

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

Monday, May 21, 2018

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

Absent: Police Chief Steven Post and Deputy Registrar Marlene Simone.

Township Employees present: DPW Superintendent Phillip Simone, Sgt. Daniel Gianduso, Fire Chief Jack Sweezy, Assistant Chief Co. # 1 Ron Cordero, Deputy OEM Coordinator James Hearney, and DPW Employee Mike DeLuca.

Following the Salute to the Flag, Councilmembers Seber and Vancheri requested a moment of silence for those killed and injured in the Paramus school bus crash on Route 80 this past week.

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

APPROVAL OF MINUTES

It was moved by Councilmember Cordonnier, seconded by Councilmember Liess, that the Minutes of the Workshop Meeting of May 7, 2018 and the Minutes of the Regular Meeting of April 23, 2018 be and they were approved.

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

The Council President declared the motion passed.

REMARKS FROM CHAIR

Council President SGOBBA discussed why the meeting was convened at the Eagle Rescue Squad. He commented that should the case arise where the Council could not meet at the Municipal Building, this presents another venue. Additionally, this evening everyone can look at the new emergency vehicles that the Township has purchased.

COUNCIL MEMBER REPORTS

Councilmember VANCHERI thanked the Fire Department for hosting and to be able to have an alternate venue for meetings should an emergency arise.

Councilmember LIESS commented his enjoyment to be able to attend tonight's meeting at this venue.

Councilmember CORDONNIER expressed her thanks for the services of the Fire Department, EMS and Police Department so that the Township can rest easy and know our community is safe.

Councilmember SEBER expressed her enthusiasm to be here tonight to celebrate our EMS and Fire services and to be able to see the new vehicles.

MAYOR'S REPORT

MAYOR'S APPOINTMENT OF CAROL MILLER TO THE LITTLE FALLS LIBRARY BOARD FOR A FIVE-YEAR TERM EXPIRING 5/31/23 WITH ADVICE AND CONSENT OF THE COUNCIL

Mayor Damiano explained the appointment to the Library Board and asked the Council for a motion and second to approve the appointment.

It was moved by Councilmember Cordonnier, seconded by Councilmember Seber, to approve Carol Miller's appointment to the Little Falls Library Board for a five year term.

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

The Council President declared the motion passed.

It was moved by Councilmember Seber, seconded by Councilmember Liess to make the following appointments:

Regional Flood Control Board – COUNCIL appoints – One-Year term
Councilmember (1) – Christopher Vancheri

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

The Council President declared the motion passed.

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Regional Flood Control Board – MAYOR appoints with advice and consent of the Council One-Year term Regular Member (5) – Mayor James Belford Damiano, Sergeant Daniel Gianduso (Mayor Designee), Phillip Simone (DPW Superintendent), Hans Prell (Community Member), Dorothy O’Haire (Community Member)

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

The Council President declared the motion passed.

Flood Board members were then sworn in by Mayor Damiano.

Mayor Damiano asked Fire Chief Jack Sweezy to address the podium about the Fire Department and the new vehicles. May 16, 2018 marked the two year anniversary of the paid EMS service. He remarked on the response time of approximately five minutes. He invited everyone to look at the ambulances and ask questions. He described the services the Eagle Rescue Company provides. This year Passaic Valley Elks recognized Assistant Chief Ron Cordero as Firefighter of the Year. Fire Chief Sweezy welcomed all questions relating to EMS and Fire.

Mayor Damiano expressed his pride with the services and response time of the EMS. He expressed his hope that this year the revenues will outweigh the program with a high level of services provided. After the Meeting the Mayor invited everyone to tour the new ambulances, noting that the first day of service on the roads will be tomorrow. The two new ambulances and an old one will make up the fleet in the Township. Mayor Damiano thanked Chief Sweezy for his guidance and was proud to announce other towns in Passaic County had reached out to Chief Sweezy for assistance in getting their potential paid EMS programs off the ground.

ATTORNEY’S REPORT

Mr. Wenzel had nothing to report.

PUBLIC COMMENT

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

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

The Council President declared the motion passed.

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

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

The Council President declared the motion passed.

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 2018

MUNICIPAL CLERKS REPORT
Month of April 2018

ABC LICENSES		
OTHER LICENSES		
Business Licenses	\$1,585.00	
Pre-paid Business Licenses		
Raffle Licenses	180.00	
		\$1,765.00
REGISTRAR OF VITAL STATISTICS		
Fees & Permits	\$728.00	
Marriage Licenses-LF	18.00	
Marriage Licenses-NJ	150.00	
		\$896.00
MRNA		
Street Maps		
Zoning Maps		
Zoning Ordinances		
Document Copies	2.25	
Garage Sales	50.00	
Misc. Fees & Refunds:		
TOTAL MRNA		\$52.25
TOTAL CURRENT ACCOUNT		<u>\$2,713.25</u>
TOTAL TO TREASURER		<u>\$2,713.25</u>

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

MUNICIPAL CLERK'S DOG/CAT LICENSE REPORT

Month of April 2018

Dog Licenses issued 04/01/2018 to 04/30/2018

Nos. 361 to 362 = 1 Licenses
 Amount due Little Falls \$13.60
 Amount due State \$2.40
 Total Cash Received \$16.00

Cat Licenses issued 04/01/2018 to 04/30/2018

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

Total to Treas. \$16.00

Tax Collector's Report – Month of April, 2018

MONTHLY REPORT

Municipality of Township of Little Falls
 Office of the Tax Collector
 Township of Little Falls Current Account, Lakeland Bank
 Revenues Collector for the Month of April 2018

Categories 01-	March 1-31, 2018	2018 Year to Date
2018 Taxes	\$3,218,280.33	\$13,874,369.29
2017&2016 Taxes	21,098.53	267,486.85
Interest	4,906.12	26,045.82
Duplicate Tax Bills	5.00	25.00
Insufficient Check Fee	0.00	140.00
6% Penalty Fee	699.35	4,975.24
GRAND TOTALS	\$3,244,989.33	\$14,173,042.20

Delinquent 2016 Taxes \$817,845.89
 Delinquent 2017 Taxes 215,842.01
 Delinquent 2018 Taxes 242,416.68
Total Delinquent Taxes \$1,276,104.58

2018 Refunds this month = -\$0.00
 2018 Year to date refunds = -\$15,537.47

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

REFUNDS IN THE YEAR 2018

Months	2013 STCJ	2014 STCJ	2015 STCJ	2016 STCJ	2017 STCJ	2018 CBJ	Regular 2018	2018 Veteran/Widow	2018 Senior/Disabled	Exempt 2018	Total by Months
January	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
February	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
March	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$15,537.47	\$0.00	\$0.00	\$0.00	\$15,537.47
April	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Totals	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$15,537.47	\$0.00	\$0.00	\$0.00	\$15,537.47

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 2018

	Deposit	2018 Year-to-Date
January 2018	\$19,800.97	\$19,800.97
February 2018	\$ 0.00	\$19,800.97
March 2018	\$ 0.00	\$19,800.97
April 2018	\$ 0.00	\$19,800.97
Total Collected as of April 30, 2018		\$19,800.97

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 2018

	Liens with Premiums Redeemed/ (-)	Bal. /Dep. (+)
Balance Brought Forward (January 1, 2018)		\$286,300.00
January 2018	\$ -8,900.00	\$277,400.00
February 2018	\$ 0.00	\$277,400.00
March 2018	\$ 0.00	\$277,400.00
April 2018	\$ 0.00	\$277,400.00

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Ending Balance as of April 30, 2018

\$277,400.00

Recreation Report – Month of April, 2018

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

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

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

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

Recreation Center Usage Report

Month	Participants	Sessions	Hours Utilized
January 2018	4,284	165	333
February 2018	3,493	157	306
March 2018	2,949	170	198
April 2018	3,796	175	243

Civic Center Report - Month of April, 2018

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

Month	Participants
January 2018	365
February 2018	427
March 2018	649
April 2018	548

Construction Report – Month of April, 2018

Uniform Construction Code

Permits Issued – 63

Total Value of Construction - \$481,302.00

Total Fees Collected - \$14,198.00

Zoning

Fence Permits – 6

Zoning Applications – 4

Total Fees Collected - \$1,100.00

Property Maintenance

Certificates of Compliance Issued – 21

Warnings Issued – 18

Complaints Addressed – 3

Roll-off permits - 6

Police Report – Month of April, 2018

Little Falls Police Department Statistical Data - April 2018					
Call Type	Total	Call Type		Call Type2	Total2
Reports Generated	676	Summonses	261	Vehicles Impounded	38
Gallons of Gas Used	1545	Child Seat Installation	1	Assault Aggravated	4
Details Assigned	21,074	Burglar Alarms/False	18	Assault Simple	7
MV Stops	463	Burglar Alarm/Valid	12	Burglary	1
Park Checks	38	CDS/Drugs	10	Domestic Violence	13
Motor Vehicle Crashes	82	DWI	9	Sex Assault	0
Disabled MV Assist	20	Firearm Permits Denied	0	Theft	7
NARCAN Deployment	0	Firearm Permits Issued	3	Theft Identity	0
Fire Department Calls	11	Foot Patrols	3	School Arrivals	53
Medical Calls	58	Hold Up/Panic Alarm	1	School Dismissals	36
Miles Patrolled	11,261	School Walk Thru	21	Motor Vehicle –Pursuit	1
Arrest	48	Training Detail onsite/offsite	23	Foot – Pursuit	0

Little Falls Police Department Call Volume – April 2018	
911 CALLS	584
0200 IN-BOUND CALLS	2,935
0200 OUT BOUND CALLS	1,629

Little Falls Police Department Motor Vehicle Stop Data -April 2018		
RACE	TOTAL	%
White	280	60.5
Black	55	11.98
White/Hispanic	117	25.3
Black/Hispanic	0	0
Indian/Hispanic & Indian	1	.2
Asian/Hispanic	0	0
Asian	10	2.2

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Little Falls Police Department Miles Patrolled Data -April 2018			
Unit #	Starting O/R	Ending O/R	Total Miles Patrolled
810	52232	53475	1,243
811	13804	14503	699
812	52158	54378	2,220
813	79938	81185	1,247
814	17105	18739	1,634
815	79176	79939	763
816	34385	35599	1,214
817	12408	13623	1,215
818	37750	38776	1,026
TOTAL			11,261

Little Falls Police Department Overtime Report-April 2018					
REASON	HRS	REASON	HRS	REASON	HRS2
Dispatch Coverage	0	DV Incident	0	PVHS Sporting Event	12
Court Officer	42.5	DWI Incident DDEF	0	Shift Short/Training	0
Personal Day	44	Firearms Training	0	Training Mandatory	24
Sick	24	Follow-up Invest.	0	Training General	18
Detective Invest.	1	Injury	10	Weather Related	0
Vacation	12	Incident Related	16	Shift Shortage	49
Tech Support	0	Miscellaneous OT	5	DSGPO \$50 Grant	0
County Court	0	Prisoner Transport	0	Shift Short PBA Day	0
Court Other Town	2.5	DWI Patrol DDEF	0	LF Court Prosecutor Assist	20
PCADTF	0	LF DWI Court Case DDEF	4	Fleet Management	0
Admin. Officer	2	\$50 Contractual OT	0	Shift Shortage / Injury	0
Bereavement	0	Personnel Matter	0	IA Investigation	3
LF Court Case	2	PVHS Event	0		
TOTAL	130	TOTAL	35	TOTAL	126
				GRAND TOTAL	291

APPLICATIONS

LITTLE FALLS FIRE DEPARTMENT AUXILIARY APPLICATION, HUTHAIFAH K. AWAWDEH, MACLEAN ROAD, CLIFTON, EAGLE HOSE CO. #1

CORRESPONDENCE

REQUEST FROM GREAT NOTCH FIRE CO. #4 FOR PERMISSION TO HOLD A BOOT DRIVE ON FRIDAY, SEPTEMBER 8, 2018 AND SATURDAY, SEPTEMBER 9, 2018 AT THE INTERSECTION OF LONG HILL ROAD AND NOTCH ROAD FROM 7:00 A.M. – 7:00 P.M.

REQUEST FROM LITTLE FALLS BUSINESS ASSOCIATION FOR PERMISSION TO CLOSE A PORTION OF PATERSON AVENUE FROM MAIN STREET TO THE FIREHOUSE ON JUNE 14, 2018 AT 6:00 P.M. FOR ITS ANNUAL BLOCK PARTY

RESOLUTIONS

Verizon Wireless Right-Of-Way Access

**RESOLUTION [A] 18-05-21 - #1
VERIZON WIRELESS
RIGHT-OF-WAY AUTHORIZATION**

WHEREAS, New York SMSA Limited Partnership d/b/a Verizon Wireless, (“Verizon Wireless”), is a provider of commercial mobile service subject to regulation by the Federal Communications Commission; and

WHEREAS, Verizon Wireless has entered into agreements with parties that have the lawful right to maintain poles in the public right-of-way pursuant to which Verizon Wireless may use such poles erected within the public right-of-way in the Township of Little Falls; and

WHEREAS, New Jersey law permits such use provided that there is the consent of the relevant municipality;

NOW, THEREFORE, BE IT RESOLVED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF LITTLE FALLS, COUNTY OF PASSAIC, STATE OF NEW JERSEY THAT:

Permission and authority are hereby granted to Verizon Wireless and its successors and assigns, to use poles erected by parties that have the lawful right to maintain poles within the public right-of-way in the Township of Little Falls specifically for the installation of small network nodes in an amount not to exceed five (5), subject to the following:

- A. Verizon Wireless, and its successors and assigns, shall adhere to all applicable Federal, State, and Local laws regarding safety requirements related to the use of the public right-of-way.
- B. Verizon Wireless, and its successors and assigns, shall comply with all applicable Federal, State, and Local laws requiring permits prior to beginning construction, and shall obtain any applicable permits that may be required by the Township of Little Falls. This consent will not allow Verizon Wireless to construct nodes without site-specific review by the Little Falls Building Department.
- C. Such permission be and is hereby given upon the condition and provision that Verizon Wireless, and its successors and assigns, shall indemnify, defend and hold harmless the Township of Little Falls, its officers, agents, and servants, from any claim of liability or loss or bodily injury or property damage resulting from or arising out of the acts or omissions of Verizon Wireless or its agents in connection with the use and occupancy of poles located within the public right-of-way, except to the extent resulting from the acts or omissions of the Township of Little Falls.
- D. Verizon Wireless shall, at its own cost and expense, maintain commercial general liability insurance with limits not less than \$1,000,000 for injury to or death of one or more persons in any one occurrence and \$500,000 for damage or destruction to property in any one occurrence. Verizon Wireless shall include the Township of Little Falls as an additional insured.
- E. Verizon Wireless shall be responsible for the repair of any damage to paving, existing utility lines, or any surface or subsurface installations, arising from its construction, installation or maintenance of its facilities.
- F. Notwithstanding any provision contained herein, neither the Township of Little Falls nor Verizon Wireless shall be liable to the other for consequential, incidental, exemplary, or punitive damages on account of any activity pursuant to this instrument.
- G. This instrument shall be adopted on behalf of the Township of Little Falls by the Township Council of the Township of Little Falls and attested to by Township of Little Falls Seal thereto.
- H. The permission and authority hereby granted shall continue for the same period of time as the grant to parties whose poles Verizon Wireless is using.

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Estimated Tax Bills

**TOWNSHIP OF LITTLE FALLS
COUNTY OF PASSAIC
RESOLUTION [B] 18-05-21 - #2**

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 15, 2018 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 \$47,194,919.00 at a tax rate of \$3.152092; 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 on 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 2018 taxes.
2. The entire estimated tax levy for 2018 is hereby set at \$47,194,919.00. The estimated tax rate for 2018 is hereby set at \$3.152092.
3. In accordance with the law, the third quarter installment of 2018 taxes shall not be subject to interest until the later of August 10 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 21, 2018.

Property Tax Appeal

**RESOLUTION [C] 18-05-21 - #3
TOWNSHIP OF LITTLE FALLS
PASSAIC COUNTY, NEW JERSEY**

WHEREAS, the Mayor and Council of the Township of Little Falls have been advised of the proposed settlement of a property Tax Appeal filed by 1755 Rt 46 Little Falls, LLC (hereinafter the "Tax Appeal"), under Docket Numbers 004417-2015, 005512-2016; 003808-2017 and 002203-2018, and;

WHEREAS, the aforesaid Tax Appeal involves a gasoline service station located at 1755 Rt. 46 East, and is also designated as Block 217 Lot 17.02 on the tax assessment map of the Township (hereinafter the "subject property"), and;

WHEREAS, the said Governing Body has been advised as to the merits of the subject Tax Appeal by legal counsel, the Township Appraiser and the Township Tax Assessor, and;

WHEREAS, the terms of the proposed Tax Appeal settlement are set forth in the Schedule "A" attached hereto and made a part hereof, and;

WHEREAS, the provisions of N.J.S.A. 54:51A-8 (the "Freeze Act") shall be applicable to the terms of this settlement, and;

WHEREAS, it is in the best interest of the Township to settle the subject Tax Appeal in accordance with the settlement proposal set forth hereinabove.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Township of Little Falls, that the proposed settlement of the aforesaid Tax Appeal be hereby approved, in accordance with the terms set forth in the attached Schedule "A", and;

BE IT FURTHER RESOLVED, that with respect to same, the Mayor, Township Administrator, Township Tax Attorney, Township Tax Assessor, Tax Collector, Treasurer and/or any other appropriate Township official is hereby authorized to perform any act necessary to effectuate the purposes set forth in this Resolution.

SCHEDULE "A"

- A. The terms of the aforesaid tax appeal settlement shall consist as follows:

2015 Appeal: Withdrawn
2016 Appeal: Withdrawn
2017 Appeal: \$2,700,000
2018 Appeal: \$2,700,000

- B. The provisions of N.J.S.A. 54:51A-8 (the "Freeze Act") shall be applicable to the terms of this settlement.

Amendment to Contract with Gotham Analytics

**RESOLUTION [D] 18-05-21 - #4
RESOLUTION AUTHORIZING AN AMENDMENT TO THE CONTRACT
GOTHAM ANALYTICS LLC. AS A RESULT OF CHANGE ORDER #1**

WHEREAS, a contract was awarded by the Township to Gotham Analytics LLC and 82 Grand Ave. Englewood New Jersey 07631 in the amount of \$13,500.00 for the Installation of three 3 river gauges place on the Peckman River in Little Falls New Jersey and,

WHEREAS, it has been determined by the Township that as a result of the delay in the State approvals required in order to complete the project that a change order is required and,

WHEREAS, In December 2017 Gotham observed inconsistent behavior from the equipment installed at the Francisco Street Bridge in Little Falls. After attempting to remotely troubleshoot it was determined that the equipment would need to be brought back to the lab for servicing. The appropriate repairs and testing have been conducted and the equipment is deemed functional and approved for re-deployment at the Francisco Street Bridge and,

WHEREAS, the approvals for the installation for the third location on the Route 46 Bridge has still not been made by the New Jersey State Department of Transportation and this was not due to faulty work or negligence by Gotham Analytics LLC; and

WHEREAS, the work set forth in Change Order No. 1 could not be separately bid and had to be performed by the same Contractor in order to preserve the continuity of job progress and to complete the project with dispatch; and

WHEREAS, Change Order No. 1 will not materially expand upon the size, nature or scope of the project as it was described in the original bid specifications and contract but reflects a change of work required to complete the project described in those bid specifications and contract with in the approvals received by the Township; and

WHEREAS, this change has been negotiated with the Contractor; and

WHEREAS, there are sufficient funds appropriated and available to cover the total cost of this project;

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

1. That Change Order No. 1 in which there is a net decrease of the Contract price of \$4,500.00 or a .33% decrease representing an amended contract price of \$9,000.00 which this change order is made a part of this resolution.
The items set forth in Change Order No. 1 could not be separately bid due to an emergency need to continue and advance the existing construction of the project presently in process.
2. Change Order No. 1 is authorized and approved as an Amendment to the Contract of Gotham Analytics LLC.
3. The revised contract of \$9,000.00 set forth in Change Order No. 1 resulting in a net decrease change to the original approved contract price shall be paid by the Chief Financial Officer upon presentation of voucher approved and certified by the Township of Little Falls

Meeting of May 21, 2018

Public Works Manager for this project, and satisfaction by all other requirements for receipt of payment. That being that two river gauges shall be installed on the Peckman River in Little Falls, one at Main Street and one at Francisco Avenue. These Gauges must be installed and online, able to transmit data for their intended purposes to the Township of Little Falls Office of Emergency Management.

- 4. At such time as the New Jersey Department of Transportation makes its final approval to place the third gauge on the Peckman River at the Route 46 bridge, the Township will then amend the Gotham Analytics LLC contract by change order to install said gauge and provide for the final payment of the remaining \$4,500.00 to complete the project.
- 5. The cost of this change order shall be paid from the appropriation for this project as certified by the Chief Financial Officer.

Reappointment of Charles Cuccia as CFO

**RESOLUTION [E] 18-05-21 - #5
RESOLUTION TO REAPPOINT CHIEF FINANCIAL OFFICER**

WHEREAS, the Mayor and Township Council of the Township of Little Falls, on April 14, 2018, appointed Charles Cuccia Chief Financial Officer for a four-year term; and

WHEREAS, said appointment expired on May 5, 2018; and

WHEREAS, the Township Council of the Township of Little Falls desires to continue the appointment of Charles Cuccia as Chief Financial Officer;

NOW, THEREFORE, BE IT RESOLVED, that the Township Council of the Township of Little Falls hereby appoints Charles Cuccia as Chief Financial Officer of the Township of Little Falls, for a term of four years commencing on May 6, 2018, in accordance with the provisions of *N.J.S.A 40:69A-1, et seq.*

Redevelopment Plan for Singac Industrial Zone

RESOLUTION [F] 18-05-21 - #6

RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF LITTLE FALLS, IN THE COUNTY OF PASSAIC, STATE OF NEW JERSEY, TO REFER TO THE PLANNING BOARD OF THE TOWNSHIP OF LITTLE FALLS THE PREPARATION OF A REDEVELOPMENT PLAN FOR SINGAC INDUSTRIAL ZONE

WHEREAS, the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1, et seq., as amended and supplemented (the "Redevelopment Law"), provides a process for municipalities to participate in the redevelopment and improvement of areas in need of redevelopment and rehabilitation; and

WHEREAS, in accordance with the Redevelopment Law, the Township Council ("Council") of the Township of Little Falls ("Township"), on September 25, 2017 by Resolution No. [F] 17-09-25-#6, designated the Singac Industrial Zone, which consists of property identified on the Tax Maps of the Township of Little Falls as Block 77, Lots 1, 2, 2.01, 3, 4, 5, 6, 6.02, 7, 8, 8.01, 9, 17, 18, 20, and 20.01 ("Zone") as an "area in need of redevelopment" and "an area in need of rehabilitation"; and

WHEREAS, in order to effectuate the purposes of the designation of the Zone, a redevelopment plan must be prepared to set forth specific standards for the planning, development, redevelopment and rehabilitation of properties within the Zone for purposes of improving conditions of properties within the Zone; and

WHEREAS, pursuant to N.J.S.A. 40A:12A-7, the Council may authorize the Planning Board of the Township of Little Falls ("Planning Board") to undertake the task of preparation of a redevelopment plan; and

NOW THEREFORE BE IT RESOLVED by the Township Council of the Township of Little Falls, as follows: The Council hereby authorizes the Planning Board to prepare such redevelopment plan for the Zone and to report its findings back to the Council as provided by law. This resolution shall take effect immediately.

Bill List

RESOLUTION [G] 18-05-21 - #7

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

It was moved by Councilmember Cordonnier, seconded by Councilmember Seber, that the Consent Agenda be approved as printed.

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

The Council President declared the motion passed.

R E G U L A R A G E N D A

NEW BUSINESS

Ordinance No. 1327-It was moved by Councilmember Seber, seconded by Councilmember Liess, that there be introduced and the meeting of June 25, 2018 set as the date for the public hearing of the following:

**ORDINANCE NO. 1327
ORDINANCE OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF LITTLE FALLS,
IN THE COUNTY OF PASSAIC, STATE OF NEW JERSEY,
CONCERNING THE PROPER MANAGEMENT OF DISCHARGE AND FLOW FROM SUMP PUMPS, LEADERS &
DPOWNSPOUTS AMENDING CHAPTER 218 ENTITLED STORMWATER**

WHEREAS water discharged from sump pumps, leaders and downspouts (hereinafter "sump pump or leader or downspout" all of which can be used interchangeably) onto sidewalks, roads, and neighboring property, creates a hazard and/or a nuisance to pedestrians, motorists, and neighboring property owners; and

WHEREAS, Chapter 218 of the Code of the Township of Little Falls, at Section 218-7 .C, will prohibit the direct or indirect connection of sump pumps and other types of surface water and groundwater conductors to the sanitary sewer system in a manner which will permit any surface water runoff or groundwater to enter the system, and will reserve to the Township the right to use tests to inspect properties to determine the existence of illicit connections; and

WHEREAS, the Township now seeks to formalize these provisions to ensure generally the proper management of discharge and flow from sump pumps, leaders and downspouts to enhance enforcement, and thereby to protect the public health, safety and welfare; and

WHEREAS new stormwater management regulations put in place by the Department of Environmental Protection of the State of New Jersey prohibit discharges into the municipal system unless all other options are exhausted, and exceptions to this prohibition are taken on a case by case basis;

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NOW, THEREFORE, BE IT ORDAINED, by the Township Council of the Township of Little Falls, as follows: Chapter 218 entitled Storm Sewer System, is hereby amended as follows:

I. Section 218.2 Definitions of Chapter 218 of the Code, is hereby amended as follows:

1. Definitions:

- (a) "PERSON - Any person, firm or partnership, corporation, association, club, society or any other form of association or organization, both singular and plural, subject to the jurisdiction of the Township [where used herein to designate a user or owner of a property or in such other applicable context.
- (b) SANITARY SEWER SYSTEM - A system of conveyances (including pipes, manholes, inverted siphons and pumping stations) that is owned or operated by the Township or other public body and is designed and used for collecting sanitary wastes and conveying them to a treatment facility.
- (c) MUNICIPAL SEPARATE STORM SEWER SYSTEM - A conveyance or system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, manmade channels, or storm drains) that is owned or operated by the Township or other public body, and is designed and used for collecting and conveying stormwater.
- (d) SEEPAGE PIT - A chamber or tank constructed below grade for the purpose of recharging water into the ground. The chamber may be preformed of composite materials or built to suit. The chamber shall hold at least 50 gallons and shall have perforated bottom and sides.
- (e) GROUNDWATER -- Water that is found underground in the cracks and spaces in soil, sand and rock.
- (f) STORMWATER -- Water resulting from precipitation (including rain and snow) that runs off the surface of the land, is transmitted to the subsurface, and is captured by storm sewers or other drainage facilities.
- (g) SUMP PIT - A space into which a sump pump is installed, designed to provide sufficient depth and volume for proper performance of the pump.
- (h) SUMP PUMP DISCHARGE - The end of the pipe from the sump pump where water becomes unconfined and reverts to gravity flow.
- (i) SUMP PUMP - A pump, with related valves, pipe and fittings, installed for the purpose of evacuating water, usually from a basement area.
- (j) LEADER -- A drainage pipe for conveying storm water from a roof or gutter.
- (k) DOWNSPOUT - A drainage pipe for conveying storm water from a roof or gutter.
- (L) Violation -- A violation shall be an illicit connection not in compliance with the provisions of Chapter 218 of the Code of the Township of Little Falls.

II. Section 218-7.C.2 Sump Pumps, Leaders & Downspouts:

- (a) All residential and commercial structures having a storage or habitable area below grade may install there a Sump Pit and a Sump Pump upon approval by the Township plumbing sub code official. All Sump Pumps shall be installed and inspected in compliance with the plumbing and building codes of the Township and the requirements of this ordinance. All necessary permits must be obtained and fees paid before installation commences.
- (b) A Sump Pump must discharge through permanent, rigid piping. The Sump Pump Discharge shall be located no less than three feet from the building unless the Construction Code Official or the Township's Certified Public Works Manager determines in advance in a particular case that compliance with this requirement is not practicable and for this reason approves in writing an alternative location.
- (c) A Sump Pump shall not discharge water, either directly or indirectly: [i] into the sanitary sewer system; [ii] onto any public right of way (sidewalk), [iii] directly or indirectly onto the adjacent property unless approved in advance and in writing by the Construction Code Official or the Township's Certified Public Works Manager; or [iv] into the municipal separate storm sewer system, unless also approved in advance and in writing by the Construction Code Official or the Township's Certified Public Works Manager. In connection with any such advance approvals, the Construction Code Official or the Township's Certified Public Works Manager may require that water be routed to a seepage pit with only the overflow discharging to the public right of way or municipal separate storm sewer system. Discharge of water made at the curb line shall terminate at the curb line
- (d) In connection with required approvals by the Construction Code Official or the Township's Certified Public Works Manager, the person requesting the approval shall deposit funds in escrow with the Township sufficient to cover the fees and expenses of the Township Engineer relating to the approval. All approvals by the Construction Code Official or Plumbing Sub-Code Official shall contain a statement of reasons and true copies thereof shall be kept on file with the Township Clerk.
- (e) The Township reserves the right to use whatever tests are available to determine the existence of illicit connections. It also reserves the right to inspect properties in order to enforce these prohibitions. If a test is used which might cause some discomfort if an illicit connection exists, it shall be recognized that any discomfort, or other effect of the test, is of less value and importance than the effects of such illicit connection on the health, comfort and welfare of the residents of the Township, and, consequently, there shall be no cause for action against the Township in law or in equity.
- (f) Any owner of a property found to have caused or permitted a discharge or to have constructed, installed or permitted the construction or installation of a Sump Pump in violation of this chapter shall be subject to the fines and penalties set forth in

III. Section 218-7.C.3 Violations

The minimum fine shall be \$100 per day for each day a violation continues beginning on the fourteenth day from service of notice of the violation. Each day a violation continues shall be deemed a separate offense. In addition, any person who violates this chapter shall be liable to the Township for expense, loss or damage incurred by the Township as a result of the violation.

IV. Section 218-7.C.4 Notice of Violation

Any person who violates any provision of this chapter shall be served by the Township with written notice, stating the nature of the violation and providing a reasonable time limit for the satisfactory correction thereof. The offender shall, within the period of time stated in such notice, permanently cease all violations.

V. Section 218-7.C.5 Liens

All charges, prices, costs, expenses, rents, interest or penalties, or any of them, as established herein, shall be and remain a lien upon the premises served by such sewer connection, the same as all other taxes and municipal charges upon real estate under the laws of the State of New Jersey, for the collection of taxes and other municipal liens upon real estate.

VI. Section 218-7.C.6 Illicit Connections

- a. No person shall discharge or cause to be discharged through an illicit connection to the municipal separate storm water system operated by the Township any domestic sewage, noncontact cooling water, process wastewater, or other industrial waste (other than stormwater).
- b. The Township reserves the right to use whatever tests are available to determine the existence of illicit connections. It also reserves the right to inspect properties in order to enforce these prohibitions. If a test is used which might cause some discomfort if an illicit connection exists, it shall be recognized that any discomfort, or other effect of the test, is of less value and importance than the effects of such illicit connection on the health, comfort and welfare of the residents of the Township and, consequently, there shall be no cause for action against the Township in law or in equity.
- c. Any person found to have made or caused any such discharge or to have constructed or permitted any illicit connection shall be punished by a fine not exceeding \$1,000, by imprisonment for a term not exceeding 90 days, or by a period of community service not exceeding 90 days, or by any combination thereof, except the minimum fine shall be \$100 per day for each day an unlawful discharge continues beyond the time limit provided for in the notice served by the Township pursuant to Section 218-7.C of this chapter. Each day a violation continues shall be deemed a separate offense. In addition, any person who makes or causes such discharges or constructs or permits any illicit connection shall be liable to the Township for expense, loss or damage incurred by the Township as a result of such violation, as provided in Section 218-7.C.3 of this chapter

VII. Section 218-7.C.7 Improper Disposal of Substances into the Storm Sewer System

- a. Except as further set forth herein, no person shall spill, dump, dispose of or otherwise discharge fluids or substances other than stormwater in or into the municipal separate storm sewer system, and no person shall handle, store, dispose of or otherwise discharge fluids or substances in such a manner as to cause the discharge of such fluids or substances, other than stormwater, in or into the municipal separate storm sewer system.
- b. Discharges of the following fluids and substances into the municipal separate storm sewer system are not prohibited:
 - (1) Unintentional discharge from waterlines and other potable water sources;
 - (2) Uncontaminated groundwater (e.g., infiltration, otherwise permitted by this chapter foundation or footing drains, rising groundwaters);
 - (3) Air-conditioning condensate (excluding contact and noncontact cooling water);
 - (4) Irrigation water (including landscape and lawn watering runoff);
 - (5) Flows from springs, riparian habitats and wetlands, water reservoir discharges and diverted stream flows;
 - (6) Residential car washing water, and residential swimming pool discharges;
 - (7) Sidewalk, driveway and street wash water;
 - (8) Flows from fire-fighting activities.

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(9) Storm water from a roof or gutter.
c. Any person found to have made or caused a prohibited discharge into the municipal separate storm sewer system shall be punished by a fine not exceeding \$1,000, by imprisonment for a term not exceeding 90 days, or by a period of community service not exceeding 90 days, or a combination thereof, except the minimum fine shall be \$100 per day for each day a prohibited discharge continues beyond the time limit provided for in the notice served by the Township pursuant to Section 218-7.C of this chapter. Each day a violation continues shall be deemed a separate offense. In addition, any person who makes or causes such discharges shall be liable to the Township for consequent expense, loss or damage incurred by the Township as provided in Section 218-7.C.3 of this chapter.

VIII. 218-7.C.8 Enforcement

This article shall be enforced by the Township's Construction Code Official.

IX. This ordinance shall take effect 20 days after its passage and publication as provided by law. Existing Sump Pumps installed will have 1 year from the date of passage to comply with the provisions of Chapter 218.

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

The Council President declared the motion passed.

Ordinance No. 1328-It was moved by Councilmember Cordonnier, seconded by Councilmember Liess, that there be introduced and the meeting of June 25, 2018 set as the date for the public hearing of the following:

**ORDINANCE NO. 1328
AN ORDINANCE OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP
OF LITTLE FALLS, IN THE COUNTY OF PASSAIC, STATE OF NEW JERSEY,
TO AMEND CHAPTER 3 (ADMINISTRATION OF GOVERNMENT) OF THE CODE OF THE TOWNSHIP OF LITTLE FALLS**

WHEREAS, the current Municipal Code contains a provision requiring program directors and coaches associated with the Township of Little Falls through the Division of Recreation to undergo certain safety training; and

WHEREAS, the purpose of the safety training is to provide civil immunity protection from lawsuit to the Township of Little Falls as to the actions or omissions of volunteer coaches associated with the Division of Recreation,

WHEREAS, the Municipal Code currently identifies that this training is to be provided by or through Rutgers University Athletic Safety Program; and

WHEREAS, the safety training requirement under New Jersey Statutes (N.J.S.A. 2A:62A-6) and Administrative Law (N.J.A.C. 5:52) does not specify that training is limited to only that program and that there exists other such programs which comply with the law and regulation; and

WHEREAS, the Township Council has determined that it is in the municipality's interest to have the flexibility to choose any program that meets the requirements of the law and regulations and which serves the needs of the municipality; 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 3, Administration of Government, of the Code of the Township of Little Falls, is hereby amended and supplemented as follows:

§3-7.12: "Division of Recreation."

- A. *No Change*
- B. *No Change*
- C. *No Change*
- D. *No Change*
- E. *No Change*
- F. ~~Rutgers University athletic safety certification. All program directors and coaches shall attend and become certified through the Rutgers University Athletic Safety Program. There shall be a thirty-day grace period for each new program director and coach to obtain this safety certification. All coaches must be certified by the end of the thirty-day grace period. Safety Certification. All program directors and coaches shall attend courses or programs in safety protocols and become certified in accordance with New Jersey Statute and Regulation. The Division of Recreation shall maintain a listing of approved programs and shall provide same to program directors and coaches. All coaches must be certified by no later than 30 days prior to the commencement of the season in which they are participating. Nothing in this section shall affect the obligation of volunteer coaches to have satisfactory background checks and any other federal, state or municipal requirements.~~

~~This ordinance shall take effect 45 days after adoption.~~

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

The Council President declared the motion passed.

PUBLIC COMMENT –GENERAL MATTERS

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

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

The Council President declared the motion passed.

Luis Fernandez, Harrison Street, thanked the EMS and Fire Department for their services required due to the recent power outages caused by downed trees. Mr. Fernandez stated his dissatisfaction with PSE&G's response. Council President SGOBBA stated the Township attempts to work with PSE&G to notify residents of power outages.

Mr. Fernandez referred to an email he had received regarding 26 New Jersey towns that have taken a stand on legal marijuana and questioned the Council's position and what measures the Township would take. Council President SGOBBA stated that the legalization of marijuana is passed into law at the State level. He commented that the Township would not go against State statute; it would look into where possible distribution centers were located. Mayor Damiano indicated for the municipality to take any action at this point would be premature. He has not discussed the issue with the Council at this point, however, he noted he personal position that while it may be legal in the municipality and the Township could not restrict that. The Township would possibly be permitted to do would be to prohibit distribution centers from being located within the municipality by zoning them out as not being permissible use.

Mr. Fernandez questioned the Township's position on sanctuary cities. Councilmember CORDONNIER stated Little Falls is not a sanctuary city. The State has already set its boundaries regarding this. She emphasized that our Police Department is always used to serve our citizens and is at the direction of the Mayor. Mayor Damiano commented that declaring Little Falls a sanctuary city may not have much teeth to it because if the government were to perform a raid, the law of the municipality can do almost nothing to stop it. Additionally, by claiming the

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municipality a sanctuary city, it places the Police Chief in a difficult situation of defying a Mayor's declaration and fulfilling his oath of proper reporting.

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

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

The Council President declared the motion passed.

There being no further business to come before the meeting, it was moved by Councilmember Cordonnier, seconded by Councilmember Seber, that the meeting be and it was adjourned at 7:47 p.m.

Cynthia Kraus
Municipal Clerk