

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

**Monday, May 20, 2019**

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

Absent: Township Engineer, Councilmember Maria Cordonnier.

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

**SALUTE TO THE FLAG**

**STATEMENT OF PUBLIC NOTICE:** Take notice that adequate notice of this meeting has been provided in accordance with N.J.S.A. 10:4-10 as follows: A notice of the meeting was prominently posted on the bulletin board at the Municipal Building, located at 225 Main Street, Little Falls, N.J. on January 2, 2019. A copy of the notice was faxed to the North Jersey Herald and News and The Record on the same date. Additionally, a copy of the notice was filed in the office of the Township Clerk on said date.

**APPROVAL OF MINUTES**

It was moved by Councilmember Vancheri, seconded by Councilmember Kahwaty, that the Minutes of the Regular Meeting of April 22, 2019, and the Minutes of the Workshop Meeting of May 6, 2019 be approved as amended.

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

The Council President declared the motion passed.

**COUNCIL MEMBER REPORTS**

Councilmember VANCHERI discussed details of events planned for Friday, May 24, 2019 at Wilmore Memorial Park. The Memorial Day Parade will start at 10:00 am followed by a memorial service at Wilmore Memorial Park. He will present findings of the signage review conducted by Corporal Moncato and the Police Department for the Transportation Committee with the members of the Council, Mr. Simone, Mr. Cuccia, and the Police Department.

Councilmember KAHWATY stated he reviewed the Film Ordinance as requested and will present findings in the future. The Domestic Violence Prevention Committee will march in the Memorial Day Parade. The Domestic Violence Awareness Vigil has been set for October 10, 2019. About thirty volunteers attended the Town Cleanup with support from Mr. Simone and the DPW. It was a successful event that will be held a couple of times a year.

Councilmember SEBER reported on April 27, 2019 five additional cherry trees were planted at Amity Park in honor of Arbor Day. She reported the Library has many great events scheduled and encouraged participation. The Municipal Alliance has been approved by the County and State to make adjustments for the remainder of the fiscal year which will help the Alliance budget better. Staying on the Right Track will be held on May 20, 2019 at 8:30 pm at School No. 1. The Municipal Alliance will participate in the Memorial Day festivities along with the July 4, 2019 Street Fair.

**REMARKS FROM THE CHAIR**

Council President SGOBBA announced he has been working on the Sign Ordinance. He has meetings planned with Chairman Barry and Chairman Radcliff and will also meet with business groups. He hopes to bring the Sign Ordinance to the Council in the near future.

**MAYOR'S REPORT**

**MAYOR'S APPOINTMENT OF JOYCE FROMMER AND NANCY FRIEDRICH TO THE LITTLE FALLS LIBRARY BOARD FOR A FIVE-YEAR TERM EXPIRING 5/31/24 WITH ADVICE AND CONSENT OF THE COUNCIL**

The Mayor explained the appointment and terms of the Library Board, and asked for Council approval on his recommendations.

It was moved by Councilmember Seber, seconded by Councilmember Vancheri, to appoint Joyce Frommer to the Little Falls Library Board for a five-year term expiring 05/31/24.

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

The Council President declared the motion passed.

Mayor Damiano also reported the Township is in receipt of a new Ford F-150 for use by the Office of Emergency Management.

It was moved by Councilmember Kahwaty, seconded by Councilmember Seber, to appoint Nancy Friedrich to the Little Falls Library Board for a five-year term expiring 05/31/24.

**Meeting of May 20, 2019**

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

The Council President declared the motion passed.

**ATTORNEY’S REPORT**

Mr. Wenzel had nothing to report.

**PUBLIC COMMENT**

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

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

The Council President declared the motion passed.

Luis Fernandez, 54 Harrison Street, requested clarification on Ordinance No. 1358 and Ordinance No. 1360. Council President SGOBBA explained the purchase of the property is to construct a parking lot for the Township. Mr. Wenzel explained the difference between Ordinance No. 1358 and Ordinance No. 1360. Mr. Fernandez commented on the purchase price and questioned how many parking spots would be available from the purchase. Council President SGOBBA stated the purchase price was derived by professionals. Mayor Damiano stated approximately 100 spaces will be created as a result of these acquisitions for public downtown parking. The Mayor further elaborated on parking as it related to Library and Civic Center patrons and teachers, new technology and metered parking, and provided an explanation of payment in lieu of parking. In response to Mr. Fernandez, the Mayor stated the Township is bonding and revenues are expected to offset the increased costs. The Mayor disagreed with Mr. Fernandez’s suggestion to charge teachers for parking.

Andrew Baggott, 78 Franklin Road, Denville, questioned where the Township stands with the bank with regard to Ordinance No. 1360. Mr. Wenzel explained Ordinance No. 1360 is a bond and provided further explanation of the process. In response to Mr. Baggot’s query regarding metered parking, Mayor Damiano described areas where metered parking is planned and that annual permits will be available for residents.

Eva Visperas, 50 Lincoln Avenue, questioned whether a plan is available for the parking lot on Stanley Street, discussed the need to address current and future traffic patterns, and queried whether permit parking signs would be necessary to deter those willing to park further to avoid metered parking. Ms. Visperas requested follow-up on a spray painted parking sign on Lincoln Avenue and questioned who the professionals are that determine the purchase price for properties. Council President SGOBBA directed Ms. Visperas to contact the Police Department regarding any illegal turns. The Mayor will contact Mr. Simone to rectify the parking sign on Lincoln Avenue. Mayor Damiano commented on the factors that contributed to the purchase price. Mr. Wenzel elaborated upon the appraisal company that was hired to determine the purchase price. The Mayor stated traffic patterns will certainly be considered and a plan will be made available to the public.

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

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

The Council President declared the motion passed.

**CONSENT AGENDA**

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

**REPORTS**

Municipal Clerk’s Report – Month of April, 2019

MUNICIPAL CLERKS REPORT  
Month of April 2019

ABC LICENSES		
OTHER LICENSES		
Business Licenses	\$1,410.00	
Pre-paid Business Licenses		
Raffle Licenses	220.00	
		\$1,630.00
REGISTRAR OF VITAL STATISTICS		
Fees & Permits	\$392.00	
Marriage Licenses-LF	\$6.00	
Marriage Licenses-NJ	\$50.00	
		\$448.00
MRNA		
Street Maps		
Zoning Maps		
Zoning Ordinances		
Document Copies	\$4.00	
Garage Sales	\$10.00	
Misc. Fees & Refunds:	\$21,076.00	
TOTAL MRNA		\$21,090.00
TOTAL CURRENT ACCOUNT		\$23,168.00
TOTAL TO TREASURER		\$23,168.00

**Meeting of May 20, 2019**

MUNICIPAL CLERK'S DOG/CAT LICENSE REPORT

Month of April 2019

**Dog Licenses issued 04/01/2019 thru 04/30/2019**

Nos. 347 to 348 = 2 Licenses  
 Amount due Little Falls \$13.60  
 Amount due State \$2.40  
 Total Cash Received \$16.00

**Cat Licenses issued 04/01/2019 thru 04/30/2019**

Nos. - to -  
 Licenses Issued 0  
 Total Cash Received \$0.00

Total to Treas. \$16.00

**Tax Collector's Report –April, 2019**

**MONTHLY REPORT**

Municipality of Township of Little Falls  
 Office of the Tax Collector  
 Township of Little Falls Current Account, Lakeland Bank  
 Revenues Collector for the Month of April 2019

Categories 01-	April 1-30, 2019	2019 Year to Date
2019 Taxes	\$5,713,159.10	\$17,289,927.57
2018, 2017, 2016 Taxes	38,705.03	230,452.50
Interest	6,464.99	20,676.98
Township Tax Title Lien	0.00	93,999.28
Duplicate Tax Bills	25.00	65.00
Insufficient Check Fee	0.00	220.00
Municipal Copy Fee	0.00	0.30
6% Penalty Fee	0.00	1,913.05
<b>GRAND TOTALS</b>	<b>\$5,758,354.12</b>	<b>\$17,637,254.68</b>

Delinquent 2016 Taxes \$892,492.19 (inc. 6% YE-PE/PI)  
 Delinquent 2018 Taxes 168,850.64  
 Delinquent 2019 Taxes 291,225.98  
**Total Delinquent Taxes \$1,352,568.81**

2019 Refunds this month = -\$0.00

2019 Year to date refunds = -\$2014.41

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

**REFUNDS IN THE YEAR 2019**

Months	2014 STCJ	2015 STCJ	2016 STCJ	2017 STCJ	2018 STCJ	2019 CBJ	2018 Regular	2019 Regular	2019 Senior/Disabled	Exempt 2019	Total by Months
January	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$864.19	\$0.00	\$0.00	\$0.00	\$864.19
February	\$0.00	\$0.00	\$3,767.05	\$4,608.49	\$2,085.60	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	10,461.14
March	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$2,014.41	\$750.00	\$0.00	\$2,764.41
April	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
<b>Totals</b>	\$0.00	\$0.00	\$3,767.05	\$4,608.49	\$2,085.60	\$0.00	\$864.19	\$2,014.41	\$750.00	\$0.00	\$14,089.74

Note: The above figures represent the months that the Tax Collector did the adjustments in the computer; the Resolution(s) may have been adopted in the next month. STCJ = State Tax Court Judgments. CBJ= County Board Judgments.

Municipality of Township of Little Falls  
 Office of the Tax Collector  
 Township of Little Falls Tax Collector Trust 1 (Lien Monies), Lakeland Bank  
 Revenues for the Month of April 2019

	Deposit	2019 Year-to-Date
January 2019	\$ 0.00	\$ 0.00
February 2019	\$236,465.84	236,465.84
March 2019	\$ 49,655.88	286,121.72
April 2019	\$ 20,095.62	306,217.34
<b>Total Collected as of April 30, 2019</b>		<b>\$306,217.34</b>

Municipality of Township of Little Falls  
 Office of the Tax Collector  
 Township of Little Falls Tax Collector Trust 2 (Lien Premium Monies), Lakeland Bank  
 Revenues for the Month of April 2019

	Liens with Premiums Redeemed/ (-)	Bal. /Dep. (+)
Balance Brought Forward (January 1, 2019)		\$235,800.00
January 2019	\$ 0.00	0.00
February 2019	-14,000.00	221,800.00
March 2019	-60,500.00	161,300.00
April 2019	0.00	0.00
<b>Ending Balance as of April 30, 2019</b>		<b>\$161,300.00</b>

**Actual Balance @ \$138,100.00; township keeps these premiums:**

Transfer out - \$8,100.00 (186/27 foreclosed)  
 Transfer out- \$15,100.00 (164/15.01 redemption not within five years).

**Meeting of May 20, 2019**

**Recreation Report – Month of April, 2019**

Recreation Center		4/1-4/7			4/8-4/14			4/15-4/21			4/22-4/30		
Program	Facility	#Classes	Hrs	Particip	#Classes	Hrs	Particip	#Classes	Hrs	Particip.	#Classes	Hrs	Particip
NJ Basketball	Gym	2	2	24	2	2	24	2	2	24	*	*	*
Chair Yoga	Gym	1	1	7	1	1	10	*	*	Good Fri.	1	1	3
Fencing	Multi	2	4	19	2	4	20	1	1	9	2	4	29
Fit 4 U	Gym	1	1	26	1	1	20	*	*	Cancelled	1	1	13
Karate	Multi	2	2	15	2	2	16	2	2	18	2	2	20
QiGong	Gym	2	2	29	2	2	37	2	2	39	2	2	37
Tai Chi	Gym	1	1	12	1	1	12	1	1	13	1	1	12
Yoga	Multi	2	2	15	2	2	12	2	2	21	2	2	7
Zumba Gold	Gym	2	2	59	2	2	50	2	2	26	3	3	68
Zumba Tone	Multi	3	3	47	3	3	61	2	2	47	4	4	75
Banyan School	Gym	*	*	*	*	*	*	1	2	100	*	*	*
Tiger Basketball	Gym	5	13.5	293	4	13.5	205	1	3	45	4	18.5	210
Easter Egg Hunt	Gym	*	*	*	*	*	*	1	2	300	*	*	*
School #1 Dance	Gym	*	*	*	1	3	100	*	*	*	*	*	*
LFAC SB & BB	All fields	*	*	440	*	*	418	*	*	231	*	*	416
Mens Softball/ Womens	Duva fields	*	*	*	*	*	*	3	3	78	6	6	156
Indoor Pickleball (New)	Gym	*	*	*	1	2	7	1	2	9	1	2	11
USS Sports	Louis St.	*	*	*	*	*	*	*	*	*	2	4	34
<b>Weekly Totals</b>		<b>23</b>	<b>33.5</b>	<b>986</b>	<b>24</b>	<b>38.5</b>	<b>992</b>	<b>21</b>	<b>26</b>	<b>960</b>	<b>31</b>	<b>50.5</b>	<b>1091</b>

Good Friday  
School Spring Break

Recreation Department		Monthly Totals		
Program	Facility	#Classes	Hours	Participants
NJ Basketball	Gym	6	6	72
Chair Yoga	Gym	3	3	20
Fencing	Multi	7	13	77
Fit 4 U	Gym	3	3	59
Karate	Multi	8	8	69
QiGong	Gym	8	8	142
Tai Chi	Gym	4	4	49
Yoga	Multi	8	8	55
Zumba Gold	Gym	9	9	203
Zumba Tone	Multi	12	12	230
Banyan School	Gym	1	2	100
Tiger Basketball	Gym	14	48.5	753
Easter Egg Hunt	Gym	1	2	300
School #1 Dance	Gym	1	3	100
LFAC SB & BB	All fields	*	*	1,505
Mens Softball/ Womens	Duva fields	9	9	234
Indoor Pickleball (New)	Gym	3	6	27
USS Sports	Louis St.	2	4	34
<b>Monthly Totals</b>		<b>99</b>	<b>148.5</b>	<b>4029</b>

**Civic Center Report – Month of April, 2019**

Month of April			
Meeting Group	# of Meetings	Hours	Participants
Jolly Seniors	4	24	101
Golden Agers	5	30	161
Sr. Advisory	2	4	22
Stamp Club	1	2	12
LFAC Meeting	1	2	25
ABC	1	2	5
LFFPA	1	2	15
Freeholder Bartlett	1	3	50
OEM	1	2	20
Sr. Advisory Musical	1	4	50
LFAC Pizza Party BB	1	3	50
<b>Totals</b>	<b>19</b>	<b>78</b>	<b>511</b>

**Police Department Report - Month of April, 2019**

**PATROL DIVISION MONTHLY REPORT – April, 2019**

This agency handled **10,221** details between January 1, 2019 and April 30, 2019.

This agency completed **2,039** reports between January 1, 2019 and April 30, 2019.

This agency had **1,084** inbound telephone calls and **XXXXX** outbound calls during the month of April, 2019.

This agency received **633** 911 calls during the month of April, 2019.

The Little Falls Police Department handled **2,572** details and wrote **538** Operation/Investigation reports between April 1, 2019 and April 30, 2019.

The patrol division patrolled **13,894** miles during the month of April, 2019.

**Calls for Service**

Call Type	Total
Medical emergency	51
Fire Department incident	6
Narcans deployment	1
Burglar alarms/false	26
Burglar alarms/valid	10
Domestic violence incidents	4
Burglary	1
Criminal mischief	2
Theft	6
Suspicious person/vehicle/incident	25
General investigation	19
Noise complaint	5
All others not listed	387

**Traffic Summary**

Crashes	Total
Motor vehicle crashes	55
Motor vehicle crash injuries	10
Motor vehicle crash fatalities	0
Enforcement	Total
Motor vehicle stops	665
Speeding summonses	32
DWI summonses	5
Driving while suspended summonses	20
Uninsured vehicle summonses	15
Moving violations	377
Parking violations	18
Total summonses issued	395

**Arrest Summary**

Total Arrests - 25

Type of Arrest	Total
CDS	13
DWI	6
Warrant	4
Domestic Violence	1
Theft	1
All others	0

**Directed Patrol Summary**

Detail Type	Total
School arrival	50
School dismissal	47
School walk through	32
Radar post	79
Park check	126
Vacant house check	6
Extra attention check	77
DWI/Aggressive driving patrol	28
Foot patrol	25

**Patrol Division Time & Attendance**

Type of Hours	Total
Vacation	152
Holiday	140
Compensatory	87
Sick	99.50
Personal time	60
Credit time	253.50
Administrative	0
PBA day	12
Schedule transition	72
Bereavement	12
Overtime due to Training	16.5
Overtime hours to maintain minimum staffing level	164.25
Overtime due to incident/weather/other event	11

13 out of a total of 60 shifts during the month of April were below minimum staffing.

**Patrol staffing level during month: 3.53**

Major incident/Notable achievement

Patrol officers participated in the "U-Text, U-Drive, U-Pay" enforcement grant in which grant funding paid for 100 hours of enforcement leading to (1) DWI arrest, (2) Warrant arrests, and (126) motor vehicle summonses.
--

**COMMUNITY POLICING**

Detail Type	Total
Cell block inspection	21
School arrivals	12
School dismissals	12
School walk thru	8
Vacant house checks	5
Child car seat installations	3
Headquarters safety inspections	0
Project medicine box emptied	1 (29 lbs)
Trips to Covanta for prescription drug destruction	0
Community function appearances	3
School function appearances	2

**Meeting of May 20, 2019**

Special projects/details

\*Attended school climate meetings for School #1 and School #2 on 4/1, 4/4.  
 \*Coordinated and participated in active shooter drills at all three schools. 4/16, 4/17 (2)  
 \*Attended Baseball parade and opening ceremony on 4/6.  
 \*L.E.A.D. was completed and graduation ceremony held on 4/8.  
 \*Hosted the Brain Injury Alliance who came in and spoke with the seniors at a meeting on 4/9.  
 \*Hosted Otto the Auto from AAA at School #2 for the students on 4/11.  
 \*Worked shift 7-1 on 4/16. Worked shift A.M. 4/23.  
 \*Court Officer 4/4, 4/16, 4/25.  
 \*Attended and assisted with traffic at Easter event at the Rec. 4/20.  
 \*Completed CEU credits for Child Safety Seat installation update.  
 \*Attended Municipal Alliance meeting on 4/17.  
 \*Continued work on Jr. Police Academy.  
 \*Continued work on National Night Out.  
 \*Attended Torch Run meeting on 4/30 in Paterson.

**TRAFFIC DIVISION**

Detail Type	Total
Traffic details	4
Radar posts	0
Crashes investigated	1
Speedometer calibrations	0
Alcotest maintenance assignments	1
Traffic meetings attended	2
Traffic complaints received	1
Road job safety checks	2
Assisted patrol	16
Enforcement	Total
Motor vehicle stops	61
Moving summonses	28
Parking summonses	0
Total summonses issued	28

Special projects/details

Attended training at Bergen County Police Academy April 8-12 (EDR Use in Traffic Reconstruction Level 1)  
 Participated in "U-Text, U-Drive, U-Pay" campaign April 4, 18, and 19.  
 Coordinated with School #3 for upcoming "EZ-Ride" bicycle program.  
 Scheduled crossing guards for May.

**Investigative Division Monthly Division Report**

Month: April, 2019

**Case Management**

11 Cases were assigned during the month of April, currently 11 of 9 remain open/active. 3 cases were closed from the previous months. 1 case remain open/inactive, until further information is gained.

**Off-Hour Call-outs**

1 incident required a detective to respond during off hours, for the month of April.

**Monthly Staffing**

Hours Off 28 Overtime Hours 2 Division Strength 2.9

**Vehicles**

D-1 (GMC Envoy): Mileage 109855 Repairs Needed \_\_\_\_\_  
 D-2 (Chevy Tahoe) Mileage n/a Repairs Needed \_\_\_\_\_  
 D-3 (Ford Explorer) Mileage 88,413 Repairs Needed \_\_\_\_\_  
 Undercover vehicles, repairs needed N/A

**Complaints Issued**

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

**Narcotics**

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

**Grand Jury/Superior Court Appearances**

Detectives were required to appear in Superior court or Grand Jury for 0 cases during the month of April.

**Search Warrants**

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

**Internal Affairs**

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

**Background Investigations**

The investigative division conducted 0 Police Applicant investigations, 1 Dispatcher Applicant investigation and 0 Crossing Guard Applicant investigations in the month of April.

**Megan's Law Restrictions**

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

**Meeting of May 20, 2019**

**Property and Evidence**

During the month of April, 4 pieces of Property were entered into the Beast Evidence System and secured. (includes found property, recovered stolen property and items left for safekeeping)

- 1 Firearms/weapons were entered into the Beast Evidence System and secured.
- 41 pieces of Evidence were entered into the Beast Evidence System and secured.
  - 9 pieces of Drug Evidence were transported to the N.J. State Police Lab.
  - 0 piece of Forensic Evidence were transported to the N.J. State Police Labs at Hamilton or Holmdel, N.J.
- 0 Drug Screens were transported to the N.J. State Medical Examiner’s Office.
- \$2,307 Dollars in seized currency were turned over to the Passaic County Prosecutor’s Office for forfeiture proceedings.

**Notable Cases**

Case Number	Charges	Detective/s Assigned	Length of Investigation
19-01325	Mail Phishing	J. Macaluso	2 months
19-01600	Theft	D. Gilchrist/R. Hyot	1 day
19-01489	Missing Person	D. Gilchrist/J. Minnella	6 weeks

**Notes**

--

**SUPPORT SERVICES DIVISION – Administrative Monthly Report – APRIL, 2019**

**RECORDS BUREAU**

**Discovery and OPRA**

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

686 Pages of reports were facilitated and forwarded to the Township Clerk’s Office for OPRA requests during the month of *April*.

\$415.80 was collected by the Records Bureau during the month of *April*.  
 Discover \$17.80/Firearms \$33.00/Accidents \$365.00/Fingerprints \$XX.XX/Solicitor \$XX.XX  
 3 Expungement Orders were received and processed for the month of *April*.

**Firearms**

10 Applications for Firearms Permits/ID cards were received from residents during the month of *April*.  
 15 Firearms Purchaser Permits and 7 Firearm ID cards were prepared, finalized, and provided to residents during the month of *April*.

**Background Investigations**

*Firearms* – 9 firearms background investigations/permits were processed during the month of *April*.  
*Permit to Carry* – 0 permit to carry applications were completed during the month of *April*.  
*Solicitor(s)*- 0 solicitor’s permit backgrounds were processed during the month of *April*.  
*CAD Search* - 0 CAD inquiries were conducted for the hiring process of other agencies in *April*.

**TRAINING**

*Work zone safety Conference* – Lt. Briggs, Cpl. Moncato  
*Event Data Recorder Use in Traffic Crash Reconstruction – Level 1* – Cpl. Moncato  
*Current Trends in Auto Theft* – Det. Gilchrist  
*Below 100* – Chief Post, Lt. Minnella, Lt. Briggs, Sgt. Gianduso, Sgt. R. Prall  
*Alcotest Operator’s Course* – Ptlm. Cespedes, Ptlm. Timmerman

**Firearm Qualifications:** A makeup date for Spring Qualifications was scheduled in April for handguns and 1<sup>st</sup> quarter rifle training on May 7

**Handgun Qualifications**

- None at this time.

**Shotgun Training**

- None at this time.

**Rifle Training**

- None at this time.

**Taser Training**

- None currently.

**Online Training**

**Power DMS:**

- Training courses **scheduled and/or in progress:** Overdose Mapping
- Training courses **completed:** 2019 Use of Force - Spring

**NJ Learn Training:**

- None currently.

**Other:**

- None currently.

**Field Training**

April 15-19

- Trainee Sayad, Trainee DeLuccia – Pre-Academy Training **40 Hours**

**SYNOPSIS OF TRAINING**

On 4/5, **Lieutenant James Briggs and Corporal John Moncato** attended Work Zone Safety Training hosted by Rutgers University in Piscataway. The New Jersey Work Zone Safety Conference promotes work zone safety awareness in local and state roadways for a multi-disciplinary audience of construction, engineering, public safety, and maintenance and operations personnel.

This event featured a presentation on OSHA compliance for work zone safety inspections; an in-depth review of personal protective equipment compliant and noncompliant work zone safety vests, including the most recent revisions by the ANSI; and a segment on data-driven decision making for smarter work zones. The keynote presentation was delivered by a retired Pennsylvania State Police Trooper who survived a horrific struck-by crash. In his presentation, he highlighted the dangers that all road workers are exposed to on a daily basis. The conference concluded with an afternoon presentation that examined the use of drones in work zones and how this technology can increase safety when engaged in road work projects.

On 4/8-4/12, **Corporal John Moncato** attended Event Data Recorder Use in Traffic Crash Reconstruction – Level 1 hosted by Bergen County Police Academy. This course taught officers how to analyze any event data recorder (EDR) data they encounter regardless of the manufacturer. Students also learned how to analyze EDR data which has been collected with any imaging tools, including proprietary

**Meeting of May 20, 2019**

manufacturer tools, as well as from future vehicles not yet released. It also taught officers how to use EDR data with roadway evidence calculations to yield a complete reconstruction considering all available evidence. Simple checklists and guides were provided to improve consistency and accuracy. The supplied templates take some of the work of more complex analysis. Officers were given many EDR reports from real world crashes and worked in teams to analyze the EDR data and reconciled it to the scene evidence given. Comprehensive solutions to these problems were distributed for future reference.

On 4/8-4/12, **Detective Dawn Gilchrist** attended Current Trends in Auto Theft hosted by Passaic County Police Academy. This 8 hour course discussed the current trends in New Jersey auto theft, including: how vehicles are being stolen, where the stolen vehicles are going, re-vening, investigative resources, how to track a stolen vehicle using LoJack and vehicle insurance fraud.

On 4/15-4/18, **Patrolman Jon Cespedes** and on 4/29-5/2 **Patrolman Richard Timmerman** attended NJSP ALCOTEST 7110 MKIII-C INITIAL OPERATOR TRAINING hosted by Morris County Public Safety Academy. This four-day course certifies new Alcotest Operators. Students were trained how to properly conduct a breath test using the Alcotest as well as how to properly change the simulator solution.

On 4/23, Chief Steven Post, Lieutenant James Minnella, Lieutenant James Briggs, Sergeant Daniel Gianduso and Sergeant Robert Prall attended Below 100 Intensive Training hosted by Bergen County Police Academy. This course is designed to drastically reduce law enforcement Line of Duty Deaths (LODD's) and specifically address the operational areas of law enforcement that contribute to the greatest number of LODD's, but are in large part preventable. The Below 100 program is an effort to instill a culture of safety in law enforcement agencies that will progressively reduce national LODD's to Below 100 annually.

**DISPATCHER TIME OFF AND COVERAGE**

**Dispatcher Time Off**

COMP – 0 Hours      HOL – 84 Hours      VAC – 0 Hour      PER – 36 Hours  
 C/T – 72 Hours      SICK – 8 Hours      FML - 0 Hours

**Dispatcher Coverage – Overtime**

Part-time Dispatcher Hours Worked – 131.5 hours      Full-time Dispatcher OT Comp – 0 hours  
 Part-time Dispatcher Training (Norton) – 108 hours      Dispatch OT Covered by Patrol – 0 hours  
 Full-time Dispatcher OT CASH – 56.5 hours

**Accreditation, IT Projects, Technical Issues, Discovery Recordings**

Discovery recording(S) prepared by Sgt. R. Prall for various State and County Agencies, as well as, OPRA requests on Little Falls PD Case(s); 19-00944. These time sensitive requests were made for various court proceedings and detention hearings and included Evidentiary photo/video files, MVR cameras, surveillance video and Detective Bureau interviews.

A second accreditation meeting was held with Tim Rodgers to begin collected the necessary proofs toward the new 2018/2019 audit.

**FLEET MANAGEMENT**

Date	Unit	Mileage	Maintenance/ Complaint	Repair	Location	Invoice	Cost	BD#	OOS	BIS	DIS
4/4/19	814		Radar Antenna	Install Ant on 811 & 814	Atlantic	17954	\$130.00	734	4/4	4/5	1
4/4/19	813	15543	Driver recline inop.	Waiting on parts	Wayne Ford						
4/7/19	816	44723	Tires	Repair RR tire	DPW	N/A	\$0.00	731	4/9	4/9	1
4/13/19	810	64640	Driver Door	Lubed door closer	DPW	N/A	\$0.00		4/13	4/13	0
4/13/19	810	64640	E-Ticket In-op.	Hard start /716	HQ	N/A	\$0.00	756	4/15	4/15	0
4/15/19	813	16315	Oil Service	Oil Service	DPW	N/A	\$0.00	756	4/15	4/15	1
4/15/19	813	16315	Siren Inoperative	Checked working	Atlantic		\$0.00	756	4/15	4/15	0
4/15/19	814	37042	Rear Seal Leak	Replace seal	Wayne Ford	237528	WARRANTY	S/C	4/15	4/16	1
4/15/19	812	75316	H & A/C Interminet	Issue working correctly	Cancelled			716			0
4/20/19	818	52665	Tires	Replace 4 Tires	DPW	N/A	\$0.00	747	4/21	4/21	1
4/22/19	817	32911	MVR not uploading	Uploaded 5 hours	HQ	N/A	\$0.00	716	4/25	4/25	1
4/23/19	817	32911	Oil Service	Oil service	DPW	N/A	\$0.00	757	4/23	4/23	1
4/24/19	813	16949	MVR and GPS Interminet	Resolved on own	HQ	N/A	\$0.00	716	4/24	4/24	0
4/25/19	813	17271	Tires	CHK front tires	DPW		0				
4/25/19	815	15574	RR tire flat	Repaired flat	DPW	N/A	\$0.00	S/C	4/25	4/25	0
4/29/19	INV		Fleet keys	Parts	Wayne Ford	237776	\$137.74	726	4/29	4/29	0
						Subtotal	\$267.74				10

**PATROL DIVISION MONTHLY MILEAGE REPORT  
 April 2019**

UNIT	STARTING MILEAGE	ENDING MILEAGE	TOTAL
800	3337	4000	663
810	64190	65138	948
811	26950	28668	1718
812	74493	75965	1472
813	15314	17455	2141
814	36363	38012	1649
815	14390	15683	1293
816	44473	45644	1171
817	31628	33351	1723
818	51792	52908	1116
		<b>TOTAL MILEAGE</b>	<b>13894</b>

**Construction Report – Month April, 2019**

**Uniform Construction Code**

Permits Issued – 55  
 Inspections - 229  
 Total Value of Construction - \$5,715,138.00  
 Certificate of Occupancy - \$701.00  
 Permit Fees Collected - \$86,153.00  
 Permit Fees Waived - \$250.00  
 Total Fees Collected - \$86,854.00



**Meeting of May 20, 2019**

**Zoning**

Fence Permits –10 @ \$500.00  
Zoning Fees – \$5,765.00  
Total Fees Collected - \$6265.00

**Property Maintenance**

Certificates of Compliance Fees – \$2,700.00  
Zoning Inspections – 39  
Complaints – 20  
Violations Issued - 4  
Roll-off permits – \$90.00  
Total Fees Collected - \$2,790.00  
**Monthly Revenue \$95,909.00**  
**YTD Revenue \$185,182.50**

**APPLICATIONS**

RAFFLE, FRIENDS OF THE PHOENIX CENTER FOUNDATION, ON-PREMISE 50/50, 06/21/19, 6:00 PM – 10:00 PM, YOGI BERRA MUSEUM, LITTLE FALLS

RAFFLE, OUR LADY OF POMPEI CHURCH, TRICKY TRAY, 11/02/19, 6:00 PM – 10:00 PM, 245 PATERSON AVENUE, LITTLE FALLS

**RESOLUTIONS**

**Estimated Tax Bills Third Quarter 2019**

**RESOLUTION [A] 19-05-20 - #1**

**WHEREAS**, N.J.S.A. 54:4-66.3, pursuant to Section 3 of P.L. 1994 c.72 and 54:4-66.2 the Township Council of the Township of Little Falls has determined that the Tax Collector will be unable to complete the mailing and delivery of the tax bills by June 14, 2019 due to the absence of a certified tax rate; and

**WHEREAS**, the Little Falls Tax Collector in consultation with the Little Falls Chief Financial Officer has computed an estimated tax levy in accordance with N.J.S.A. 54:4-66.3, and they have both signed a certification showing the tax levies for the previous year, and the range of permitted estimated tax levies;

**WHEREAS**, in accordance with Chapter 72, P.L. 1994, the Tax Collector requests the Council to approve the estimated tax levy of \$48,360,245.00 at a tax rate of \$3.204; which is between the mandated estimated range proposed by the Local Government Services. Approval will enable the Township to meet its financial obligations, maintain the tax collection rate, and provide uniformity for tax payments and save the unnecessary cost of interest expenses in borrowing;

**NOW, THEREFORE BE IT RESOLVED** that the Township Council of the Township of Little Falls, County of Passaic, State of New Jersey, hereby authorizes that:

1. The Tax Collector of the Township of Little Falls is hereby authorized and directed to prepare and issue estimated tax bills for the Township of Little Falls for the third quarter installment of 2019.
2. The entire estimated tax levy for 2019 is hereby set at \$48,360,245.00. The estimated tax rate for 2019 is hereby set at \$3.204.
3. In accordance with law, the third quarter installment of 2019 taxes shall not be subject to interest until the later of August 12th or the twenty-fifth calendar day after the date the estimated bills were mailed. The estimated tax bills shall contain a notice specifying the date on which interest may begin to accrue.

**BE IT FURTHER RESOLVED**, that a copy of this resolution shall be forwarded to the Tax Collector and Chief Financial Officer of the Township of Little Falls for their records.

**ADOPTED** at a Regular meeting of the Township Council on May 20, 2019.

**Budget Emergency Resolution**

**RESOLUTION [B] 19-05-20 - #2  
EMERGENCY RESOLUTION – NJS 40A:4-48  
(Under 3% limitation)**

**WHEREAS**, an emergency has arisen with respect to *acquisition of property for public use* and, no adequate provision was made in the 2019 budget for required capital down payment for the aforesaid purpose, and NJS 40A:4-46 provides for the creation on an emergency appropriation for the purpose mentioned above, and

**WHEREAS**, the total amount of the emergency appropriations created, including the appropriation to be created by this resolution is \$ 75,000.00 and three (3) percent of the total operating appropriations in the budget for 2018 is \$ 442,603.00 and

**WHEREAS**, the foregoing appropriation together with prior appropriations does not exceed three (3) percent of the total operating appropriations (including utility operation appropriations) in the budget for 2018,

**NOW, THEREFORE, BE IT RESOLVED**, (by not less than 2/3 of all governing body members affirmatively concurring) that in accordance with NJS 40A:4-48:

1. An emergency appropriation is hereby made for:  
*CAPITAL IMPROVEMENT FUND* \$75,000.00
2. That said emergency appropriation shall be provided for in full in the 2020 budget, and is requested to be excluded from CAPS, pursuant to NJS 40A:4-53.3c(1)
3. That two (2) certified copies of this resolution be filed with the Director of the Division of Local Government Services.

**Capital Budget Amendment Resolution**

**RESOLUTION [C] 19-05-20 - #3**

**Bill List**

**RESOLUTION [E] 19-05-20 - #4**

**BE IT RESOLVED** by the Township Council of the Township of Little Falls the Council having received the Treasurer's certification of the availability of funds for payment of all bills presented, that payment of all bills approved by the Finance Committee be and is hereby authorized, subject to the availability of funds and subject to the appropriate and available appropriation in the line item.

\*\*\*\*\*

Council President SGOBBA stated Resolution D was removed from the Agenda. Council approval was requested on Resolutions A, B, C, and E.

It was moved by Councilmember Kahwaty, seconded by Councilmember Vancheri, that the Consent Agenda be approved.

**Meeting of May 20, 2019**

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

The Council President declared the motion passed.

**REGULAR AGENDA**

**NEW BUSINESS**

Ordinance No. 1355- It was moved by Councilmember Kahwaty, seconded by Councilmember Vancheri, that the public hearing on Ordinance No. 1355, **“ORDINANCE OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF LITTLE FALLS, COUNTY OF PASSAIC, STATE OF NEW JERSEY, AMENDING CHAPTER 57 OF THE CODE OF THE TOWNSHIP CODE ENTITLED DEVELOPMENT FEES,”** be and it was opened.

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

The Council President declared the motion passed.

No one having come forward to be heard, it was moved by Councilmember Kahwaty, seconded by Councilmember Vancheri, that the public hearing on Ordinance No. 1355 be and it was closed.

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

The Council President declared the motion passed.

It was moved by Councilmember Vancheri, seconded by Councilmember Seber, that the Ordinance No. 1355 be and it was adopted.

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

The Council President declared the motion passed.

Ordinance No. 1356- It was moved by Councilmember Kahwaty, seconded by Councilmember Vancheri, that the public hearing on Ordinance No. 1356, **“CAPITAL ORDINANCE OF THE TOWNSHIP OF LITTLE FALLS, IN THE COUNTY OF PASSAIC, STATE OF NEW JERSEY, AUTHORIZING THE UNDERTAKING OF THE DOWNTOWN LITTLE FALLS STREETScape IMPROVEMENTS PROJECT (PHASE I), IN, BY AND FOR THE TOWNSHIP, APPROPRIATING THEREFOR THE SUM OF \$700,000 AND PROVIDING THAT SUCH SUM SO APPROPRIATED SHALL BE RAISED FROM A STATE GRANT,”** be and it was opened.

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

The Council President declared the motion passed.

Luis Fernandez, 54 Harrison Street, requested clarification as it pertains to a \$700,000 grant received. Mayor Damiano stated it is the same grant which will be used towards the streetscape to improve sidewalks, curbs, and lighting. Mr. Fernandez questioned why similar grants are not sought for Jackson Park. Mayor Damiano discussed issues faced and monies received to improving residential streets and main thoroughfares.

Andrew Baggott, 78 Franklin Road, Denville, expressed concerns regarding the starting point of streetscape improvements. Mayor Damiano stated his intention to apply for grants every year and discussed the starting point of improvements.

George Eaton, 69 Lincoln Avenue, questioned whether telephone poles and power lines would be addressed. Mayor Damiano emailed a contact at PSE&G to schedule a meeting to discuss moving the wires in the center of Town underground a short time before tonight’s Meeting.

No one further having come forward to be heard, it was moved by Councilmember Vancheri, seconded by Councilmember Kahwaty, that the public hearing on Ordinance No. 1356 be and it was closed.

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

The Council President declared the motion passed.

It was moved by Councilmember Kahwaty, seconded by Councilmember Vancheri, that the Ordinance No. 1356 be and it was adopted.

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

The Council President declared the motion passed.

Ordinance No. 1357- It was moved by Councilmember Vancheri, seconded by Councilmember Kahwaty, that there be introduced and the meeting of June 24, 2019 set as the date for the public hearing of the following:

**ORDINANCE NO. 1357**  
**AN ORDINANCE AMENDING THE TOWNSHIP CODE OF THE TOWNSHIP OF LITTLE FALLS, COUNTY OF PASSAIC, STATE OF NEW JERSEY, FERAL CATS**

ARTICLE VI Feral Cats  
§19-60 Definitions.

For the purpose of this article, the following terms shall have the meaning set forth in this section. When not inconsistent with the context, words used in the present tense include the future, the words in the plural number include the singular, words in the singular number include the plural, and words in the male gender include the female gender.

**ABANDONED**

That an owner or caregiver has forsaken a domesticated cat entirely, or has neglected or refused to provide care and support of the cat.

**ANIMAL CONTROL OFFICER**

Any person employed or appointed by the Township who is authorized to investigate violations of laws and regulations concerning animals and to issue citations in accordance with New Jersey Law and this chapter.

**DOMESTICATED CAT**

A cat that is socialized to humans and is appropriate as a companion to humans.

**FERAL CAT**

A cat which is completely or substantially unsocialized to humans. The usual and consistent temperament of a feral cat is extreme fear and resistance to contact with humans. Feral cats are:

- A. Born in the wild;
- B. Offspring of tame or feral cats and not socialized; or
- C. Formerly tame cats who have been abandoned and have reverted to an untamed state.

**FERAL CAT COLONY**

A group of cats that congregate together outside as a unit. Although not every cat in a colony may be feral, any nonferal cats who congregate with a colony shall be deemed part of it.

**NUISANCE**

Disturbing the peace by:

- A. Habitually or continually howling, crying or screaming; or
- B. The habitual and significant destruction, desecration or soiling of property against the wishes of the owner of the property.

**OWNER**

Any person, fine, corporation, partnership, association, trust, estate, or any other legal entity.

**RESCUE GROUP**

A not-for-profit entity or collaboration of individuals with at least one of its purposes being the adoption or placement of cats in homes with humans to serve as companion animals.

**STRAY CAT**

A cat who is regularly off the property of the owner, is not under the physical control and restraint of the owner and is not regularly provided with food by the owner.

**SUITABLE SHELTER**

Shelter that provides protection from rain, sun, and other elements that is adequate to protect the health of the cat.

**TAME CAT**

A cat who is socialized to humans and is appropriate as a companion for humans.

**TNR**

Trap, neuter and return.

**TOWNSHIP**

Little Falls Township in the County of Passaic.

§19-61 Feral cat colonies.

Feral cat colonies are not permitted.

§19-62 Disposition of colony cats.

When an Animal Control Officer has trapped a feral cat, the officer shall take the cat to a shelter or holding facility and scan the cat for an EAID. If an EAID is found which further identifies the cat, the officer shall contact the person named as owner of the cat with this information.

§19-63 Enforcement.

The Township shall have the following rights:

- A. The right to seize or remove cats from a feral colony which have not been vaccinated against rabies and which are demonstrating the disease.
- B. The right to seize or remove a cat from a feral colony which is creating a nuisance as defined above, after the caregiver has been given 60 days to remove and relocate the cat and has failed to do so. The caregiver must begin nuisance abatement procedures within 48 hours after being notified of a nuisance by the Animal Control Officer and must take all reasonable steps to resolve the nuisance in as short a time period as possible, not to exceed 60 days.
- C. **The Township may designate, by resolution, a specific rescue group to assist with the enforcement for the purposes of adoption or placement of cats in homes with humans to serve as companion animals.**

§19-64 Nuisance complaints.

The requirements of this article notwithstanding, Animal Control Officers and police officers may investigate any nuisance complaint. If an Animal Control Officer or police officer determines that a feral colony cat is causing nuisance as defined by this article, the Animal Control Officer or police officer shall contact the owner of the property. The owner shall begin nuisance abatement procedures within 48 hours and make all reasonable efforts to resolve the nuisance in as short a time period as possible, not to exceed 60 days. If the owner fails to resolve the nuisance within 60 days, the Animal Control Officer may remove the colony. If an Animal Control Officer or police officer reasonably determines that cat or cats are injured or pose a significant threat to public health, the office may reduce the time that the owner has to resolve the complaint, as necessary to protect the cat and public health, before taking further action. In the case of an emergency, the Animal Control Officer or police officer may remove the cat or cats, but within 24 hours the Township must provide the owner with notice of the cat's whereabouts and allow the owner an opportunity to retrieve the cat for treatment, return, or relocation.

§19-65 Responsibilities of owners of domesticated cats.

- A. Owners of domesticated cats shall provide appropriate and adequate food, water, and shelter for their cats.
- B. The owner of a domesticated cat shall exercise reasonable care to guard against the cat creating a nuisance.
- C. The owner of a sexually intact (not spayed or neutered) domesticated cat shall not permit his/her cat to roam unsupervised.
- D. An owner shall not abandon a domesticated cat.

§19-66 Violations and penalties.

- A. Any person who refuses or fails to comply with any provision of this article shall be liable for the following penalties:
  - 1) Not less than \$50 for the first offense.
  - 2) Not less than \$100 for the second offense.
  - 3) Not less than \$150 for the third offense.
- B. Except as otherwise provided in this article, any person who continues to fail or refuses to comply with this article shall be liable for subsequent penalties of not more than \$2,000 or imprisonment or community service for not more than 90 days, at the discretion of any judge hearing a complaint brought pursuant to this article.

§19-67 Conflict with other legislation.

To the extent any existing ordinance may conflict with any of the terms of this article, this article shall control.

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

The Council President declared the motion passed.

## Meeting of May 20, 2019

Ordinance No. 1358- It was moved by Councilmember Vancheri, seconded by Councilmember Kahwaty, that there be introduced and the meeting of June 24, 2019 set as the date for the public hearing of the following:

**ORDINANCE NO. 1358**  
**AN ORDINANCE AUTHORIZING AND DIRECTING THAT TITLE AND POSSESSION OF CERTAIN REAL PROPERTY SITUATED IN TAX BLOCK 110, LOT 19 LOCATED WITHIN THE TOWNSHIP OF LITTLE FALLS, COUNTY OF PASSAIC AND STATE OF NEW JERSEY BE ACQUIRED BY EMINENT DOMAIN OR PURCHASE OR GIFT**

**WHEREAS**, the "Local Lands and Buildings Law", N.J.S.A. 40A: 12-5 provides that a municipality may acquire "any real property [b]y purchase, gift, devise, lease, exchange, condemnation, or installment purchase agreement"; and

**WHEREAS**, the beneficiaries of the Jacob DeYoung Estate are the owner of record of certain land situated in the Township of Little Falls (hereinafter referred to as "the Township") and designated as Tax Block 110, Lot 19, and being more commonly known as 64 Stanley Street, in the Township of Little Falls (hereinafter referred to as the "the Property"); and

**WHEREAS**, the Township has determined that the Property be acquired for public use for the general welfare and benefit of the community for the development of the residents' needs; and

**WHEREAS**, the acquisition of such property will fulfill a primary goal of the Township with regard to the potential development of parking facilities in and about the center of the Township.

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

**SECTION ONE**  
**AUTHORIZATION TO ACQUIRE LAND**

Pursuant to the provisions of the "Local Lands and Buildings Law," N.J.S.A. 40A:12-1 et seq., and N.J.S.A. 40:61-11, the Township of Little Falls is hereby authorized and directed to acquire by purchase or gift, the hereinafter described real property provided that the owner of record expresses the desire to convey the said real property to the Township or, in the alternative, the Township is hereby authorized to take, or condemn the real property hereinafter described pursuant to the provisions of the "Eminent Domain Act of 1971", N.J.S.A. 20:3-1 et., seq., as follows: Tax Block 110, Lots 19 owned by beneficiaries of the Jacob DeYoung Estate for the public use and to be maintained as such.

**SECTION TWO**  
**AUTHORITY OF AGENTS**

The Mayor, Township Administrator, Township Engineer, Township Attorneys and such other officials, employees and agents of the Township of Little Falls, specifically including, but not limited to professional appraisers, environmental experts, consulting engineers, surveyors and similar professionals as are appropriate, are hereby authorized and directed to execute such documents and to perform all other acts necessary to negotiate or take, condemn (including the institution of any necessary legal action to acquire the real property including but not limited to action to gain necessary access to the real property for related purposes) or to acquire title to the real property for public use and the Mayor and Township Clerk are hereby authorized and directed to execute any and all documents necessary for the acquisition of said real property.

**SECTION THREE**  
**COST OF ACQUISITION**

The appropriate disbursing officers of the Township of Little Falls are hereby authorized and directed to pay the purchase price of \$475,000 as fair and just compensation to the owner of record of the property as well as to pay in addition the Township's share of costs connected with title reports, appraisal reports, attorney's fees, professional consultant's fees, and other costs necessary for the general acquisition or acquisition by way of condemnation of the real property.

**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. This Ordinance shall take effect immediately upon final passage and publication in accordance with law.

\*\*\*\*\*

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

The Council President declared the motion passed.

Ordinance No. 1359- It was moved by Councilmember Vancheri, seconded by Councilmember Kahwaty, that there be introduced and the meeting of June 10, 2019 set as the date for the public hearing of the following:

**BOND ORDINANCE NO. 1359**  
**BOND ORDINANCE TO AUTHORIZE THE ACQUISITION OF REAL PROPERTY FOR CONSTRUCTION OF A STORMWATER PUMP STATION THEREON IN, BY AND FOR THE TOWNSHIP OF LITTLE FALLS, IN THE COUNTY OF PASSAIC, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$225,000 TO PAY THE COST THEREOF, TO MAKE A DOWN PAYMENT, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION AND TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS.**

**BE IT ORDAINED** by the Township Council of the Township of Little Falls, in the County of Passaic, State of New Jersey, as follows:

Section 1. The Township of Little Falls, in the County of Passaic, State of New Jersey (the "Township") is hereby authorized to acquire (by purchase or eminent domain) real property, including an existing structure, for construction of a stormwater pump station thereon in, by and for the Township. Said improvement shall include demolition of the existing structure, real estate transaction expenses and all work, materials and appurtenances necessary and suitable therefor. The property to be acquired has a street address of 110 East Woodcliffe Avenue and is designated as Block 82, Lot 6 on the Tax Assessment Map of the Township.

Section 2. The sum of \$225,000 is hereby appropriated to the payment of the cost of making the improvement described in Section 1 hereof (hereinafter referred to as "purpose"). Said appropriation shall be met from the proceeds of the sale of the bonds authorized and the down payment appropriated by this ordinance. Said improvement shall be made as a general improvement and no part of the cost thereof shall be assessed against property specially benefited.

Section 3. It is hereby determined and stated that (1) said 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 total estimated cost of said purpose is \$225,000, and (4) \$15,000 of said sum is to be provided by the down payment hereinafter appropriated to finance said purpose, and (5) the estimated maximum amount of bonds or notes necessary to be issued for said purpose is \$210,000, and (6) the cost of such purpose, as hereinbefore stated, includes the aggregate amount of \$5,000 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 4. It is hereby determined and stated that moneys exceeding \$15,000, appropriated for down payments on capital improvements or for the capital improvement fund in budgets heretofore adopted for said Township or heretofore appropriated for down payments or for the capital improvement fund by an emergency appropriation, are now available to finance said purpose. The sum of \$15,000 is hereby appropriated from such moneys to the payment of the cost of said purpose.

Section 5. To finance said purpose, bonds of said Township of an aggregate principal amount not exceeding \$210,000 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.

## Meeting of May 20, 2019

Section 6. To finance said purpose, bond anticipation notes of said Township of an aggregate principal amount not exceeding \$210,000 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 7. 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 bond anticipation 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 8. It is hereby determined and declared that the period of usefulness of said purpose, according to its reasonable life, is a period of forty years computed from the date of said bonds.

Section 9. 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 \$210,000 and that the issuance of the bonds and notes authorized by this ordinance will be within all debt limitations prescribed by said Local Bond Law.

Section 10. 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 11. 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 12. The Township intends to issue the bonds or notes to finance the cost of the improvement described in Section 1 of this bond ordinance. If the Township incurs such costs prior to the issuance of the bonds or notes, the Township expects 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 13. 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 14. This ordinance shall take effect twenty days after the first publication thereof after final passage.

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

The Council President declared the motion passed.

Ordinance No. 1360- It was moved by Councilmember Kahwaty, seconded by Councilmember Vancheri, that there be introduced and the meeting of June 10, 2019 set as the date for the public hearing of the following:

### **BOND ORDINANCE NO. 1360**

**BOND ORDINANCE TO AUTHORIZE THE ACQUISITION OF REAL PROPERTY FOR PUBLIC PARKING IN, BY AND FOR THE TOWNSHIP OF LITTLE FALLS, IN THE COUNTY OF PASSAIC, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$450,000 TO PAY THE COST THEREOF, TO MAKE A DOWN PAYMENT, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION AND TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS.**

**BE IT ORDAINED** by the Township Council of the Township of Little Falls, in the County of Passaic, State of New Jersey, as follows:

Section 1. The Township of Little Falls, in the County of Passaic, State of New Jersey (the "Township") is hereby authorized to acquire (by purchase or eminent domain) real property (consisting of an existing surface parking lot) for public parking in, by and for the Township. Said improvement shall include real estate transaction expenses and all work, materials and appurtenances necessary and suitable therefor. The property to be acquired is located on Stevens Avenue and is designated as Block 110, Lot 21 on the Tax Assessment Map of the Township.

Section 2. The sum of \$450,000 is hereby appropriated to the payment of the cost of making the improvement described in Section 1 hereof (hereinafter referred to as "purpose"). Said appropriation shall be met from the proceeds of the sale of the bonds authorized and the down payment appropriated by this ordinance. Said improvement shall be made as a general improvement and no part of the cost thereof shall be assessed against property specially benefited.

Section 3. It is hereby determined and stated that (1) said 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 total estimated cost of said purpose is \$450,000, and (4) \$25,000 of said sum is to be provided by the down payment hereinafter appropriated to finance said purpose, and (5) the estimated maximum amount of bonds or notes necessary to be issued for said purpose is \$425,000, and (6) the cost of such purpose, as hereinbefore stated, includes the aggregate amount of \$50,000 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 4. It is hereby determined and stated that moneys exceeding \$25,000, appropriated for down payments on capital improvements or for the capital improvement fund in budgets heretofore adopted for said Township or heretofore appropriated for down payments or for the capital improvement fund by an emergency appropriation, are now available to finance said purpose. The sum of \$25,000 is hereby appropriated from such moneys to the payment of the cost of said purpose.

Section 5. To finance said purpose, bonds of said Township of an aggregate principal amount not exceeding \$425,000 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 6. To finance said purpose, bond anticipation notes of said Township of an aggregate principal amount not exceeding \$425,000 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 7. 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 bond anticipation 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.

## Meeting of May 20, 2019

Section 8. It is hereby determined and declared that the period of usefulness of said purpose, according to its reasonable life, is a period of forty years computed from the date of said bonds.

Section 9. 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 \$425,000 and that the issuance of the bonds and notes authorized by this ordinance will be within all debt limitations prescribed by said Local Bond Law.

Section 10. 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 11. 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 12. The Township intends to issue the bonds or notes to finance the cost of the improvement described in Section 1 of this bond ordinance. If the Township incurs such costs prior to the issuance of the bonds or notes, the Township expects 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 13. 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 14. This ordinance shall take effect twenty days after the first publication thereof after final passage.

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

The Council President declared the motion passed.

Ordinance No. 1361- It was moved by Councilmember Vancheri, seconded by Councilmember Seber, that there be introduced and the meeting of June 10, 2019 set as the date for the public hearing of the following:

### ORDINANCE NO. 1361

#### AN ORDINANCE AUTHORIZING THE ACQUISITION OF CERTAIN INTERESTS IN REAL PROPERTY SITUATED IN TAX BLOCK 110, LOT 21 (A/K/A STEVENS AVENUE) LOCATED WITHIN THE TOWNSHIP OF LITTLE FALLS, COUNTY OF PASSAIC AND STATE OF NEW JERSEY BY NEGOTIATION, PURCHASE, CONDEMNATION OR EMINENT DOMAIN

**WHEREAS**, the "Local Lands and Buildings Law", N.J.S.A. 40A:12-5 provides that a municipality may acquire "any real property [b]y purchase, gift, devise, lease, exchange, condemnation, or installment purchase agreement"; and

**WHEREAS**, pursuant to N.J.S.A. 40:48-2, the Township of Little Falls ("Township") is authorized to adopt an ordinance for the preservation of public health, safety and welfare; and

**WHEREAS**, pursuant to N.J.S.A. 40:60-25.1, the Township has the power to acquire any real properties for public parking through negotiated agreement or by the exercise of the power of eminent domain; and

**WHEREAS**, the Mayor and Council of the Township have determined that it is in the public interest to acquire a fee simple interest in property in the Township of Little Falls, located at Stevens Avenue, legally identified as Block 110, Lot 21 on the Tax Map for the Township of Little Falls ("Property"); and

**WHEREAS**, the Township has determined that the Property be acquired for public use for the general welfare and benefit of the community for the development and installation of parking lot for visitors and residents shopping or working in the center of the Township and for such other related needs; and

**WHEREAS**, the acquisition of such Property will fulfill a primary goal of the Township with regard to promote the welfare and needs of the residents of the Township, visitors to the community, and assist local businesses in the center of the Township; and

**WHEREAS**, the Property, which the Township believes it must acquire, is in private ownership; and

**WHEREAS**, the Township is authorized by the New Jersey State Constitution and N.J.S.A. 20:3-1, et seq. to proceed with acquiring certain property interests by condemnation/eminent domain as long as just compensation is paid for same; and

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

#### SECTION I:

The Township determines that it is in the public interest and for a public purpose and use to acquire a fee simple interest in Stevens Avenue, Little Falls, New Jersey for purposes of creating public parking, including but not limited to a new parking lot for the use of visitors and residents who are shopping, working or otherwise utilizing the businesses in the center of the Township.

#### SECTION II:

The Township hereby acknowledges that just compensation for a fee simple interest in the Property must be determined by an appraisal establishing the fair market value of the Property, prepared by a state certified and qualified appraiser.

#### SECTION III:

The property for which a taking of property interests is authorized by negotiation, purchase, or condemnation/eminent domain pursuant to this ordinance are located in the Township and listed on the Township tax map as Block 110, Lot 21 a/k/a Stevens Avenue, Little Falls, New Jersey, being approximately .41 acres in size. The property interests to be acquired are irrevocable, perpetual acquisition of the property in fee.

#### SECTION IV:

The Township Attorney is hereby authorized to proceed with acquisition of the aforesaid Property; first by negotiation for purchase, and if negotiations are unsuccessful, by condemnation pursuant to the Eminent Domain Act; and to prepare and file all papers and prosecute all actions as necessary to accomplish those purposes, including but not limited to, the hiring of any experts, engaging the services of land surveyors, title insurance companies, appraisers, and any other professional whose services are necessary or appropriate to implement the purposes of this ordinance, the making of any offer by the Township to the property owner(s) in the full amount of the appraised value of the property interest that the Township seeks to acquire in said property, and to negotiate in good faith with the record owner(s) of the property for its voluntary acquisition in accordance with N.J.S.A. 20:3-6, and in the event that negotiations for the voluntary acquisition of the property are unsuccessful for any reason to commence a condemnation action by filing of a Verified Complaint and Declaration of Taking, depositing the estimated just compensation with the Clerk of the Superior Court, filing a Lis Pendens, and taking any and all other actions of any administrative or other nature necessary to complete the process contemplated by this ordinance.

#### SECTION V:

The Mayor and Township Clerk are hereby authorized to execute and witness a contract of sale in a form to be approved by the Township Attorney and to execute and witness a deed and any other documents necessary to effectuate the conveyance of title in and to the property to the Township, including any documents necessary to acquire the Property by condemnation.

#### SECTION VI:

If any article, section, subsection, sentence, clause or phrase of this ordinance is, for any reason, held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this ordinance and they shall remain in full force and effect, and to this end the provisions of this ordinance are hereby declared severable.

#### SECTION VII:

All other ordinances in conflict or inconsistent with this ordinance are hereby repealed, to the extent of such conflict or inconsistency. In the event of any inconsistencies between the provisions of this ordinance and any prior ordinance of the Township, the provisions hereof shall be determined to govern. All other parts, portions and provisions of the ordinances of the Township are hereby ratified and confirmed, except where inconsistent with the terms hereof.

#### SECTION VIII:

This ordinance shall take effect immediately upon adoption and publication in accordance with the laws of the State of New Jersey.

**Meeting of May 20, 2019**

\*\*\*\*\*

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

The Council President declared the motion passed.

Ordinance No. 1362- It was moved by Councilmember Seber, seconded by Councilmember Kahwaty, that there be introduced and the meeting of June 10, 2019 set as the date for the public hearing of the following:

**ORDINANCE NO. 1362**

**AN ORDINANCE AUTHORIZING THE ACQUISITION OF CERTAIN INTERESTS IN REAL PROPERTY SITUATED IN TAX BLOCK 82, LOT 6 (A/K/A 110 EAST WOODCLIFFE AVENUE) LOCATED WITHIN THE TOWNSHIP OF LITTLE FALLS, COUNTY OF PASSAIC AND STATE OF NEW JERSEY BY NEGOTIATION, PURCHASE, CONDEMNATION OR EMINENT DOMAIN**

**WHEREAS**, the “Local Lands and Buildings Law”, N.J.S.A. 40A:12-5 provides that a municipality may acquire “any real property [b]y purchase, gift, devise, lease, exchange, condemnation, or installment purchase agreement”; and

**WHEREAS**, pursuant to N.J.S.A. 40:48-2, the Township of Little Falls (“Township”) is authorized to adopt an ordinance for the preservation of public health, safety and welfare; and

**WHEREAS**, pursuant to N.J.S.A. 40:60-25.51, the Township has the power to acquire any real properties for public facilities, such as public works, through negotiated agreement or by the exercise of the power of eminent domain; and

**WHEREAS**, the Mayor and Council of the Township have determined that it is in the public interest to acquire a fee simple interest in property in the Township of Little Falls, located at 110 East Woodcliffe Avenue, legally identified as Block 82, Lot 6 on the Tax Map for the Township of Little Falls (“Property”); and

**WHEREAS**, the Township has determined that the Property be acquired for public use for the general welfare and benefit of the community for the development and installation of a new storm water pump station for the Township Department of Public Works; and

**WHEREAS**, the acquisition of such Property will fulfill a primary goal of the Township with regard to the protection of the health, safety and welfare of the residents of the Township; and

**WHEREAS**, the Property, which the Township believes it must acquire, is in private ownership; and

**WHEREAS**, the Township is authorized by the New Jersey State Constitution and N.J.S.A. 20:3-1, et seq. to proceed with acquiring certain property interests by condemnation/eminent domain as long as just compensation is paid for same; and

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

**SECTION I:**

The Township determines that it is in the public interest and for a public purpose and use to acquire a fee simple interest in 110 East Woodcliffe Avenue, Little Falls, New Jersey for purposes of creating public facilities, including but not limited to a new storm water pump station for the Township Department of Public Works.

**SECTION II:**

The Township hereby acknowledges that just compensation for a fee simple interest in the Property must be determined by an appraisal establishing the fair market value of the Property, prepared by a state certified and qualified appraiser.

**SECTION III:**

The property for which a taking of property interests is authorized by negotiation, purchase, or condemnation/eminent domain pursuant to this ordinance are located in the Township and listed on the Township tax map as Block 82, Lot 6 a/k/a 110 East Woodcliffe Avenue, Little Falls, New Jersey, being approximately 8,074 square feet in size. The property interests to be acquired are irrevocable, perpetual acquisition of the property in fee.

**SECTION IV:**

The Township Attorney is hereby authorized to proceed with acquisition of the aforesaid Property; first by negotiation for purchase, and if negotiations are unsuccessful, by condemnation pursuant to the Eminent Domain Act; and to prepare and file all papers and prosecute all actions as necessary to accomplish those purposes, including but not limited to, the hiring of any experts, engaging the services of land surveyors, title insurance companies, appraisers, and any other professional whose services are necessary or appropriate to implement the purposes of this ordinance, the making of any offer by the Township to the property owner(s) in the full amount of the appraised value of the property interest that the Township seeks to acquire in said property, and to negotiate in good faith with the record owner(s) of the property for its voluntary acquisition in accordance with N.J.S.A. 20:3-6, and in the event that negotiations for the voluntary acquisition of the property are unsuccessful for any reason to commence a condemnation action by filing of a Verified Complaint and Declaration of Taking, depositing the estimated just compensation with the Clerk of the Superior Court, filing a Lis Pendens, and taking any and all other actions of any administrative or other nature necessary to complete the process contemplated by this ordinance.

**SECTION V:**

The Mayor and Township Clerk are hereby authorized to execute and witness a contract of sale in a form to be approved by the Township Attorney and to execute and witness a deed and any other documents necessary to effectuate the conveyance of title in and to the property to the Township, including any documents necessary to acquire the Property by condemnation.

**SECTION VI:**

If any article, section, subsection, sentence, clause or phrase of this ordinance is, for any reason, held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this ordinance and they shall remain in full force and effect, and to this end the provisions of this ordinance are hereby declared severable.

**SECTION VII:**

All other ordinances in conflict or inconsistent with this ordinance are hereby repealed, to the extent of such conflict or inconsistency. In the event of any inconsistencies between the provisions of this ordinance and any prior ordinance of the Township, the provisions hereof shall be determined to govern. All other parts, portions and provisions of the ordinances of the Township are hereby ratified and confirmed, except where inconsistent with the terms hereof.

**SECTION VIII:**

This ordinance shall take effect immediately upon adoption and publication in accordance with the laws of the State of New Jersey.

\*\*\*\*\*

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

The Council President declared the motion passed.

**PUBLIC COMMENT –GENERAL MATTERS**

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

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

The Council President declared the motion passed.

Council President SGOBBA commented on the provision of addresses in Ordinances introduced tonight.

Andrew Baggot, 78 Franklin Road, Denville, requested the address of the property referred to in Ordinance No. 1358. Council President SGOBBA stated the address is 64 Stanley Street. Mr. Baggot thanked Councilmember

**Meeting of May 20, 2019**

Kahwaty and those involved in the successful Town-wide clean up. Mr. Baggot requested a status update on Ordinance No. 1341. Mayor Damiano explained the Ordinance would require re-introduction. The Mayor relayed the Fire Chief's concern for emergency vehicles to traverse the area and the need to relocate the center line. The Ordinance will continue to be tabled as discussions continue. In response to Mr. Baggot's request to have a parking committee or new members be appointed to the Transportation Committee, Councilmember VANCHERI stated the Transportation Committee has concerned citizens on its membership and all members are in good standing. Mr. Baggot discussed his concern regarding trucks in the Township. The Mayor discussed the status of truck routes in the Township. He further noted the truck routes and turns do not pertain to parking, but with emergency vehicles coming through. In response to Mr. Baggot, Mayor Damiano stated the area in need of redevelopment in the Singac area had an average assessed value of approximately 8 million and the developer paid about \$24 million for those properties. In reply to Mr. Baggot's query on the status of the gas station, the Mayor indicated it is owned privately and there are no violations.

Maryann Baggot, 78 Franklin Road, Denville, remarked that in her experience as a teacher, none of the schools at which she worked charged teachers to park. She hoped the Council does not intend to charge teachers to park.

Luis Fernandez, 54 Harrison Street, queried whether a second reading and public hearing on the bond ordinances will occur along with a presentation of a plan at the June 10, 2019 Meeting. Mayor Damiano commented on procedure to which Mr. Wenzel provided further clarification regarding Ordinance No. 1361 and Ordinance No. 1362. Additionally, in response to Mr. Fernandez, Mr. Wenzel explained why a price was not listed with reference to Ordinance No. 1362 as it the beginning of the process to determine if the Township can acquire property or begin condemnation. Mr. Fernandez questioned if the Township is taking action to recoup the funds spent by the Township to clean up the Jackson Park area. Council President SGOBBA stated the Township is not pursuing any litigation to obtain reimbursement. Mayor Damiano stated the Township did try to get the funds through FEMA however the claim was denied.

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

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

The Council President declared the motion passed.

There being no further business to come before the meeting, it was moved by Councilmember Vancheri, seconded by Councilmember Seber, that the meeting be and it was adjourned at 8:16 p.m.

---

Cynthia Kraus  
Municipal Clerk