writing that the member's name be deleted from the lists as participant in the program in accordance with state statute. The Township shall review the annual certification list and approve the final annual certification. The approved list of active certified volunteer members shall then be returned to each participating emergency services organization and posted for at least 30 days for review by members. The emergency services organization shall provide any information concerning the annual certification list that the Township shall require as part of its review.

(10) All records shall be maintained, updated and submitted on a monthly basis, by the emergency services organization, to the Chief Financial Officer of the Township.

Severability.

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.

Repealer and Merger.

All Township ordinances and parts or ordinances inconsistent with this ordinance are hereby repealed.

Section 7 - Effective Date.

This ordinance shall take effect upon its final passage by the Township Council.

DATE INTRODUCED: _____

DATE ADOPTED: _____

APPROVE:

James Belford Damiano, MAYOR

ATTEST:

Cynthia Kraus, TOWNSHIP CLERK