

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

Monday, June 28, 2021

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

Absent: None.

Township Employees present: Police Chief Steve Post.

SALUTE TO THE FLAG

STATEMENT OF PUBLIC NOTICE:

Take notice that adequate notice of this meeting has been provided in accordance with N.J.S.A. 10:4-8 and N.J.S.A. 10:4-10 as follows: A notice of the meeting was prominently posted on the bulletin board at the Municipal Building, located at 225 Main Street, Little Falls, N.J. on February 17, 2021. 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. **This meeting is being conducted under the circumstances surrounding the COVID-19 health situation. No public will be allowed to attend the meeting in person. A link and a telephone number to join the meeting can be accessed on the Township website at www.lfnj.com. Electronic provisions have been established for the public to participate during the public comment portion of the meeting.**

APPROVAL OF MINUTES

It was moved by Councilmember Kahwaty, seconded by Councilmember Hablitz, the Regular Meeting of May24, 2021, the Workshop Meeting of June 14, 2021 be and they were approved.

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

The Council President declared the motion passed.

COUNCIL MEMBER REPORTS

Councilmember KAHWATY thanked the Domestic Violence Prevention Committee members who attended the Farmers Market. Councilmember KAHWATY announced outdoor movie nights will commence July 28, 2021 and highlighted activities planned for the Little Falls Business Association's Little Falls Week which will run from July 12-17, 2021.

Councilmember SEBER thanked the Clifton Board of Health for providing COVID-19 vaccines at the Farmers Market.

Councilmember VANCHERI highlighted activities planned for Little Falls Night Out on July 9, 2021. Councilmember VANCHERI reported follow-up on a resident's concern regarding parking near Mavis Discount Tire.

Councilmember HABLITZ stated the Library's summer book drive was a success. The Friends of the Library will hold their meeting tomorrow evening and are seeking a Vice President and Secretary.

REMARKS FROM THE CHAIR

Council President SGOBBA announced the July 12, 2021 Workshop has been rescheduled to start at 6:00 PM due to time conflicts of the Township professionals. Preparations are underway to hold the July 26, 2021 Regular Meeting in person with a hybrid option. Council President SGOBBA announced the Senior Advisory Committee is hosting an afternoon concert at the Civic Center on July 21, 2021 and a barbeque at the American Legion in Singac on August 14, 2021.

MAYOR'S REPORT

Mayor Damiano discussed the efforts being made to hold the Regular Meeting in person, and summarized the Ordinances scheduled for introduction tonight. Lastly, the Mayor reported two plaques formerly at the Recreation Center donated in honor of Dan Duva and Jackie Corradino have been restored and displayed at The Shack.

ATTORNEY'S REPORT

Mr. Wenzel had nothing to report.

PUBLIC COMMENT

Members of the public who desire to provide comment shall raise their virtual hand in the Zoom application. The Meeting moderator will queue the members of the public that wish to provide comment and the Council President will recognize them in order. Members of the public who have joined the Meeting by calling in must press *6 to mute and unmute themselves and *9 to raise their hand. Members of the public who have joined the Meeting via the

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Zoom application must click the Reactions icon and then Raise the Hand icon. Please give your name and address for the record. Once the process is complete, we will return to the regular order of business.

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

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

The Council President declared the motion passed.

Luis Fernandez-54 Harrison Street, requested clarification of Resolution A, Ordinance No. 1415, and Ordinance No. 1416, and queried the total amount of outstanding bonds. Mr. Cuccia stated the Township has approximately 23 million in outstanding bonds and explained the Township’s debt will not increase as the short-term debt is refinanced into long term debt. Zones relevant to Ordinance No. 1415 and Ordinance No. 1416 were detailed by Council President SGOBBA and Mr. Cuccia. Mr. Fernandez then expressed concern regarding the presence of cannabis businesses, made comments on the status of the Peckman River, and reiterated his concern regarding tractor trailers in the Jackson Park area. Council President SGOBBA and Mayor Damiano responded to Mr. Fernandez’s concern regarding cannabis establishments, noting retail licenses are not permitted. In regard to the Peckman River, Mayor Damiano stated, as was previously reported, it was added to the community projects at the federal level. Mayor Damiano also discussed the property in question regarding tractor trailers. In response to Mr. Fernandez, Mrs. Kraus explained the dollar values are \$2200 for all plenary licenses except where indicated.

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

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

The Council President declared the motion passed.

C O N S E N T A G E N D A

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

REPORTS

Municipal Clerk’s Report – Month of May 2021

MUNICIPAL CLERKS REPORT
Month of May 2021

ABC LICENSES		
OTHER LICENSES		
Business Licenses	\$1,435.00	
Pre-paid Business Licenses		
Raffle Licenses		\$1,435.00
REGISTRAR OF VITAL STATISTICS		
Fees & Permits \$328.00		
Marriage Licenses-LF	100.00	
Marriage Licenses-NJ	12.00	
		\$440.00
MRNA		
Street Maps		
Zoning Maps		
Zoning Ordinances		
Document Copies		
Garage Sales \$30.00		
Misc. Fees & Refunds:		
TOTAL MRNA	\$30.00	
TOTAL CURRENT ACCOUNT		<u>\$1,905.00</u>
TOTAL TO TREASURER		<u>\$1,905.00</u>

Municipal Clerks Dog/Cat License Report - Month of May 2021

MUNICIPAL CLERK'S DOG/CAT LICENSE REPORT
Month of May 2021

Dog Licenses issued 05/01/2021 thru 05/31/2021		
Nos. 112 to 112 = 1 Licenses (2020)		
Nos. 1 to 27 = 27 Licenses (2021)		
Amount due Little Falls		190.40
Amount due State		42.60
Total Cash Received		233.00
Cat Licenses issued 05/01/2021 thru 05/31/2021		
Nos. 1 to 3		
Licenses Issued 3		
Total Cash Received		24.00
Total to Treas.		<u>\$257.00</u>

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Tax Collector's Report -- Month of May 2021

MONTHLY REPORT*

Municipality of Township of Little Falls

Office of the Tax Collector

Township of Little Falls Current Account, Lakeland Bank Revenues

Revenues Collector for the Month of May 2021

Categories 01-	May 1-28, 2021	2021 Year to Date
2021 Taxes	\$5,215,451.32	\$23,331,875.76
2020, 2016 Taxes	14,055.30	352,008.25
Interest	5,776.84	33,551.04
Duplicate Tax Bills	35.00	175.00
6% Penalty Fee	0.00	702.97
GRANT TOTALS	\$5,235,318.46	\$23,718,313.02

Delinquent 2016 Taxes \$310,655.31 (Inc. 6% ye-pe)
 Delinquent 2020 Taxes 112,972.47 (Subject to tax sale this year)
 Delinquent 2021 Taxes 474,735.86 (1ST qtr. 2021)
Total Delinquent Taxes \$898,363.64

2021 Refunds this month = -\$2,923.96
 2021 Year to date refunds = -\$24,378.28

Breakdown of refunds for years 2016-2021 completed in 2020(see attached).

REFUNDS IN THE YEAR 2021

Months	2016 STCJ	2017 STCJ	2018 STCJ	2019 STCJ	2020 STCJ	2021 CBJ	2020 Regular	2021 Regular	2021 Senior /Disabled	Exempt 2021	Total by Months
January	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$6,732.97	\$0.00	\$0.00	\$0.00	\$6,732.97
February	0.00	0.00	0.00	0.00	0.00	0.00	(V) \$250	\$0.00	0.00	0.00	250.00
March	0.00	0.00	0.00	0.00	0.00	0.00	0.00	21,452.32	0.00	0.00	21,452.32
April	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
May	0.00	0.00	0.00	0.00	0.00	0.00	0.00	2,925.96	0.00	0.00	2,925.96
Totals	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$6,982.97	\$24,378.28	\$0.00	\$0.00	\$31,361.25

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 May 2021

	2021 Deposit	2021 Year-to-Date
January 2021	\$ 115,126.74	\$ 115,126.74
February 2021	0.00	115,126.74
March 2021	0.00	115,126.74
April 2021	11,108.06	126,234.80
May 2021	0.00	126,234.80
Total Collected as of May 28, 2021		\$126,234.80

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 May 2021

	Liens with Premiums Redeemed/ (-)	Bal. /Dep. (+)
Balance Brought Forward (January 1, 2021)		\$191,100.00
January 2021	-\$7,800.00	\$183,300.00
February 2021	0.00	183,300.00
March 2021	0.00	183,300.00
April 2021	0.00	183,300.00
May 2021	0.00	183,300.00
Ending Balance as of May 28, 2021		\$183,300.00

Recreation Report – Month of May, 2021

Recreation Center May 2021				
Program	Facility	# Classes	Hours	Participants
Pickleball	Gym	5	10	53
3 Cheer	Multi	6	6	120
Yoga	Gym	8	8	48
Fencing	Gym	4	8	23
Zumba	Gym	5	4	75
TaiChi/QiGong	Gym	4	8	69
Tigers Basketball	Gym	12	*	480
Tennis Clinic	Courts	4	12	212
Weekly Totals		48	56	1,080

Civic Center Report – Month of May 2021

May 2021			
Meeting Group	# of Meetings	Hours	Participants
Stamp Club	2	4	15
Senior Clubs	8	40	112
PTA	1	2	15
Fire Dept	1	2	15
Poll Workers Training	1	3	26
Senior Concert	1	3	40
Monthly Totals	14	54	223

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Police Department Report - Month of April 2021

PATROL DIVISION MONTHLY REPORT – May 2021

This agency handled **7,997** details between January 1, 2021 and May 31, 2021.

This agency completed **616** Operations reports and **182** Investigations between January 1, 2021 and May 31, 2021.

The Little Falls Police Department handled **1,927** details and wrote **133** Operation reports and **45** Investigation reports between May 1, 2021 and May 31, 2021.

The patrol division patrolled **13,315** miles during the month of May, 2021

Calls for Service

Call Type	Total
Medical emergency	45
Fire Department incident	2
Narcans deployment	0
Burglar alarms/false	37
911 calls transferred to another jurisdiction	50
Domestic violence incidents	6
Burglary	3
Criminal mischief	2
Theft	7
Suspicious person/vehicle/incident	27
General investigation	5
Noise complaint	14
All others not listed	1701

Traffic Summary

Crashes	Total
Motor vehicle crashes	68
Motor vehicle crash injuries	11
Motor vehicle crash fatalities	0
Enforcement	Total
Motor vehicle stops	350
Speeding summonses	19
DWI summonses	4
Driving while suspended summonses	11
Uninsured vehicle summonses	9
Moving violations	147
Parking violations	24
Total summonses issued	171

Arrest Summary

Total Arrests - 7

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

Directed Patrol Summary

Detail Type	Total
School arrival	61
School dismissal	60
School walk through	84
Radar post	130
Park check	338
Vacant house check	0
Extra attention check	0
DWI/Aggressive driving patrol	1
Foot patrol	15

Patrol Division Time & Attendance

Type of Hours	Total
Vacation	16
Holiday	115
Compensatory	46.75
Sick	36
Personal time	12
Credit time	294
Administrative	0
PBA day	12
Schedule transition	44
Bereavement	0
Overtime due to Training	36
Overtime hours to maintain minimum staffing level	44
Overtime due to incident/weather/other event	27.5

5 out of a total of 62 shifts during the month of May were below minimum staffing.

Patrol staffing level during month: 3.87

Major incident/Notable achievement

May 27, 2021 an 80 year old resident with dementia went missing prompting numerous officers to get called in. The resident was located safely in Cedar Grove by officers who tracked her credit card usage.

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COMMUNITY POLICING

Detail Type	Total
Cell block inspection	20
School arrivals	21
School dismissals	21
School walk thru	50
Vacant house checks	0
Child car seat installations	3
Headquarters safety inspections	0
Project medicine box emptied	0
Trips to Covanta for prescription drug destruction	0
Community function appearances	3
School function appearances	0

Special projects/details

Assisted with (3) active shooter drills at Little Falls Schools Assisted with traffic at Recreation Center for Easter Assisted patrol with (6) details
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TRAFFIC DIVISION

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

Special projects/details

Due to manpower shortage, no one assigned to Traffic Division.
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Investigations Division Report

May, 2021 Monthly Report

Criminal Case Management

- 15 Cases were assigned for follow-up investigation.
- 38 Investigations currently remain open and active.
- 10 Cases closed from current and previous months.
- 2 Cases deemed Open/Inactive from current/previous months.

Criminal Complaints/Warrants Served:

- 3 Cases where Criminal Complaints were issued by the Investigative Division.
- 0 Attempts were made to service outstanding criminal arrest warrants issued by the Little Falls Municipal Court.

Juvenile

- 0 Juvenile Petitions were issued and submitted to the Passaic County Superior Court, Family Division.
- 0 Station-House Adjustment was filed by the Department's Juvenile Detective.

Narcotics

- 2 Active Narcotics investigation(s)
- 0 Arrests were made by the investigative division for a drug related offense.
- 0 Pounds of prescription medication was deposited in the Prescription Drug Box.

After Hours Call-Outs

- 1 Incident required a detective response for investigative support after hours.
- (21-08528) Missing person investigation

Internal Affairs (IA)

- 1 IA Complaint was screened and indexed.
- 0 IA Investigation was conducted and closed.
- 4 IA Complaint remains open and is being investigated.
- There were 0 investigations that resulted in disciplinary action requiring a suspension of ten (10) or more days.

Grand Jury/Superior Court Appearances

- 0 Cases required a Detective to appear and testify before a Grand Jury or Superior Court.

Search Warrants/Subpoenas

- 2 Subpoenas were requested to be served for an investigation.
- There were 0 search warrants and 0 communication data warrants executed.

Background Investigations

The Investigative Division conducted 6 Police Applicant investigations (3 pending), 0 Dispatcher Applicant Investigation and 0 Crossing Guard Applicant Investigations.

Megan's Law (Sex-Offender) Registrations

- 0 New Registrations
- 1 Address Verification and Re-Registrations
- There are currently 9 registered sex-offenders residing within the Township.

Detective Time Off and Overtime:

Detective Time Off: TOTAL 54 hours

Compensatory – 31 hours Vacation/Holiday – 167 Hours* Personal – 0 hours Sick- 16 hours Other – 0 Hours

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Division Monthly Staffing Level (M-F) – 1.73 Detectives

Detective Overtime

Hours worked for Cash – 7.5 hours Hours worked for Compensatory Time – 16.75 hours (10.25 Det. Cespedes worked overtime for patrol OT)

Property and Evidence

- 2 Item classified as property was entered into the department's BEAST Evidence System, processed, logged and secured. (This includes missing, lost and found property, recovered stolen property and items left for safekeeping.)
 - 1 Firearms/Weapons were entered into the BEAST Evidence System, processed, logged and secured.
 - 0 Firearms were transported for ballistics analysis.
 - 25 Items classified as evidence were entered into the BEAST Evidence System, processed, logged and secured.
 - 0 Items classified as Drug Evidence were transported to the NJ State Police Laboratory for analysis.
 - 2 Items classified as Forensic Evidence were transported to the NJ State Police Laboratory at Hamilton or Holmdel, NJ for analysis. (This includes physical, chemical, and biological evidence.)
 - 4 Random drug screen analysis specimens were transported to the NJ State Medical Examiner's Office for analysis.
- \$0.00 Currency was seized and submitted to the Passaic County Prosecutor's Office pending asset forfeiture proceedings.

Notable Cases

21-08528 – D/Lt. Prall assisted in the searching of an elderly resident who suffered from dementia. Through a coordinated operation that involved numerous local, county and state assets, the patient was safely located and reunited with her family.

21-06959 – Detectives Moncato and Cespedes conducted an investigation of a residential burglary that occurred on Stewart Ave. As a result of their investigation, the suspect was identified and numerous criminal charges filed.

21-07478 – Det. Cespedes successfully identified the suspect of an incident that occurred at 300 Main Street when a Lyft driver dragged a woman from the vehicle. As a result of the investigation, criminal charges were filed against the actor as well as several motor vehicle violations.

Comments:

Det. Moncato joined the investigative division on 05/03 and replaced Sgt. Strothers. On 05/12, Det. Moncato welcomed a new addition to his family with the birth of his daughter and scheduled time off to spend with his family. This resulted in a monthly staffing level of 1.73 for the investigative division in May.

SUPPORT SERVICES DIVISION – Administrative Monthly Report –May 2021

RECORDS BUREAU

Discovery and OPRA

6 Discovery Cases involving Digital (Audio/Video) files were processed and uploaded to Dropbox for defense attorneys, the public defender, and prosecutors.

25 OPRA requests were processed.

979 pages of reports were facilitated and forwarded to the Township Clerk's Office for OPRA requests.

\$462.00 was deposited by the Records Bureau during the month.

Discovery \$0.00/Firearms \$82.00/Accident & Incident Reports \$380.00/Fingerprints \$0/Solicitor \$0

Firearms

14 Applications for Firearms Permits

7 Firearms Purchaser ID cards were *Issued*

18 Handgun Purchase Permits were *Issued*

1 Application was *Denied*

Background Investigations

Firearms – 13 Firearms Investigations Completed

Permit to Carry – 0 Permit to Carry Applications.

TRAINING:

Outside Training

- Det. /Lt/ Prall, Det. Moncato, Det. Cespedes (Current Trends in Auto Theft)
- Det/Lt. Prall, Det. Moncato, Det. Cespedes (Fraud Investigations)
- Det/Lt. Prall, Det. Moncato, Det. Cespedes (Child Abuse Investigations)
- Sgt. Macaluso, Ptl. Isshak, Ptl. Norton (Blood Control Training)
- Ptl. Racanelli (Basic Motorcycle Training 5/24-5/31)

Online Training

Power DMS:

- Ethics Training
- Workplace Harassment Training
- CJIS Security Awareness Training
- AG Directive 2021-5

Firearms

Next scheduled training is in June 2021

DISPATCHER TIME OFF AND COVERAGE

Dispatcher Time Off

COMP – 2.5 Hours HOL – 131 Hours

VAC – 0 Hours

PER – 36 Hours

C/T – 112.5 Hours SICK – 116 Hours

FML – 0 Hours

COVID19 – 0 Hours

Dispatcher Coverage – Overtime

Part-time Dispatcher Hours Worked – 169.5 hours

Full time Dispatcher OT CASH – 231.5 Hours

Dispatch Vacancy Covered by Patrol OT – 0 hours

Dispatch Vacancy Covered by Patrol Shift – 5.5 hours

Full-time Dispatcher OT Comp – 2.5 hours

Part-Time Dispatcher Proficiency Hours Worked – 6 hours

Construction Report – Month- April 2021

Uniform Construction Code

Permits Issued – 81

Inspections - 188

Total Value of Construction - \$3,463,641.00

Certificate of Occupancy - \$

Permit Fees Collected - \$55,225.00

Permit Fees Waived - \$0.00

Total Fees Collected - \$55,225.00

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Zoning

Fence Permits –\$550.00
Sign Permits - \$0.00
Zoning fees – \$11,025.00
Total Fees Collected- \$11,625.00

Property Maintenance

Certificates of Compliance Fees –\$2,255.00
Inspections –273
Complaints Inspections - 12
Violations Issued – 135
Roll-off permits – \$160.00
Total Fees Collected – \$2,415.00
Monthly Revenue \$69,265.00

YTD Revenue \$310,240.00

APPLICATIONS

RAFFLE, PASSAIC VALLEY BAND ASSOCIATION, OFF-PREMISE 50/50, 10/17/21, 4:00 P.M., 100 EAST MAIN STREET, LITTLE FALLS

RESOLUTIONS

Notice of Sale of General Improvement Bonds

RESOLUTION [A] – 21-06-28-#1

RESOLUTION AUTHORIZING THE PUBLICATION, PRINTING AND DISTRIBUTION OF A NOTICE OF SALE AND THE PUBLICATION OF A SUMMARY NOTICE OF SALE AND PRESCRIBING THE FORMS THEREOF FOR \$14,250,000 GENERAL IMPROVEMENT BONDS, DATED AUGUST 1, 2021, APPROVING THE PREPARATION, DISTRIBUTION AND EXECUTION OF A PRELIMINARY AND A FINAL OFFICIAL STATEMENT FOR SUCH BONDS, UNDERTAKING TO PROVIDE CONTINUING DISCLOSURE OF FINANCIAL INFORMATION, COVENANTING TO COMPLY WITH THE INTERNAL REVENUE CODE OF 1986, AS AMENDED, AND AUTHORIZING VARIOUS MATTERS IN CONNECTION WITH ELECTRONIC BIDDING FOR THE BONDS

WHEREAS, the Township Council of the Township of Little Falls, in the County of Passaic, New Jersey (the "Township"), desires to make further provision for the issuance of \$14,250,000 General Improvement Bonds (the "Bonds"), which are to be issued pursuant to bond ordinances heretofore adopted by the Township Council;

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

Section 1. A Notice of Sale (the "Full Notice of Sale") shall be published and printed and inserted in the Preliminary Official Statement (as hereinafter defined) for distribution in substantially the following form:

NOTICE OF SALE
TOWNSHIP OF LITTLE FALLS,
IN THE COUNTY OF PASSAIC, NEW JERSEY
\$14,250,000 GENERAL IMPROVEMENT BONDS
(Book-Entry Only)
(Callable) (Parity Bid)
dated
August 1, 2021

The Township of Little Falls, in the County of Passaic, a municipal corporation of the State of New Jersey (the "Township"), hereby invites **ELECTRONIC BIDS VIA PARITY AND SEALED PROPOSALS** for the purchase of its \$14,250,000 General Improvement Bonds, dated August 1, 2021 (the "Bonds").

ELECTRONIC BIDS VIA PARITY AND SEALED PROPOSALS will be received and publicly opened and announced by the Chief Financial Officer in the Municipal Building, 225 Main Street, Little Falls, New Jersey 07424, on July 22, 2021 at 11:00 o'clock A.M. (local time).

The Bonds comprise an issue of bonds payable on August 1 in each year as follows:

\$475,000 in the year 2022,
\$490,000 in the year 2023,
\$935,000 in the year 2024, and
\$950,000 in each of the years 2025 to 2037, inclusive.

To the extent any instructions or directions set forth in **PARITY** conflict with this Notice of Sale, the terms of this Notice of Sale shall control. For further information about **PARITY**, potential bidders may contact Ipreo at 1359 Broadway, 2nd Floor, New York, NY 10018, telephone (212) 849-5021.

The Bonds shall be issued in registered form by means of a book-entry system with no physical distribution of bond certificates made to the public. One bond certificate for each maturity will be issued to The Depository Trust Company, New York, New York ("DTC") and immobilized in its custody. The book-entry system will evidence ownership of the Bonds in the principal amount of \$5,000 or any integral multiple thereof, with transfers of ownership effected on the records of DTC and its participants pursuant to rules and procedures established by DTC and its participants. The successful bidder, as a condition to delivery of the Bonds, shall be required to deposit the bond certificates with DTC, registered in the name of Cede & Co., its nominee. Interest on the Bonds will be payable on each February 1 and August 1, commencing February 1, 2022 (each, an "Interest Payment Date"), in each year until maturity or prior redemption, and principal of the Bonds will be payable, at maturity, by payment of immediately available funds by the Bond Registrar/Paying Agent to DTC or its nominee as registered owner of the Bonds. Transfer of principal and interest to participants of DTC will be the responsibility of DTC. Transfer of principal and interest to beneficial owners will be the responsibility of the DTC participants and other nominees of the beneficial owners. The Township will not be responsible or liable for such transfers of payments or for maintaining, supervising or reviewing the records maintained by DTC, its participants or persons acting through such participants.

In the event (a) DTC determines not to continue to act as securities depository for the Bonds or (b) the Township determines that continuation of the book-entry system of evidence and transfer of ownership of the Bonds would adversely affect the interests of the beneficial owners of the Bonds, the Township will discontinue the book-entry system with DTC. If the Township fails to identify another qualified securities depository to replace DTC, the Township will deliver replacement bonds in the form of fully registered certificates.

The Bonds maturing on or before August 1, 2028 are not subject to redemption prior to their stated maturities. The Bonds maturing on or after August 1, 2029 are subject to redemption at the option of the Township prior to maturity, in whole on any date or in part on any Interest Payment Date, on or after August 1, 2028, upon notice as hereinafter set forth at the redemption price of 100% of the principal amount being redeemed, plus accrued interest to the date fixed for redemption.

If the Township determines to optionally redeem a portion of the Bonds prior to maturity, such Bonds so redeemed shall be in such maturities as determined by the Township, and within any maturity, by lot; *provided, however*, that the portion of any Bond to be redeemed shall be in the principal amount of \$5,000 or some multiple thereof and that, in selecting Bonds for redemption, the Bond Registrar/Paying Agent shall treat each Bond as representing that number of Bonds that is obtained by dividing the principal amount of such Bond by \$5,000.

Notice of redemption shall be given by first class mail in a sealed envelope with postage prepaid to the registered owners of the Bonds at their respective addresses as they last appear on the registration books kept for that purpose by the Bond Registrar/Paying Agent at least thirty (30) but not more than sixty (60) days before the date fixed for redemption. Such mailing is not a condition precedent to redemption, and the failure to mail or to receive any redemption notice will not affect the validity of the redemption proceedings. If any Bond subject to redemption is a part of a greater principal amount of the Bonds not to be redeemed, such entire amount shall be surrendered to the Bond Registrar/Paying

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Agent and, for that portion of the Bond not to be redeemed, a new Bond shall be issued in the name of the registered owner in an amount equal to the principal amount of the Bond surrendered less the amount to be redeemed.

The Bonds are general obligations of the Township and are secured by a pledge of the full faith and credit of the Township for the payment of the principal thereof and the interest thereon. The Bonds are payable, if not paid from other sources, from ad valorem taxes to be levied upon all the real property taxable within the Township without limitation as to rate or amount.

Each proposal submitted must name the rate or rates of interest per annum to be borne by the Bonds bid for, and the rate or rates named must be a multiple of 1/8th or 1/20th of one percentum (1%). The interest payable with respect to each Bond on any one date will be evidenced by a single rate of interest. Not more than one rate may be named for Bonds of the same maturity. There is no limitation on the number of rates that may be named. If more than one rate of interest is named, no interest rate named for any maturity may be less than the interest rate named for any prior maturity. Each proposal submitted must be for all of the Bonds offered and the purchase price specified must not be less than \$14,250,000 nor more than \$14,392,500. The Bonds will be awarded to the bidder on whose bid the total loan may be made at the lowest net interest cost, such net interest cost shall be computed, as to each bid, by adding to the total principal amount of Bonds bid for (which shall be all of the Bonds offered) the total interest cost to maturity in accordance with such bid and by deducting therefrom the amount of premium, if any, bid, which premium shall not exceed \$142,500 (1% of par). No proposal shall be considered which offers to pay an amount less than the principal amount of Bonds offered for sale or under which the total loan is made at an interest cost higher than the lowest net interest cost to the Township under any legally acceptable proposal. The Township reserves its right to reject all bids, and any bid not complying with the material terms of this notice will be rejected. The Township reserves the right to waive defects it deems non-material, in its sole discretion.

The successful bidder must pay accrued interest from the date of the Bonds to the date of delivery. No interest will be paid upon the deposit made by the successful bidder. The Bonds will be authenticated by the Chief Financial Officer, acting as Bond Registrar/Paying Agent for the Bonds.

Sealed proposals should be addressed to the undersigned Chief Financial Officer, and enclosed in a sealed envelope marked on the outside "Proposal for Bonds". A good faith deposit (the "Deposit") in the form of a cash wire or a certified, treasurer's or cashier's check drawn upon a bank or trust company in the amount of \$285,000, payable to the order of the TOWNSHIP OF LITTLE FALLS, is required for each bid to be considered. If a cash wire is used, the wire must be received by the Township no later than 11:00 A.M. on July 22, 2021. If a cash wire is utilized, each bidder must notify the Township of its intent to use such cash wire prior to 11:00 A.M. on July 22, 2021, and must provide proof of electronic transfer of such cash wire prior to 11:00 A.M. on July 22, 2021 (with return wiring instructions). Wire instructions for the Township can be obtained by contacting the Township's Bond Counsel (Thomas Bace or Steven Rogut (908) 931-1150) or its municipal advisor (Nick Wilechansky (201) 656-0115 at NW Financial Group, LLC, Hoboken, New Jersey (the "Municipal Advisor")). If a check is used, it must accompany the bid or be received by the undersigned Chief Financial Officer prior to the opening of bids. Each bidder accepts responsibility for delivering such cash wire or check on time and the Township is not responsible for any cash wire or check that is not received on time. Checks or wires of unsuccessful bidders will be returned upon the award of the Bonds. No interest on the Deposit will accrue to the successful bidder. The Deposit will be applied in part payment for the Bonds or to partially secure the Township from any loss resulting from the failure of the successful bidder to comply with the terms of its bid.

Award of the Bonds to the successful bidder or rejection of all bids is expected to be made within two hours after opening of the bids, but such successful bidder may not withdraw its proposal until after 3:00 p.m. (local time) of the day of such bid-opening and then only if such award has not been made prior to the withdrawal.

It is anticipated that CUSIP identification numbers will be printed on the Bonds, but neither the failure to print such number on any Bond nor any error with respect thereto shall constitute cause for a failure or refusal by the successful bidder thereof to accept delivery of and pay for the Bonds in accordance with its contractual obligations arising from the acceptance of its proposal for the purchase of the Bonds. All expenses in relation to the printing of CUSIP numbers on the Bonds shall be paid for by the Township; provided, however, that the request for the assignment of CUSIP identification numbers shall be the responsibility of the Municipal Advisor and the CUSIP Service Bureau charge therefor shall be the responsibility of and shall be paid for by the successful bidder. CUSIP numbers must be communicated to Bond Counsel within 24 hours of the award of the Bonds in order to have the CUSIP numbers printed on the Bonds.

The Bonds shall be delivered on or about August 5, 2021 at the office of Rogut McCarthy LLC, Cranford, New Jersey ("Bond Counsel"), or at such other place as may be determined by the successful bidder and the Township. **PAYMENT FOR THE BONDS AT THE TIME OF ORIGINAL ISSUANCE AND DELIVERY SHALL BE IN IMMEDIATELY AVAILABLE FUNDS.**

A preliminary Official Statement has been prepared and is available at www.i-DealProspectus.com or may be obtained from the undersigned, Chief Financial Officer, Municipal Building, 225 Main Street, Little Falls, New Jersey 07424, Telephone No. (973) 256-0170, Ext. 8018. The preliminary Official Statement is deemed to be a "final official statement", as of its date, within the meaning of Rule 15c2-12 of the Securities and Exchange Commission ("Rule 15c2-12"), but is subject to (a) completion with certain pricing and other information to be made available by the successful bidder for the Bonds and (b) amendment. The preliminary Official Statement, as so revised, will constitute the "final official statement". By the submission of a bid for the Bonds, the successful bidder contracts for the receipt of a reasonable number of copies of the final Official Statement within seven business days of the award of the Bonds. In order to complete the final Official Statement, the successful bidder must furnish on behalf of the underwriters of the Bonds the following information to Bond Counsel and the Township by facsimile transmission or overnight delivery received by Bond Counsel and the Township within 24 hours after the award of the Bonds: (a) initial offering prices or yields (expressed as percentages), (b) selling compensation (aggregate total anticipated compensation to the underwriters expressed in dollars), (c) the identity of the underwriters if the successful bidder is part of a group or syndicate and (d) any other material information necessary for the final Official Statement, but not known to the Township (such as the bidder's purchase of credit enhancement). It shall also be the obligation of the successful bidder to furnish to DTC an underwriter's questionnaire and the denominations of the Bonds not less than seventy-two (72) hours prior to the delivery of the Bonds.

Concurrently with the delivery of the Bonds, the officials of the Township who will have executed the final Official Statement will deliver to the purchaser of the Bonds a certificate stating that, to the best of their knowledge, the preliminary Official Statement did not as of its date and as of the sale date, and the final Official Statement did not as of its date and does not as of the date of delivery of the Bonds, contain an untrue statement of a material fact or omit to state a material fact required to be included therein for the purpose for which the preliminary Official Statement or the final Official Statement is to be used or necessary to make the statements therein, in light of the circumstances under which they were made, not misleading, provided such certificate shall not include consideration of information supplied by, or which should have been supplied by, the successful bidder for the Bonds.

The Township has agreed in its bond resolution adopted on June 28, 2021 to provide or cause to be provided, in accordance with the requirements of Rule 15c2-12, (i) not later than seven months after the end of the Township's fiscal year (presently December 31) certain annual financial information and operating data, including audited financial statements for the preceding fiscal year (commencing with the fiscal year ending December 31, 2020), (ii) timely notice of the occurrence of certain material events with respect to the Bonds and financial obligations of the Township and (iii) timely notice of a failure by the Township to provide the required annual financial information on or before the date specified in (i) above.

The successful bidder's obligation to purchase the Bonds shall be conditioned upon its receiving, at or prior to the delivery of the Bonds, in form and substance reasonably satisfactory to the successful bidder, evidence that the Township has made the continuing disclosure undertaking set forth above in a written agreement or contract for the benefit of the Bondholders and the beneficial owners of the Bonds.

The approving legal opinion of Bond Counsel will be furnished without cost to the purchaser. The preliminary Official Statement contains a discussion of the provisions of the Internal Revenue Code of 1986, as amended (the "Code"), with respect to the exclusion from gross income for Federal income tax purposes of the interest on the Bonds and a description of the opinion of Bond Counsel with respect thereto. The Township has covenanted, to the extent permitted by the Constitution and laws of the State of New Jersey, to comply with the provisions of the Code required to preserve the exclusion from gross income of interest on the Bonds for Federal income tax purposes. There will also be furnished the usual closing papers.

If the Bonds qualify for issuance of any policy of municipal bond insurance or commitment therefor at the option of a bidder, any purchase of such insurance or commitment therefor shall be at the sole option and expense of the bidder and any increased costs of issuance of the Bonds resulting by reason of such insurance, unless otherwise paid, shall also be paid by such bidder. Any failure of the Bonds to be so insured or of any such policy of insurance to be issued, shall not in any way relieve the purchaser of its contractual obligations arising from the acceptance of its proposal for the purchase of the Bonds.

ISSUE PRICE DETERMINATION UNDER INTERNAL REVENUE CODE

If the "competitive sale requirements" are not satisfied, the winning bidder shall have the option to designate whether the "10% test" or the "hold-the-offering-price rule" shall apply to all the Bonds.

Meeting of June 28, 2021

The following paragraphs contain the terms for the determination of issue price.

- (a) The winning bidder shall assist the Township in establishing the issue price of the Bonds and shall execute and deliver to the Township at closing an "issue price" or similar certificate setting forth the reasonably expected initial offering price to the public or the sales price or prices of the Bonds, together with the supporting pricing wires or equivalent communications. A form of issue price certificate is available upon request to Steven L. Rogut, Bond Counsel, (908) 931-1150 or slr@rogutmccarthy.com.
- (b) The Township intends that the provisions of Treasury Regulation Section 1.148-1(f)(3)(i) (defining "competitive sale" for purposes of establishing the issue price of the Bonds) will apply to the initial sale of the Bonds (the "competitive sale requirements") because: the Township shall disseminate this Notice of Sale to potential underwriters in a manner that is reasonably designed to reach potential underwriters;
- (2) all bidders shall have an equal opportunity to bid;
- (3) the Township may receive bids from at least three underwriters of municipal bonds who have established industry reputations for underwriting new issuances of municipal bonds; and
- (4) the Township anticipates awarding the sale of the Bonds to the bidder who submits a firm offer to purchase the Bonds at the highest price (or lowest interest cost), as set forth in this Notice of Sale.
- Any bid submitted pursuant to this Notice of Sale shall be considered a firm offer for the purchase of the Bonds, as specified in the bid. Bids will not be subject to cancellation in the event that the competitive sale requirements are not satisfied. Unless the bidder intends to hold the Bonds for its own account with no intention to offer the Bonds to the public, the bidder, by submitting a bid, represents to the Township that the bidder has an established industry reputation for underwriting new issuances of municipal bonds.
- (c) In the event that the competitive sale requirements are not satisfied, the Township shall so advise the winning bidder. In that case, the winning bidder shall have the option to designate (by 5:00 P.M. Prevailing Time on the sale date) whether the issue price will be calculated upon either (a) the first price at which 10% of each maturity of the Bonds (the "10% test") is sold to the public as the issue price of that maturity, applied on a maturity-by-maturity basis, or (b) a commitment to neither offer nor sell any of the Bonds of any maturity to any person at a price that is higher than the initial offering price to the public as of the sale date (the "initial offering price") during the holding period (as defined herein).
- (d) If the 10% test is selected, the winning bidder shall advise the Township if any maturity of the Bonds satisfies the 10% test as of the date and time of the award of the Bonds, and bidders should prepare their bids on the assumption that all of the maturities of the Bonds will be subject to the 10% test in order to establish the issue price of the Bonds. If the competitive sale requirements are not satisfied and the 10% test is selected, then until the 10% test has been satisfied as to each maturity of the Bonds, the winning bidder agrees to promptly report to the Township the prices at which the unsold Bonds of that maturity have been sold to the public. That reporting obligation shall continue, whether or not the Closing Date has occurred, until either (i) all Bonds of that maturity have been sold or (ii) the 10% test has been satisfied as to the Bonds of that maturity, provided that, the winning bidder's reporting obligation after the Closing Date may be at reasonable periodic intervals or otherwise upon request of the Township or Bond Counsel.
- (e) In the event the "hold-the-offering-price" method is selected, for each maturity of the Bonds the winning bidder shall (a) neither offer nor sell any of the Bonds of such maturity to any person at a price that is higher than the initial offering price for such maturity during the holding period for such maturity (the "hold-the-offering-price rule"), and (b) verify that any selling group agreement shall contain the agreement of each dealer who is a member of the selling group, and any third-party distribution agreement shall contain the agreement of each broker-dealer who is a party to the third-party distribution agreement, to comply with the hold-the-offering-price rule. Pursuant to such agreement, no underwriter (as defined below) shall offer or sell any maturity of the Bonds at a price that is higher than the respective initial offering price for that maturity of the Bonds during the holding period.
- (f) By submitting a bid, each bidder confirms that: (i) any agreement among underwriters, any selling group agreement and each third-party distribution agreement (to which the bidder is a party) relating to the initial sale of the Bonds to the public, together with the related pricing wires, contains or will contain language obligating each underwriter, each dealer who is a member of the selling group, and each broker-dealer that is a party to such third-party distribution agreement, as applicable, (A) to either comply with the hold-the-offering-price limitations stated herein or to report the prices at which it sells to the public the unsold Bonds of each maturity allocated to it, whether or not the Closing Date has occurred, until either all Bonds of that maturity allocated to it have been sold or it is notified by the winning bidder that the 10% test has been satisfied as to the Bonds of that maturity, provided that, the reporting obligation after the Closing Date may be at reasonable periodic intervals or otherwise upon request of the winning bidder, depending upon whether the hold-the-offering-price method or the 10% test is selected by the winning bidder, (B) to promptly notify the winning bidder of any sales of Bonds that, to its knowledge, are made to a purchaser who is a related party to an underwriter participating in the initial sale of the Bonds to the public (each such term being used as defined below), and (C) to acknowledge that, unless otherwise advised by the underwriter, dealer or broker-dealer, the winning bidder shall assume that each order submitted by the underwriter, dealer or broker-dealer is a sale to the public, and (ii) any agreement among underwriters or selling group agreement relating to the initial sale of the Bonds to the public, together with the related pricing wires, contains or will contain language obligating each underwriter or dealer that is a party to a third-party distribution agreement to be employed in connection with the initial sale of the Bonds to the public to require each broker-dealer that is a party to such third-party distribution agreement to either comply with the hold-the-offering-price limitations stated herein or to report the prices at which it sells to the public the unsold Bonds of each maturity allocated to it, whether or not the Closing Date has occurred, until either all Bonds of that maturity allocated to it have been sold or it is notified by the winning bidder or such underwriter that the 10% test has been satisfied as to the Bonds of that maturity, provided that, the reporting obligation after the Closing Date may be at reasonable periodic intervals or otherwise upon request of the winning bidder or such underwriter, depending upon whether the hold-the-offering-price method or the 10% test is selected by the winning bidder.
- (g) Sales of any Bonds to any person that is a related party to an underwriter participating in the initial sale of the Bonds to the public (each such term being used as defined below) shall not constitute sales to the public for purposes of this Notice of Sale. Further, for purposes of this Notice of Sale:
- (i) "public" means any person other than an underwriter or a related party,
- (ii) "underwriter" means (A) any person that agrees pursuant to a written contract or otherwise with the Township (or with the lead underwriter to form an underwriting syndicate) to participate in the initial sale of the Bonds to the public and (B) any person that agrees pursuant to a written contract directly or indirectly with a person described in clause (A) to participate in the initial sale of the Bonds to the public (including a member of a selling group or a party to a third-party distribution agreement participating in the initial sale of the Bonds to the public),
- (iii) a purchaser of any of the Bonds is a "related party" to an underwriter if the underwriter and the purchaser are subject, directly or indirectly, to (A) more than 50% common ownership of the voting power or the total value of their stock, if both entities are corporations (including direct ownership by one corporation of another), (B) more than 50% common ownership of their capital interests or profits interests, if both entities are partnerships (including direct ownership by one partnership of another), or (C) more than 50% common ownership of the value of the outstanding stock of the corporation or the capital interests or profit interests of the partnership, as applicable, if one entity is a corporation and the other entity is a partnership (including direct ownership of the applicable stock or interests by one entity of the other),
- (iv) "sale date" means the date that the Bonds are awarded by the Township to the winning bidder,
- (v) "holding period" means, for each maturity of the Bonds, the period starting on the sale date and ending on the earlier of (i) the close of the fifth business day after the sale date, or (ii) the date on which the Underwriter has sold at least 10% of each maturity to the Public at prices that are no higher than the Initial Offering Price for such maturity, and
- (vi) "maturity" means Bonds with the same credit and payment terms. Bonds with different maturity dates, or Bonds with the same maturity date but different stated interest rates, are treated as separate maturities.

By order of the Township Council of the Township of Little Falls, in the County of Passaic, New Jersey.
Falls, in the County of Passaic, New Jersey.

Section 2. A Summary Notice of Sale ("Summary Notice of Sale") shall be published in substantially the following form:

SUMMARY NOTICE OF SALE
TOWNSHIP OF LITTLE FALLS,
IN THE COUNTY OF PASSAIC, NEW JERSEY
\$14,250,000 General Improvement Bonds
(Book-Entry Only)
(Callable) (Parity Bid)
dated
August 1, 2021

Meeting of June 28, 2021

ELECTRONIC BIDS VIA PARITY AND SEALED PROPOSALS will be received by the Chief Financial Officer of the Township of Little Falls, in the County of Passaic, New Jersey (the "Township"), in the Municipal Building, 225 Main Street, Little Falls, New Jersey 07424, on

July 22, 2021

at 11:00 o'clock A.M. (local time) at which time they will be publicly opened and announced, for the purchase of the Township's \$14,250,000 General Improvement Bonds dated August 1, 2021 and payable on August 1 in each year as follows:

\$475,000 in the year 2022,
\$490,000 in the year 2023,
\$935,000 in the year 2024, and
\$950,000 in each of the years 2025 to 2037, inclusive.

The Bonds shall be issued in book-entry only form through the book-entry system operated by The Depository Trust Company, New York, New York. The Bonds are subject to redemption prior to maturity at the option of the Township in accordance with the terms set forth in the Notice of Sale to be made available to interested persons (the "Notice of Sale"). The Notice of Sale and Proposal for Bonds should be reviewed by potential bidders for additional terms and conditions of the sale of the Bonds prior to bidding on the Bonds. To the extent any instructions or directions set forth in **PARITY** conflict with the Notice of Sale, the terms of the Notice of Sale shall control. For further information about **PARITY**, potential bidders may contact Ipreo at 1359 Broadway, 2nd Floor, New York, NY 10018, telephone (212) 849-5021.

The Bonds will bear interest from their date at a rate or rates of interest in multiples of 1/8th or 1/20th of 1% per annum (same or ascending rates and only one rate per maturity) specified by the successful bidder payable on each February 1 and August 1, commencing February 1, 2022, in each year until maturity or prior redemption. The purchase price specified must not be less than \$14,250,000 nor more than \$14,392,500 (par plus a maximum 1% premium). Each proposal must be for all the Bonds offered. As further described in the Notice of Sale, bidders must, at the time of making their bids, make a wire transfer or deposit a certified, cashier's or treasurer's check drawn upon a bank or trust company in the amount of \$285,000 to the order of the Township. The Bonds will be sold to the bidder specifying the lowest net interest cost in accordance with the terms set forth in the Notice of Sale. The Township will furnish the Bonds and the approving legal opinion of Rogut McCarthy LLC, Cranford, New Jersey, Bond Counsel.

Copies of the Preliminary Official Statement, the Notice of Sale and the Proposal for Bonds are available at www.i-DealProspectus.com or by contacting the undersigned Chief Financial Officer at the Municipal Building, 225 Main Street, Little Falls, New Jersey 07424, Telephone No. (973) 256-0170, Ext. 8018.

By order of the Township Council of the Township of Little Falls, in the County of Passaic, New Jersey.

Section 3. The Township Clerk is hereby authorized and directed to publish (A) the Summary Notice of Sale in **THE BOND BUYER**, which is a publication carrying municipal bond notices and devoted primarily to the subject of State and municipal bonds, and is published in New York City, and (B) the Full Notice of Sale in the Herald News, a newspaper of general circulation published in the County of Passaic and circulating in the Township. Said Summary Notice of Sale and Full Notice of Sale shall be published in each publication not later than one week before the date of the sale of said Bonds.

Section 4. The preparation of and distribution to potential bidders for the Bonds of a Preliminary Official Statement to be dated on or about July 12, 2021 is hereby approved. Such Preliminary Official Statement is hereby deemed to be a "final official statement", as of its date, within the meaning of Rule 15c2-12 of the Securities and Exchange Commission ("Rule 15c2-12").

Section 5. The preparation of an Official Statement in connection with the sale of the Bonds to be dated on or about July 22, 2021 is hereby approved. Such Official Statement is hereby deemed to be a "final official statement", as of its date, within the meaning of Rule 15c2-12.

Section 6. The execution of the Official Statement by the Chief Financial Officer on behalf of the Township, the distribution of same to the successful bidder and the successful bidder's subsequent distribution of the Official Statement to purchasers or prospective purchasers of the Bonds are hereby authorized.

Section 7. The Township hereby agrees to undertake for the benefit of the Bondholders and the beneficial owners of the Bonds to provide certain secondary market disclosure information pursuant to Rule 15c2-12 to the Municipal Securities Rulemaking Board (the "MSRB") in an electronic format, as prescribed by the MSRB. Specifically, the Township will do the following for the benefit of the holders of the Bonds and the beneficial owners thereof:

(A) Not later than seven months after the end of the Township's fiscal year (presently December 31), commencing with the report for the fiscal year ending December 31, 2020, provide or cause to be provided annual financial information with respect to the Township consisting of (i) audited financial statements (or unaudited financial statements if audited financial statements are not then available by the date of filing, which audited financial statements will be delivered when and if available) of the Township and (ii) certain financial information and operating data consisting of information concerning the Township's debt, overlapping indebtedness, tax rate, levy and collection data, property valuation, budget and fund balance of the type contained in Appendix A of the Official Statement. The audited financial statements will be prepared in accordance with mandated State statutory accounting principles, as in effect from time to time. Audited financial statements if not available by the filing date will be submitted separately when available.

(B) Provide or cause to be provided in a timely manner not in excess of ten business days after the occurrence of the event, notice of the occurrence of any of the following events with respect to the Bonds or financial obligations of the Township:

- (1) Principal or interest payment delinquencies;
- (2) Non-payment related default, if material;
- (3) Unscheduled draws on debt service reserves reflecting financial difficulties;
- (4) Unscheduled draws on credit enhancements reflecting financial difficulties;
- (5) Substitution of credit or liquidity providers, or their failure to perform;
- (6) Adverse tax opinions, the issuance by the Internal Revenue Service of proposed or final determinations of taxability,

Notices of Proposed Issue (IRS Form 5701-TEB) or other material notices or determinations with respect to the tax status of the Bonds, or other material events affecting the tax status of the Bonds;

- (7) Modifications to the rights of Bondholders, if material;
- (8) Bond calls, if material, and tender offers;
- (9) Defeasances;
- (10) Release, substitution or sale of property which secures the repayment of the Bonds, if material;
- (11) Rating changes;

(12) Bankruptcy, insolvency, receivership or similar event of the Township (the event is considered to occur when any of the following occur: the appointment of a receiver, fiscal agent or similar officer for the Township in a proceeding under the U.S. Bankruptcy Code or in any other proceeding under state or federal law in which a court or governmental authority has assumed jurisdiction over substantially all of the assets or business of the Township, or if such jurisdiction has been assumed by leaving the existing governing body and officials or officers in possession but subject to the supervision and orders of a court or governmental authority, or the entry of an order confirming a plan of reorganization, arrangement or liquidation by a court or governmental authority having supervision or jurisdiction over substantially all of the assets or business of the Township);

(13) The consummation of a merger, consolidation, or acquisition involving the Township or the sale of all or substantially all of the assets of the Township, other than in the ordinary course of business, the entry into a definitive agreement to undertake such an action or the termination of a definitive agreement relating to any such actions, other than pursuant to its terms, if material;

(14) Appointment of a successor or additional trustee or the change of name of a trustee, if material;

(15) Incurrence of a financial obligation of the Township, if material, or agreement to covenants, events of default, remedies, priority rights, or other similar terms of a financial obligation of the Township, any of which affect Bondholders, if material; and

(16) Default, event of acceleration, termination event, modification of terms, or other similar events under the terms of a financial obligation of the Township, any of which reflect financial difficulties.

The Township intends the words used in paragraphs (15) and (16) and the definition of "financial obligation" to have the meanings ascribed to them in SEC Release No. 34-83885 (August 20, 2018).

(C) Provide or cause to be provided, in a timely manner, notice of a failure of the Township to provide required annual financial information on or before the date specified above.

Section 8. All documents provided to the MSRB shall be accompanied by identifying information as prescribed by the MSRB.

Section 9. If the Township fails to comply with the undertaking described above, any Bondholder or beneficial owner of the Bonds may pursue an action for specific performance to enforce the rights of all Bondholders and beneficial owners with respect to such undertaking; provided, however, that failure to comply with such undertaking shall not be an event of default and shall not result in any acceleration of

Meeting of June 28, 2021

payment of the Bonds or any liability by the Township for monetary damages. All actions shall be instituted, had and maintained in the manner provided in this paragraph for the benefit of all Bondholders and beneficial owners of the Bonds.

Section 10. The Township reserves the right to terminate its obligation to provide annual financial information and notice of material events, as set forth above, if and when the Township no longer remains an "obligated person" with respect to the Bonds within the meaning of Rule 15c2-12.

Section 11. The undertaking may be amended by the Township from time to time, without the consent of the Bondholders or the beneficial owners of the Bonds, in order to make modifications required in connection with a change in legal requirements or change in law, or change in the identity, nature, type of operation, or status of the Township, which in the opinion of nationally recognized bond counsel complies with Rule 15c2-12 and does not, in such bond counsel's opinion, materially impair the interest of the Bondholders and the beneficial owners of the Bonds.

Section 12. The Township hereby covenants, to the extent permitted by the Constitution and the laws of the State of New Jersey, to do and perform all acts and things permitted by law and necessary to assure that interest paid on the Bonds be and remain excluded from gross income of the owners thereof for Federal income tax purposes pursuant to Section 103 of the Internal Revenue Code of 1986, as amended.

Section 13. The Mayor, the Chief Financial Officer and the Township Clerk are hereby authorized and directed to execute and deliver such other documents and to take such other action as they determine to be necessary or appropriate in order to effectuate the issuance and sale of the Bonds including, without limitation, the execution and delivery of all closing documents and certificates.

Section 14. The Chief Financial Officer, the Township Clerk, the Bond Counsel, the Auditor, the Financial Advisor and other Township officials and representatives are hereby authorized to take all necessary actions to allow for (A) the submission of electronic bids for the bonds, (B) the electronic posting of the Preliminary Official Statement, the full Notice of Sale and the bid form and (C) the submission by bidders of a wire transfer in lieu of a good faith check.

Section 15. This resolution shall take effect immediately upon its adoption.

Combing Several Authorizations of Bonds into a Single Issue

RESOLUTION [B] -21-06-28--#2 RESOLUTION COMBINING SEVERAL AUTHORIZATIONS OF BONDS INTO A SINGLE ISSUE AND PRESCRIBING THE DETAILS AND BOND FORM THEREOF FOR \$14,250,000 GENERAL IMPROVEMENT BONDS DATED AUGUST 1, 2021

WHEREAS, the bond ordinances hereinafter described have been duly adopted and it is necessary to provide for the issuance of the bonds authorized by such bond ordinances;

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

Section 1. There shall be issued at this time \$103,020 of the bonds authorized pursuant to Bond Ordinance No. 1147 adopted by the Township Council of said Township on February 27, 2012. The bonds are issued to finance the acquisition or reconstruction of residential homes for flood mitigation in, by and for the Township. The period of usefulness of the purpose to be financed by such bond ordinance is a period of 30 years computed from the date of such bonds.

Section 2. There shall be issued at this time \$243,399 of the bonds authorized pursuant to Bond Ordinance No. 1199 adopted by the Township Council of said Township on September 8, 2014. The bonds are issued to finance the undertaking of various road improvements in, by and for the Township. The period of usefulness of the purpose to be financed by such bond ordinance is a period of 10 years computed from the date of such bonds.

Section 3. There shall be issued at this time \$552,500 of the bonds authorized pursuant to Bond Ordinance No. 1212 adopted by the Township Council of said Township on April 27, 2015. The bonds are issued to finance the acquisition of a fire engine in, by and for the Township. The period of usefulness of the purpose to be financed by such bond ordinance is a period of 10 years computed from the date of such bonds.

Section 4. There shall be issued at this time \$239,400 of the bonds authorized pursuant to Bond Ordinance No. 1213 adopted by the Township Council of said Township on April 27, 2015. The bonds are issued to finance the acquisition of vehicles for the use of the Department of Public Works ("DPW") in, by and for the Township. The period of usefulness of the purpose to be financed by such bond ordinance is a period of 5 years computed from the date of such bonds.

Section 5. There shall be issued at this time \$380,000 of the bonds authorized pursuant to Bond Ordinance No. 1214 adopted by the Township Council of said Township on April 27, 2015. The bonds are issued to finance the replacement of storm drains on William Street (from Barber Street to Main Street) in, by and for the Township. The period of usefulness of the purpose to be financed by such bond ordinance is a period of 40 years computed from the date of such bonds.

Section 6. There shall be issued at this time \$255,000 of the bonds authorized pursuant to Bond Ordinance No. 1215 adopted by the Township Council of said Township on April 27, 2015. The bonds are issued to finance the undertaking of the 2015 Road Improvement Program in, by and for the Township. The period of usefulness of the purpose to be financed by such bond ordinance is a period of 10 years computed from the date of such bonds.

Section 7. There shall be issued at this time \$60,330 of the bonds authorized pursuant to Bond Ordinance No. 1216 adopted by the Township Council of said Township on April 27, 2015. The bonds are issued to finance the undertaking of improvements to Railroad Avenue Park in, by and for the Township. The period of usefulness of the purpose to be financed by such bond ordinance is a period of 15 years computed from the date of such bonds.

Section 8. There shall be issued at this time \$463,472 of the bonds authorized pursuant to Bond Ordinance No. 1234 adopted by the Township Council of said Township on November 23, 2015. The bonds are issued to finance the acquisition of self-contained breathing apparatus units for the use of the Fire Department in, by and for the Township. The period of usefulness of the purpose to be financed by such bond ordinance is a period of 10 years computed from the date of such bonds.

Section 9. There shall be issued at this time \$288,000 of the bonds authorized pursuant to Bond Ordinance No. 1253 adopted by the Township Council of said Township on May 23, 2016. The bonds are issued to finance the undertaking of the 2016 Road Resurfacing Program in, by and for the Township. The period of usefulness of the purpose to be financed by such bond ordinance is a period of 10 years computed from the date of such bonds.

Section 10. There shall be issued at this time \$179,528 of the bonds authorized pursuant to Bond Ordinance No. 1254 adopted by the Township Council of said Township on May 23, 2016. The bonds are issued to finance the acquisition of vehicles for the use of the DPW; and the undertaking of improvements to various traffic lights, all in, by and for the Township. The average period of usefulness of the several purposes to be financed by such bond ordinance is a period of 5.61 years computed from the date of such bonds.

Section 11. There shall be issued at this time \$131,526 of the bonds authorized pursuant to Bond Ordinance No. 1255 adopted by the Township Council of said Township on May 23, 2016. The bonds are issued to finance the acquisition of an integrated body and car camera system for the use of the Police Department in, by and for the Township. The period of usefulness of the purpose to be financed by such bond ordinance is a period of 10 years computed from the date of such bonds.

Section 12. There shall be issued at this time \$293,620 of the bonds authorized pursuant to Bond Ordinance No. 1272 adopted by the Township Council of said Township on December 19, 2016. The bonds are issued to finance the undertaking of improvements to Duva Park in, by and for the Township. The period of usefulness of the purpose to be financed by such bond ordinance is a period of 15 years computed from the date of such bonds.

Section 13. There shall be issued at this time \$296,202 of the bonds authorized pursuant to Bond Ordinance No. 1286 adopted by the Township Council of said Township on May 8, 2017. The bonds are issued to finance the acquisition and demolition of flood-prone properties in the Singac section for flood mitigation and open space purposes in, by and for the Township. The period of usefulness of the purpose to be financed by such bond ordinance is a period of 40 years computed from the date of such bonds.

Section 14. There shall be issued at this time \$270,000 of the bonds authorized pursuant to Bond Ordinance No. 1287 adopted by the Township Council of said Township on May 8, 2017. The bonds are issued to finance the undertaking of the 2017 Road Improvement Program in, by and for the Township. The period of usefulness of the purpose to be financed by such bond ordinance is a period of 10 years computed from the date of such bonds.

Section 15. There shall be issued at this time \$346,639 of the bonds authorized pursuant to Bond Ordinance No. 1288 adopted by the Township Council of said Township on May 8, 2017. The bonds are issued to finance the acquisition of a wheel loader for the use of the DPW; the undertaking of sanitary sewer improvements at various locations; the undertaking of various improvements to municipal facilities; and the undertaking of traffic light upgrades at the intersections of (i) Main Street and Union Avenue and (ii) Francisco Avenue and Ridge Road, all in,

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by and for the Township. The average period of usefulness of the several purposes to be financed by such bond ordinance is a period of 21.73 years computed from the date of such bonds.

Section 16. There shall be issued at this time \$404,542 of the bonds authorized pursuant to Bond Ordinance No. 1289 adopted by the Township Council of said Township on May 8, 2017. The bonds are issued to finance the acquisition and installation of a prefabricated storage building at the DPW Facility for the use of the Fire Department; and the acquisition of two ambulances for the use of the Township of Little Falls Emergency Medical Service, all in, by and for the Township. The average period of usefulness of the several purposes to be financed by such bond ordinance is a period of 6.40 years computed from the date of such bonds.

Section 17. There shall be issued at this time \$43,846 of the bonds authorized pursuant to Bond Ordinance No. 1290 adopted by the Township Council of said Township on May 8, 2017. The bonds are issued to finance the acquisition of a traffic counter machine for the use of the Police Department; and the acquisition of tasers and related equipment for the use of the Police Department, all in, by and for the Township. The average period of usefulness of the several purposes to be financed by such bond ordinance is a period of 7 years computed from the date of such bonds.

Section 18. There shall be issued at this time \$211,291 of the bonds authorized pursuant to Bond Ordinance No. 1295 adopted by the Township Council of said Township on June 12, 2017. The bonds are issued to finance the acquisition of real property for municipal purposes in, by and for the Township. The period of usefulness of the purpose to be financed by such bond ordinance is a period of 40 years computed from the date of such bonds.

Section 19. There shall be issued at this time \$181,223 of the bonds authorized pursuant to Bond Ordinance No. 1300 adopted by the Township Council of said Township on September 25, 2017. The bonds are issued to finance the reconstruction of Woodcliff Avenue in, by and for the Township. The period of usefulness of the purpose to be financed by such bond ordinance is a period of 10 years computed from the date of such bonds.

Section 20. There shall be issued at this time \$95,000 of the bonds authorized pursuant to Bond Ordinance No. 1321 adopted by the Township Council of said Township on April 23, 2018. The bonds are issued to finance the undertaking of sanitary sewer improvements at various locations in, by and for the Township. The period of usefulness of the purpose to be financed by such bond ordinance is a period of 40 years computed from the date of such bonds.

Section 21. There shall be issued at this time \$142,500 of the bonds authorized pursuant to Bond Ordinance No. 1322 adopted by the Township Council of said Township on April 23, 2018. The bonds are issued to finance the reconstruction of the Ridge Avenue dead end in, by and for the Township. The period of usefulness of the purpose to be financed by such bond ordinance is a period of 10 years computed from the date of such bonds.

Section 22. There shall be issued at this time \$285,000 of the bonds authorized pursuant to Bond Ordinance No. 1323 adopted by the Township Council of said Township on April 23, 2018. The bonds are issued to finance the undertaking of the 2018 Road Improvement Program in, by and for the Township. The period of usefulness of the purpose to be financed by such bond ordinance is a period of 10 years computed from the date of such bonds.

Section 23. There shall be issued at this time \$380,000 of the bonds authorized pursuant to Bond Ordinance No. 1324 adopted by the Township Council of said Township on April 23, 2018. The bonds are issued to finance the undertaking of stormwater drainage improvements at various locations in, by and for the Township. The period of usefulness of the purpose to be financed by such bond ordinance is a period of 40 years computed from the date of such bonds.

Section 24. There shall be issued at this time \$399,000 of the bonds authorized pursuant to Bond Ordinance No. 1325 adopted by the Township Council of said Township on April 23, 2018. The bonds are issued to finance the acquisition of various equipment and machinery for the use of the Police Department; the acquisition of a command vehicle for the use of the Fire Department; the undertaking of various improvements to municipal facilities; and the undertaking of various improvements to parks and recreation facilities, all in, by and for the Township. The average period of usefulness of the several purposes to be financed by such bond ordinance is a period of 12.27 years computed from the date of such bonds.

Section 25. There shall be issued at this time \$420,000 of the bonds authorized pursuant to Bond Ordinance No. 1326 adopted by the Township Council of said Township on April 23, 2018, as amended by Bond Ordinance No. 1337 adopted by the Township Council of said Township on October 29, 2018. The bonds are issued to finance the acquisition of a compactor truck and a pickup truck for the use of the DPW; and the replacement of the underground storage tank at the DPW Yard, all in, by and for the Township. The average period of usefulness of the several purposes to be financed by such bond ordinance is a period of 11 years computed from the date of such bonds.

Section 26. There shall be issued at this time \$150,000 of the bonds authorized pursuant to Bond Ordinance No. 1331 adopted by the Township Council of said Township on August 27, 2018. The bonds are issued to finance the reconstruction of Donato Drive in, by and for the Township. The period of usefulness of the purpose to be financed by such bond ordinance is a period of 10 years computed from the date of such bonds.

Section 27. There shall be issued at this time \$357,000 of the bonds authorized pursuant to Bond Ordinance No. 1336 adopted by the Township Council of said Township on October 29, 2018. The bonds are issued to finance the acquisition of real property for municipal purposes in, by and for the Township. The period of usefulness of the purpose to be financed by such bond ordinance is a period of 40 years computed from the date of such bonds.

Section 28. There shall be issued at this time \$95,000 of the bonds authorized pursuant to Bond Ordinance No. 1350 adopted by the Township Council of said Township on April 22, 2019. The bonds are issued to finance the undertaking of sanitary sewer improvements at various locations in, by and for the Township. The period of usefulness of the purpose to be financed by such bond ordinance is a period of 40 years computed from the date of such bonds.

Section 29. There shall be issued at this time \$232,500 of the bonds authorized pursuant to Bond Ordinance No. 1351 adopted by the Township Council of said Township on April 22, 2019. The bonds are issued to finance the reconstruction of Coney Road and Veranda Street in, by and for the Township. The period of usefulness of the purpose to be financed by such bond ordinance is a period of 10 years computed from the date of such bonds.

Section 30. There shall be issued at this time \$632,500 of the bonds authorized pursuant to Bond Ordinance No. 1352 adopted by the Township Council of said Township on April 22, 2019. The bonds are issued to finance the undertaking of the 2019 Road Improvement Program in, by and for the Township. The period of usefulness of the purpose to be financed by such bond ordinance is a period of 10 years computed from the date of such bonds.

Section 31. There shall be issued at this time \$701,000 of the bonds authorized pursuant to Bond Ordinance No. 1353 adopted by the Township Council of said Township on April 22, 2019. The bonds are issued to finance the undertaking of various improvements to the Singac Pump Station; the Township's portion of the cost of dredging sections of the Peckman River located in the Township and the Borough of Woodland Park, including disposal of dredged materials and the acquisition of a trackhoe; the acquisition of a street sweeper for the use of the DPW; and the acquisition of a senior citizens bus and a pickup truck for the use of the DPW, all by and for the Township. The average period of usefulness of the several purposes to be financed by such bond ordinance is a period of 13.28 years computed from the date of such bonds.

Section 32. There shall be issued at this time \$611,000 of the bonds authorized pursuant to Bond Ordinance No. 1354 adopted by the Township Council of said Township on April 22, 2019. The bonds are issued to finance the acquisition of training equipment for the use of the Police Department; the undertaking of handicapped-access (ADA) improvements at the Civic Center; the undertaking of various improvements to municipal facilities; and the undertaking of various improvements to parks and recreation facilities, all in, by and for the Township. The average period of usefulness of the several purposes to be financed by such bond ordinance is a period of 14.66 years computed from the date of such bonds.

Section 33. There shall be issued at this time \$210,000 of the bonds authorized pursuant to Bond Ordinance No. 1359 adopted by the Township Council of said Township on June 10, 2019. The bonds are issued to finance the acquisition of real property for construction of a stormwater pump station in, by and for the Township. The period of usefulness of the purpose to be financed by such bond ordinance is a period of 40 years computed from the date of such bonds.

Section 34. There shall be issued at this time \$425,000 of the bonds authorized pursuant to Bond Ordinance No. 1360 adopted by the Township Council of said Township on June 10, 2019. The bonds are issued to finance the acquisition of real property for public parking in, by and for the Township. The period of usefulness of the purpose to be financed by such bond ordinance is a period of 40 years computed from the date of such bonds.

Section 35. There shall be issued at this time \$1,995,000 of the bonds authorized pursuant to Bond Ordinance No. 1383 adopted by the Township Council of said Township on May 18, 2020. The bonds are issued to finance the installation of a synthetic turf multipurpose athletic field at Duva Field in, by and for the Township. The period of usefulness of the purpose to be financed by such bond ordinance is a period of 10 years computed from the date of such bonds.

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Section 36. There shall be issued at this time \$474,000 of the bonds authorized pursuant to Bond Ordinance No. 1384 adopted by the Township Council of said Township on May 18, 2020. The bonds are issued to finance the acquisition of real property for public parking in, by and for the Township. The period of usefulness of the purpose to be financed by such bond ordinance is a period of 40 years computed from the date of such bonds.

Section 37. There shall be issued at this time \$61,750 of the bonds authorized pursuant to Bond Ordinance No. 1385 adopted by the Township Council of said Township on June 8, 2020. The bonds are issued to finance the reconstruction of a portion of Micklejohn Avenue (from Main Street to Woodcliff Avenue) in, by and for the Township. The period of usefulness of the purpose to be financed by such bond ordinance is a period of 10 years computed from the date of such bonds.

Section 38. There shall be issued at this time \$231,750 of the bonds authorized pursuant to Bond Ordinance No. 1386 adopted by the Township Council of said Township on June 8, 2020. The bonds are issued to finance the acquisition of various equipment and machinery for the use of the Police Department; the acquisition of a pickup truck for the use of the DPW; the acquisition of a vehicle lift for the use of the DPW; the undertaking of various improvements to municipal facilities; and the installation of a charging station for electric vehicles at Morris Canal parking lot, all in, by and for the Township. The average period of usefulness of the several purposes to be financed by such bond ordinance is a period of 11.31 years computed from the date of such bonds.

Section 39. There shall be issued at this time \$540,450 of the bonds authorized pursuant to Bond Ordinance No. 1387 adopted by the Township Council of said Township on June 8, 2020. The bonds are issued to finance the undertaking of the 2020 Road Improvement Program in, by and for the Township. The period of usefulness of the purpose to be financed by such bond ordinance is a period of 10 years computed from the date of such bonds.

Section 40. There shall be issued at this time \$396,000 of the bonds authorized pursuant to Bond Ordinance No. 1388 adopted by the Township Council of said Township on June 8, 2020. The bonds are issued to finance the undertaking of streetscape improvements at Main Street (Phases I and II) in, by and for the Township. The period of usefulness of the purpose to be financed by such bond ordinance is a period of 10 years computed from the date of such bonds.

Section 41. There shall be issued at this time \$472,012 of the bonds authorized pursuant to Bond Ordinance No. 1389 adopted by the Township Council of said Township on September 14, 2020. The bonds are issued to finance the supplemental funding for the installation of a synthetic turf multipurpose athletic field at Duva Field in, by and for the Township. The period of usefulness of the purpose to be financed by such bond ordinance is a period of 10 years computed from the date of such bonds.

Section 42. The bonds authorized by said forty-one bond ordinances described in Sections 1 to 41, inclusive, of this resolution shall be issued as a single issue of bonds, aggregating \$14,250,000 consisting of an issue of bonds of the denomination of \$5,000 each or any integral multiple thereof, numbered in the order of their maturity. In the event that the purchaser of the bonds elects to take bonds in the last maturity which are not in multiples of \$5,000, or, if there are any such bonds herein, such bonds shall be in the denomination of \$1,000 or any integral multiple thereof, numbered upwards from the last numbered \$5,000 bond. The average period of usefulness within which the bonds authorized by said forty-one bond ordinances mature, according to the respective reasonable lives of the purposes to be financed, as determined in said ordinances taking into consideration the respective amounts of bonds authorized for the purposes to be financed as set forth in each of the bond ordinances hereinbefore set forth, is a period of 16.93 years computed from the date of such bonds. Said issue shall be payable in annual installments on August 1 in each year as follows:

\$475,000 in the year 2022,
\$490,000 in the year 2023,
\$935,000 in the year 2024, and
\$950,000 in each of the years 2025 to 2037, inclusive.

Said bonds shall be designated "General Improvement Bonds". A portion of the indebtedness evidenced by each such bond shall be deemed to have been incurred for the purpose described in each bond ordinance authorizing bonds of the same maturity, and such portion of such indebtedness shall be in the same proportion to the principal amount of such bonds as the total amount of bonds of like maturity to be issued pursuant to such bond ordinance bears to the aggregate amount of bonds of like maturity to be issued pursuant to such forty-one bond ordinances.

Section 43. All of said bonds shall be dated August 1, 2021, and shall bear interest from their date until their respective maturities at the rates per annum named in the proposal accepted. Such rates of interest shall be determined at the time said bonds are sold. Such interest shall be payable on each February 1 and August 1, commencing February 1, 2022 (each, an "Interest Payment Date"), in each year until maturity or prior redemption.

Section 44. The bonds maturing on or before August 1, 2028 are not subject to redemption prior to their stated maturities. The bonds maturing on or after August 1, 2029 are subject to redemption at the option of the Township prior to maturity, in whole on any date or in part on any Interest Payment Date, on or after August 1, 2028, upon notice as hereinafter set forth at the redemption price of 100% of the principal amount being redeemed, plus accrued interest to the date fixed for redemption.

If the Township determines to optionally redeem a portion of the bonds prior to maturity, such bonds so redeemed shall be in such maturities as determined by the Township, and within any maturity, by lot; *provided, however*, that the portion of any bond to be redeemed shall be in the principal amount of \$5,000 or some multiple thereof and that, in selecting bonds for redemption, the Bond Registrar/Paying Agent (as hereinafter defined) shall treat each bond as representing that number of bonds that is obtained by dividing the principal amount of such bond by \$5,000.

Section 45. Notice of redemption shall be given by first class mail in a sealed envelope with postage prepaid to the registered owners of the bonds at their respective addresses as they last appear on the registration books kept for that purpose by the Bond Registrar/Paying Agent at least thirty (30) but not more than sixty (60) days before the date fixed for redemption. Such mailing is not a condition precedent to redemption, and the failure to mail or to receive any redemption notice will not affect the validity of the redemption proceedings. If any bond subject to redemption is a part of a greater principal amount of the bonds not to be redeemed, such entire amount shall be surrendered to the Bond Registrar/Paying Agent and, for that portion of the bond not to be redeemed, a new bond shall be issued in the name of the registered owner in an amount equal to the principal amount of the bond surrendered less the amount to be redeemed.

Section 46. The bonds will be issued in fully registered form by means of a book-entry system with no physical distribution of bond certificates made to the public. One bond certificate for each maturity will be issued to The Depository Trust Company, New York, New York ("DTC"), and immobilized in its custody. The book-entry system will evidence ownership of the bonds in principal amounts of \$5,000 or integral multiples thereof, with transfers of beneficial ownership effected on the records of DTC and its participants pursuant to rules and procedures established by DTC. Interest on the bonds will be payable at the times stated in Section 43 of this resolution, and principal of the bonds will be paid annually on August 1, as set forth in the maturity schedule hereinbefore stated, in immediately available funds to DTC or its nominee as registered owner of the bonds. Transfer of principal and interest payments to participants of DTC will be the responsibility of such participants and other nominees of beneficial owners. Interest will be payable to owners of bonds shown on the records of DTC as of the fifteenth day of the month preceding the month in which such interest payment date occurs. The Township will not be responsible or liable for maintaining, supervising or reviewing the records maintained by DTC, its participants or persons acting through such participants.

In the event that (a) DTC determines not to continue to act as securities depository for the bonds, or (b) the Township determines that continuation of the book-entry system of evidence and transfer of ownership of the bonds would adversely affect the interests of the beneficial owners of the bonds, the Township will discontinue the book-entry system with DTC. If the Township fails to identify another qualified securities depository to replace DTC, the Township will authenticate and deliver replacement bonds in the form of fully registered certificates. The principal of and the interest on the bonds shall be payable in any coin or currency of the United States of America which is legal tender for the payment of public and private debts on the respective dates of payment thereof.

Section 47. The Chief Financial Officer, pursuant to N.J.S.A. 40A:2-34, is hereby authorized to sell and award the bonds in accordance with the terms of the notice of sale, such terms to be determined by a resolution of the Township Council to be hereafter adopted. The Chief Financial Officer shall report in writing to the Township Council at the next meeting after the sale of the bonds as to the principal amount, interest rates and maturities of the bonds sold, the price obtained and the name of the purchaser.

Section 48. All of said bonds shall be signed by the Mayor by manual or facsimile signature and by the Chief Financial Officer by manual or facsimile signature and the corporate seal of said Township shall be imprinted, affixed or reproduced thereon and such seal shall be attested by the Township Clerk by manual or facsimile signature. The bonds will be authenticated by the manual signature of the Bond Registrar/Paying Agent.

Section 49. Each of said bonds shall be issued in substantially the following form:

[Form of Bond]

Unless this certificate is presented by an authorized representative of The Depository Trust Company, a New York corporation ("DTC"), to the issuer or its agent for registration of transfer, exchange or payment, and any certificate issued is registered in the name of Cede & Co. or such

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other name as requested by an authorized representative of DTC (and any payment is made to Cede & Co. or to such other entity as is requested by an authorized representative of DTC), ANY TRANSFER, PLEDGE OR OTHER USE HEREOF FOR VALUE OR OTHERWISE BY OR TO ANY PERSON IS WRONGFUL inasmuch as the registered owner hereof, Cede & Co., has an interest herein. No. R-__ \$ _____

UNITED STATES OF AMERICA
STATE OF NEW JERSEY
COUNTY OF PASSAIC
TOWNSHIP OF LITTLE FALLS
GENERAL IMPROVEMENT BOND

INTEREST RATE PER ANNUM % MATURITY DATE AUGUST 1, 20__ DATED DATE AUGUST 1, 2021 CUSIP 37173__

REGISTERED OWNER: CEDE & CO. PRINCIPAL SUM: -----DOLLARS

The Township of Little Falls, a municipal corporation of the State of New Jersey, located in the County of Passaic (hereinafter referred to as the "Township"), for value received hereby acknowledges itself indebted and promises to pay to the REGISTERED OWNER named above, on the MATURITY DATE specified above, upon surrender hereof, the PRINCIPAL SUM stated above and to pay to the REGISTERED OWNER hereof interest thereon from the DATED DATE of this Bond until it shall mature at the INTEREST RATE PER ANNUM specified above, payable on each February 1 and August 1, commencing February 1, 2022 (each, an "Interest Payment Date"), of each year until maturity or prior redemption. The principal hereof is payable at the office of the Chief Financial Officer, Municipal Building, 225 Main Street, Little Falls, New Jersey 07424 (the "Bond Registrar/Paying Agent"). The interest so payable on any such Interest Payment Date will be paid to the person in whose name this Bond is registered on the record date for such interest, which shall be the fifteenth day of the month preceding the month in which such Interest Payment Date occurs. Both the principal of and the interest on this Bond shall be paid in any coin or currency of the United States of America that is legal tender for the payment of public and private debts on the respective dates of payment thereof.

This Bond is one of an issue of Bonds of like date and tenor, except as to number, denomination, interest rate and maturity, issued pursuant to the Local Bond Law (Chapter 2 of Title 40A of the New Jersey Statutes, as amended) and pursuant to forty-one bond ordinances adopted by the Township Council of the Township on February 27, 2012 (Ord. No. 1147), September 8, 2014 (Ord. No. 1199), April 27, 2015 (five ordinances: Ord. Nos. 1212, 1213, 1214, 1215 and 1216), November 23, 2015 (Ord. No. 1234), May 23, 2016 (three ordinances: Ord. Nos. 1253, 1254 and 1255), December 19, 2016 (Ord. No. 1272), May 8, 2017 (five ordinances: Ord. Nos. 1286, 1287, 1288, 1289 and 1290), June 12, 2017 (Ord. No. 1295), September 25, 2017 (Ord. No. 1300), April 23, 2018 (five ordinances: Ord. Nos. 1321, 1322, 1323, 1324 and 1325), April 23, 2018 (Ord. No. 1326, as amended by Ord. No. 1337 adopted on October 29, 2018), August 27, 2018 (Ord. No. 1331), October 29, 2018 (Ord. No. 1336), April 22, 2019 (five ordinances: Ord. Nos. 1350, 1351, 1352, 1353 and 1354), June 10, 2019 (two ordinances: Ord. Nos. 1359 and 1360), May 18, 2020 (two ordinances: Ord. Nos. 1383 and 1384), June 8, 2020 (four ordinances: Ord. Nos. 1385, 1386, 1387 and 1388) and September 14, 2020 (Ord. No. 1389) and resolutions adopted by the Township Council of the Township on June 28, 2021. The Bonds maturing on or before August 1, 2028 are not subject to redemption prior to their stated maturities. The Bonds maturing on or after August 1, 2029 are subject to redemption at the option of the Township prior to maturity, in whole on any date or in part on any Interest Payment Date, on or after August 1, 2028, upon notice as hereinafter set forth at the redemption price of 100% of the principal amount being redeemed, plus accrued interest to the date fixed for redemption.

If the Township determines to optionally redeem a portion of the Bonds prior to maturity, such Bonds so redeemed shall be in such maturities as determined by the Township, and within any maturity, by lot; provided, however, that the portion of any Bond to be redeemed shall be in the principal amount of \$5,000 or some multiple thereof and that, in selecting Bonds for redemption, the Bond Registrar/Paying Agent shall treat each Bond as representing that number of Bonds that is obtained by dividing the principal amount of such Bond by \$5,000. Notice of redemption shall be given by first class mail in a sealed envelope with postage prepaid to the registered owners of the Bonds at their respective addresses as they last appear on the registration books kept for that purpose by the Bond Registrar/Paying Agent at least thirty (30) but not more than sixty (60) days before the date fixed for redemption. Such mailing is not a condition precedent to redemption, and the failure to mail or to receive any redemption notice will not affect the validity of the redemption proceedings. If any Bond subject to redemption is a part of a greater principal amount of the Bonds not to be redeemed, such entire amount shall be surrendered to the Bond Registrar/Paying Agent and, for that portion of the Bond not to be redeemed, a new Bond shall be issued in the name of the registered owner in an amount equal to the principal amount of the Bond surrendered less the amount to be redeemed.

The Bond Registrar/Paying Agent shall keep at its office the books of the Township for the registration of transfer of Bonds. The transfer of this Bond may be registered only upon such books and as otherwise provided in the resolution upon the surrender hereof to the Bond Registrar/Paying Agent together with an assignment duly executed by the registered owner hereof or his attorney or legal representative in such form as shall be satisfactory to the Bond Registrar/Paying Agent. Upon any such registration of transfer, the Bond Registrar/Paying Agent shall deliver in exchange for this Bond a new bond or bonds, registered in the name of the transferee, of authorized denomination, in an aggregate principal amount equal to the unredeemed principal amount of this Bond, of the same maturity and bearing interest at the same rate.

It is hereby certified and recited that all conditions, acts and things required by the Constitution or statutes of the State of New Jersey, to exist, be performed or happen precedent to or in the issuance of this Bond exist, have been performed and have happened, and that this Bond together with all other indebtedness of the Township, is within every debt and other limit prescribed by the Constitution or statutes of said State. The full faith and credit of the Township are hereby pledged irrevocably to the punctual payment of the principal of and interest on this Bond in accordance with its terms.

This Bond shall not be valid or become obligatory for any purpose until the Certification of Authentication hereon shall have been signed by the Bond Registrar/Paying Agent.

IN WITNESS WHEREOF, the Township has caused this Bond to be signed by its Mayor by manual or facsimile signature and by its Chief Financial Officer by manual or facsimile signature, and its seal to be impressed, affixed or reproduced hereon, and said seal to be attested by its Township Clerk by manual or facsimile signature and this Bond to be dated August 1, 2021.

[SEAL] (manual or facsimile signature) Mayor (manual or facsimile signature) (manual or facsimile signature) ATTEST: Township Clerk Chief Financial Officer

AUTHENTICATION DATE: AUGUST 5, 2021 CERTIFICATION OF AUTHENTICATION

This Bond is one of the Bonds described in the within-mentioned resolutions and is one of the General Improvement Bonds dated August 1, 2021 of the Township of Little Falls, in the County of Passaic, State of New Jersey.

Chief Financial Officer, as Bond Registrar/Paying Agent ASSIGNMENT

FOR VALUE RECEIVED the undersigned hereby sells, assigns and transfers unto _____, the within Bond and irrevocably appoints _____, attorney-in-fact, to transfer the within Bond on the books kept for registration thereof, with full power of substitution in the premises.

Dated: _____ NOTICE: The signature to this assignment must correspond with the name as it appears upon the face of the within Bond in every particular, without any alteration whatsoever. Signature Guaranteed: _____

[End of Form of Bond]

Section 50. Bonds may, upon surrender thereof at the office of the Bond Registrar/Paying Agent together with an assignment duly executed by the registered owner or his attorney or legal representative in such form as shall be satisfactory to the Bond Registrar/Paying Agent and, at the option of the registered owner thereof, be exchanged for an equal aggregate principal amount of bonds of the same maturity, of any denomination or denominations authorized by this resolution and bearing interest at the same rate. The transfer of any bond may be registered only upon the registration books of the Township upon the surrender thereof to the Bond Registrar/Paying Agent together with an assignment duly executed by the registered owner or his attorney or legal representative in such form as

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shall be satisfactory to the Bond Registrar/Paying Agent. Upon any such registration of transfer, the Bond Registrar/Paying Agent shall authenticate and deliver in exchange for such bond a new bond or bonds, registered in the name of the transferee, of any denomination or denominations authorized by this resolution, in an aggregate principal amount equal to the unredeemed principal amount of such bond so surrendered, of the same maturity and bearing interest at the same rate.

In all cases in which bonds shall be exchanged or the transfer of bonds shall be registered hereunder, the Bond Registrar/Paying Agent shall authenticate and deliver at the earliest practicable time bonds in accordance with the provisions of this resolution. All bonds surrendered in any such exchange or registration of transfer shall forthwith be canceled by the Bond Registrar/Paying Agent. The Township or the Bond Registrar/Paying Agent may make a charge for shipping and out-of-pocket costs for every such exchange or registration of transfer of bonds sufficient to reimburse it for any tax or other governmental charge required to be paid with respect to such exchange or registration of transfer, but no other charge shall be made for exchanging or registering the transfer of bonds under this resolution.

As to any bond, the person in whose name the same shall be registered shall be deemed and regarded as the absolute owner thereof for all purposes, and payment of or on account of the principal of any such bond and the interest on any such bond shall be made only to or upon the order of the registered owner thereof or his legal representative. All such payments shall be valid and effectual to satisfy and discharge the liability upon such bond, including interest thereon, to the extent of the sum or sums so paid.

The Township shall appoint such registrars, transfer agents, depositories or other agents and make such other arrangements as may be necessary for the registration, registration of transfer and exchange of bonds within a reasonable time according to the then commercial standards and for the timely payment of principal and interest with respect to the bonds. The Chief Financial Officer is hereby appointed registrar and paying agent for the Bonds (the "Bond Registrar/Paying Agent") subject to the right of the Township Council to appoint another Bond Registrar/Paying Agent, and, as such, shall keep at the Municipal Building, 225 Main Street, Little Falls, New Jersey 07424, the books of the Township for the registration, registration of transfer, exchange and payment of the bonds.

Section 51. The Mayor, the Chief Financial Officer and the Township Clerk are hereby authorized and directed to cause said bonds to be prepared and to execute and deliver said bonds upon payment of the purchase price therefor.

Section 52. This resolution shall take effect immediately upon its adoption.

Renewal of Plenary Retail Consumption Licenses

**TOWNSHIP OF LITTLE FALLS
PASSAIC COUNTY NEW JERSEY
RESOLUTION [C] 21-06-28 - #3**

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

WHEREAS, applications for renewal of **PLENARY RETAIL CONSUMPTION, PLENARY RETAIL DISTRIBUTION and CLUB LICENSES** have been filed as follows:

<u>License No.</u>	<u>License and/or t/a name</u>	<u>Fee</u>
1605-44-010-005	3C, LLC, Inc. t/a Shoprite Liquors of Little Falls Corner Browertown Road & Rose Street	\$2,200.00
1605-33-013-007	Maggie's Place, LLC t/a Maggie's Town Tavern 10 Van Ness Avenue	"
1605-33-011-012	Bask 2 Inc. t/a 381 Main 381 Main Street	"
1605-33-005-010	Chela's Restaurant & Bar, LLC t/a Chela's Restaurant & Bar 131 Newark Pompton Turnpike	"
1605-33-006-004	Yellow Leaf, LLC t/a Bromley's 70 East Main Street, 3 rd Floor	"
1605-33-001-010	Orange Leaf, LLC 70 East Main Street, 3 rd Floor	"
1605-33-007-013	JJF Spirits, LLC 109 Newark Pompton Tpke.	"
1605-33-002-004	Brinker New Jersey Inc. t/a Chili's Southwest Grill & Bar Rte. 46 @ Browertown Road	"
1605-33-009-007	Mansion Caterers, Inc. t/a The Falls 215 Newark Pompton Tpke.	"
1605-33-014-010	Rare the Steakhouse LLC t/a Rare the Steakhouse LLC 440 Main Street	"
1605-33-003-010	Sear Restaurant Corp. t/a Sear 1 Newark Pompton Turnpike	"
1605-33-008-004	Little Falls Beverages and Bar Inc. t/a Little Falls Discount Liquors 315 Main Street	"
1605-33-004-002	Woodhull Crossing, Inc. 4-6 Woodhull Avenue	"
1605-31-017-001	Henry Buikema Post 121, Inc. American Legion Post 121 55 Van Ness Avenue	\$165.00
1605-31-016-001	Singac Memorial Post 108, Inc. American Legion Post 108 591 Main Street	"

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and **WHEREAS**, it appears that all of the said applications are in satisfactory form; that the applicants have complied with all necessary requirements; that all applications are for renewals by the same persons for the same stands; and that no objections, in writing or otherwise, have been made or filed to any of said applications; and

WHEREAS, the Township Council is familiar with all of the aforementioned applicants and the places for which they apply and sees no objection to any;

NOW, THEREFORE, BE IT RESOLVED that the above-listed applications be and the same are hereby granted; and
BE IT FURTHER RESOLVED that licenses be issued accordingly, to become effective on July 1, 2021 and expire on June 30, 2022.

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

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

The Council President declared the motion passed.

REGULAR AGENDA

NEW BUSINESS

Ordinance No.1415 - It was moved by Councilmember Kahwaty, seconded by Councilmember Hablitz, that there be introduced and the meeting of July 26, 2021 set as the date for the public hearing of the following:

ORDINANCE NO. 1415

ORDINANCE OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF LITTLE FALLS IN THE COUNTY OF PASSAIC, STATE OF NEW JERSEY, AMENDING THE TOWNSHIP CODE CHAPTER 280 ENTITLED ZONING

WHEREAS, the Township of Little Falls ("Township") is a public body corporate and politic of the State of New Jersey; and
WHEREAS, the Township's Code of General Ordinances ("Code") currently provide for the regulation of development throughout the Township; and

WHEREAS, the municipal council ("Municipal Council") of the Township has determined to amend Chapter 280 Article XI Business B-2 District, Section 280-81 Conditional Uses as follows;

Conditional uses in the Business **B-2 District** are as set forth in the Schedule of Use, Area and Bulk Regulations included at the end of this chapter, with the following conditions:

A. In the **B-2 District**, new car establishments, establishments duly licensed by the State of New Jersey as follows:

Class 1 Cannabis Grower License – grows, cultivates, or produces cannabis in this State, and sells, and may transport, this cannabis to other cannabis growers, cannabis processors, cannabis wholesalers, or cannabis retailers, **but not to consumers**. A cannabis grower may also be referred to as a "cannabis cultivation facility."

Class 2 Cannabis Processor License – processes cannabis items in this State by purchasing or otherwise obtaining cannabis, manufacturing, preparing, and packaging cannabis items, and selling, and optionally transporting, these items to other cannabis processors, cannabis wholesalers, or cannabis retailers, **but not to consumers**. A cannabis processor may also be referred to as a "cannabis product manufacturing facility."

Class 3 Cannabis Wholesaler License – purchases or otherwise obtains, stores, sells or otherwise transfers, and may transport, cannabis items for the purpose of resale or other transfer to either to another cannabis wholesaler or to a cannabis retailer, **but not to consumers**.

Class 4 Cannabis Distributor License – transports cannabis items in bulk intrastate, from one licensed cannabis establishment to another licensed cannabis establishment and may engage in the temporary storage of cannabis items as necessary to carry out transportation activities, **but not to consumers**.

Class 6 Cannabis Delivery License – provides courier services for a cannabis retailer in order to make deliveries of cannabis items and related supplies to a consumer.

Class 5 Cannabis Retailer License are specifically prohibited in the B-2 District.

These uses are permitted as a conditional use subject to the approval by the Planning Board of a conditional use application and subject to the regulations included in the Schedule of Use, Area and Bulk Regulations included at the end of this chapter and the following conditions and limitations:

(1) All of the area of the minimum front setback shall be landscaped, except that a five-foot area immediately in front of the building shall be permitted and except that exit and entry points for driveways shall be permitted.

(2) There shall be no exterior display of cars for sale, except on that portion of the lot which is to the rear of the rear building line. In any area in which cars are displayed for sale, there will be a six-foot-high wall or fence, which is visually impervious, which shall be placed on the property line.

(3) There will be no exterior amplification of sound anywhere on the site.

(4) There will be no exterior display of flags, pennants or banners anywhere on the site, except for one American flag.

(5) Parking will be permitted in the rear yard, but not closer than five feet to the property line. Similarly, parking will be permitted in the side yards, but only that portion of the side yards which are interior to a projection of the rear building line. However, the parking shall not be closer than within five feet of the property line. The five-foot area in which no parking is permitted will be landscaped. No parking shall be permitted in any portion of the front yard.

(6) There will be no loading or unloading of automobiles from the highway.

(7) As an incident to and subordinate to the new car sales, the sale of used cars will be permitted, as well as servicing also incident to and subordinate to the new car sales establishment.

(8) There shall be one parking space for every 350 square feet of interior building area.

(9) All of the provisions of the **B-2 District** which are not in conflict with the within provisions shall be applicable to new car establishments, and establishments duly licensed by the State of New Jersey for Cannabis as defined above and its related items in any form in compliance with New Jersey Statutes and regulations

(10) The provisions of Chapter 227, Subdivision of Land, and Chapter 218, Stormwater Management, shall be applicable to new car establishments, and establishments duly licensed by the State of New Jersey for Cannabis as defined above and its related items in any form in compliance with New Jersey Statutes and regulations as shall all other ordinances of the Township not otherwise inconsistent with the conditional use provision of this subsection.

(11) On-site lights will be reflected downwards and away from residential areas.

(12) There shall be no exterior display of Cannabis, Marijuana, Weed or Pot in any form or signage which can be viewed either on the exterior of the building or through the windows of the building. On that portion of the lot which is to the rear of the rear building line there will be a six-foot-high fence erected which will be visually no less than 50% clear, which shall be placed on the property line.

(13) All deliveries related to Cannabis and related products will be made through the rear entrance of the building.

(14) For businesses establishments duly licensed by the State of New Jersey for Cannabis as defined above there shall be one parking space for every 100 square feet of interior building area.

(15) For businesses establishments duly licensed by the State of New Jersey for Cannabis as defined above it is required to install special electrostatic devices which will be designed to eliminate fumes from this product leaking into the atmosphere outside the building.

(16) In all Zones in the Township consumption of Cannabis in any form and smoking of Cannabis and use of its related items is strictly prohibited indoors and outdoors on public property, the operation of a Café for the purpose of consuming Cannabis and its related products in any form in compliance with New Jersey Statutes and regulations is prohibited.

(17) Within the B-2 District no establishments duly licensed by the State of New Jersey for Cannabis as defined above shall be located closer than 500 feet from a similar establishment. Additionally, no establishments duly licensed by the State of New Jersey for Cannabis as defined above shall be located closer than 1,000 feet from any school building.

(18) **The Class 5 Cannabis Retailer License are specifically prohibited in the B-2 District.**

1. This ordinance shall be sent to the Planning Board for their review and comments prior to the final adoption by the Governing Body.

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- 2. A copy of this Ordinance shall be available for public inspection at the offices of the Township Clerk.
- 3. This Ordinance shall take effect upon its final passage by the Municipal Council, and approval by the Mayor and publication as required by law.

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

The Council President declared the motion passed.

Ordinance No.1416 - It was moved by Councilmember Kahwaty, seconded by Councilmember Hablitz, that there be introduced and the meeting of July 26, 2021 set as the date for the public hearing of the following:

ORDINANCE NO. 1416
ORDINANCE OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF LITTLE FALLS IN THE COUNTY OF PASSAIC, STATE OF NEW JERSEY, AMENDING THE TOWNSHIP CODE CHAPTER 280 ENTITLED ZONING TO ESTABLISH ARTICLE XIV-A SPECIAL COMMERCIAL DISTRICT

WHEREAS, the Township of Little Falls (“Township”) is a public body corporate and politic of the State of New Jersey; and **WHEREAS**, the Township’s Code of General Ordinances (“Code”) currently provide for the regulation of development throughout the Township; and

WHEREAS, the municipal council (“Municipal Council”) of the Township has determined to amend Chapter 280 to establish a Special Commercial Zone in the Township of Little Falls; and

WHEREAS, it has been determined that the special commercial zone (Designated SC) shall be established from the existing Industrial zone located on the west side of Paterson Avenue between the existing TV-CBD zone and Route 46, which was previously designated LI on the zoning map.; and

WHEREAS, the principal permitted uses as follows will apply to the SC zone;

ARTICLE XIV-A
Special Commercial District

§ 280-105-A. Principal permitted uses.

Principal permitted uses in the Industrial I District are as set forth in the Schedule of Use, Area and Bulk Regulations included at the end of this chapter

§ 280-105-B. Buffers with residential districts.

Where an industrial district abuts a residential district, there shall be provided along any rear, side or front line coincidental with any industrial-residential boundary a buffer strip not less than 40 feet in width as measured at right angles to the lot line. Plant materials at least six feet in height of such variety and growth habits so as to provide a year-round, effective visual screen when viewed from the residence district shall be planted within the exterior 25 feet abutting the residence district. If the required planting screen is set back from the industrial-residential boundary, the portion of the buffer strip between the residence district and the required planting screen shall be attractively maintained. The exterior 25 feet of the buffer strip shall not be devoted to the parking of vehicles or storage of any material or accessory uses. The interior 15 feet may be devoted to the parking of vehicles.

§ 280-105-C. Off-street parking.

- A. There shall be a minimum of one parking space for each 300 square feet of fl space except where a structure is used solely for warehousing, in which case there shall be a minimum of one parking space for every one employee.
- B. Each parking space, including the aisle area, shall consist of a minimum of 300 square feet.
- C. The aforesaid parking facilities shall be off public streets and shall be designated on the plans submitted for site plan approval. If such parking area is outdoors, the parking area shall be fully paved with asphalt or concrete.
- D. No parking area shall be used for any purpose other than the parking of automobiles or other vehicles.
- E. No parking area shall be located within fi feet of the side or rear property lines nor in the required front yard.

§ 280-105-D. Off-street loading facilities.

Off-street loading and unloading facilities shall be provided for each establishment. No loading docks shall be permitted on any street frontage, and provision for handling of all freight shall be on the side or rear of all buildings.

§ 280-105-E. Construction and alteration of buildings.

All structures shall be of masonry construction or its equivalent, and the entire exterior thereof shall be fi with brick, stone, or such other material as may be approved by the Planning Board.

§ 280-105-F. Maintenance of plot; storage.

No waste material shall be dumped upon or be permitted to remain upon any part of the plot outside of the building constructed thereon. No plot area between the building setback line and the street shall be used for either temporary or permanent display or storage of materials or equipment. Such area shall be maintained as lawns and landscaping with the necessary walks and driveways. Finished products or semifinished products may be stored outside of the building on the rear part of the plot, provided that such storage space is screened by fences, walls, or planting from public view and confined within the setback lines provided for in this section.

§ 280-105-G. Review and approval.

No building shall be constructed, altered or located in this district unless it has been reviewed and approved by the Planning Board as to plot plan, site plan, building plan and specifications and such other requirements as set forth herein and in other applicable ordinances, laws, rules and regulations.

- A. The Planning Board shall give due consideration to the following:
 - (1) Traffic access and circulation.
 - (2) Disposition of open space, particularly where adjacent to any residential district.
 - (3) Landscaping, as required by the Shade Tree Commission.
- B. In addition to all other requirements, the Planning Board shall assure satisfactory and harmonious relations between the intended uses and the existing and prospective development of contiguous lands and adjacent neighborhoods. The Planning Board shall review the design and type of construction of the proposed buildings in relation to its district and immediate neighborhood; and where it is deemed that the design or construction is so similar or dissimilar to adjacent or neighborhood buildings so as to be incongruous with the character of surrounding development or seriously detrimental to other properties, or to involve exceptional risks of public health or safety, site plan approval shall be denied.

§ 280-105-H. Performance standards.

Before any building permit is issued for a use in an Industrial District, satisfactory evidence shall be presented with the application that the proposed use shall conform to the following performance standards:

- A. Vibration. No vibration shall be discernible at the zoning lot lines or beyond.
- B. Smoke. There shall be no emission of visible gray smoke of a shade equal to or darker than No. 1 on the Ringelmann Chart.
- C. Odors. No offensive odor shall be noticeable at the zoning lot line or beyond.
- D. Fly ash, dust. There shall be no emission which can cause any damage to health, animals or vegetables or other forms of property or any excessive soiling.
- E. Glare. No direct or sky-reflected glare shall be visible at the zoning lot line or beyond.
- F. Liquid or solid wastes. There shall be no discharge into any disposal system, public or private, or streams, or into the ground of any materials of such nature or temperature as can contaminate any water supply, including groundwater supply.
- G. Radioactivity. There shall be no activities that emit dangerous radioactivity at any point, as covered by federal government standards.

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- H. Noise. There shall be no continuous hum, intermittent noise or noise with any noticeable shrillness of a volume of more than 50 decibels, measured at zoning lot lines.
- I. Fire and explosion hazard. There shall be no process or storage of material in such manner as to create undue hazard by reason of fire or explosion.

Schedule of Use, Area and Bulk Regulations

Principal Permitted Uses with Site Plan Approval:

Research laboratory and accessory offices (1)
Business, industrial or governmental offices
Public utility substations or pumping stations in accordance with 280-122
Publishing houses
Manufacturing by distillation, fabrication, assembling or other handling of products (2)
Warehousing, **except** highly combustible and explosive matter and self-storage or mini storage facilities (3)
Business signs complying with Article XX

Notes:

- (1) Provided that such laboratory does not require heavy machinery for testing and provided that there shall be no disagreeable odors, harmful gases or noise greater than permitted in 280-105
- (2) Such use, including storage of material or equipment, must be conducted entirely within a fully enclosed building, must not constitute a fire, explosion or physical hazard, and smoke, gas, dust odors or any other atmospheric pollution cannot exceed, at any point on or above the lot outside the buildings, permissible amounts.
- (3) The matter stored therein shall not give rise to noxious odors nor shall it otherwise be deleterious to health, safety and welfare of the occupants of the building and to the public.,

Accessory Uses:

Processing and assembly accessory to a permitted use with Site Plan Approval:
Customarily incidental to principal permitted use.

Minimum Lot:

Area-(Sq. Ft) 20,000
Width-(ft.) 100
Depth-(ft.) 100

Minimum Required Yards:

Front-(ft.) 25
One Side-(ft.) 20
Total Side-(ft.) 40
Rear-(ft.) 10

Maximum Building

Height-(ft.) 2 stories or 30 ft.

Buffer to Residential-(ft.) 40

Max percentage Building Coverage- 40%

Conditional Uses with Site Plan Approval:

Establishments duly licensed by the State of New Jersey as follows:

These uses are permitted as a conditional use subject to the approval by the Planning Board of a conditional use application and subject to the regulations included in the Schedule of Use, Area and Bulk Regulations included at the end of this chapter and the following conditions and limitations:

Class 1 Cannabis Grower License – grows, cultivates, or produces cannabis in this State, and sells, and may transport, this cannabis to other cannabis growers, cannabis processors, cannabis wholesalers, or cannabis retailers, **but not to consumers**. A cannabis grower may also be referred to as a “cannabis cultivation facility.”

Class 2 Cannabis Processor License – processes cannabis items in this State by purchasing or otherwise obtaining cannabis, manufacturing, preparing, and packaging cannabis items, and selling, and optionally transporting, these items to other cannabis processors, cannabis wholesalers, or cannabis retailers, **but not to consumers**. A cannabis processor may also be referred to as a “cannabis product manufacturing facility.”

Class 3 Cannabis Wholesaler License – purchases or otherwise obtains, stores, sells or otherwise transfers, and may transport, cannabis items for the purpose of resale or other transfer to either to another cannabis wholesaler or to a cannabis retailer, **but not to consumers**.

Class 4 Cannabis Distributor License – transports cannabis items in bulk intrastate, from one licensed cannabis establishment to another licensed cannabis establishment and may engage in the temporary storage of cannabis items as necessary to carry out transportation activities, **but not to consumers**.

Class 6 Cannabis Delivery License – provides courier services for a cannabis retailer in order to make deliveries of cannabis items and related supplies to a consumer;

are permitted as a conditional use subject to the approval by the Planning Board of a conditional use application and subject to the regulations included in the Schedule of Use, Area and Bulk Regulations included at the end of this chapter in the SC Zone and the following conditions and limitations:

Class 5 Cannabis Retailer License are specifically prohibited in the SC District.

(1) There shall be no exterior display of Cannabis, Marijuana, Weed or Pot or any other terms which refer to Cannabis or Marijuana: such as, 420, but not limited to, or the effects of Cannabis or Marijuana: such as High or Stoned, but not limited to, or Cannabis or Marijuana paraphernalia: such as, Joint or Bong, but not limited to, in any form or signage which can be viewed either on the exterior of the building or through the windows of the building. On that portion of the lot which is to the rear of the rear building line there will be a six-foot-high fence erected which will be visually no less than 50% clear, which shall be placed on the property line.

(2) All deliveries related to Cannabis and related products will be made through the rear entrance of the building.

(3) For businesses establishments duly licensed by the State of New Jersey for Cannabis as defined above there shall be one parking space for every 100 square feet of interior building area.

(4) For businesses establishments duly licensed by the State of New Jersey for Cannabis as defined above it is required to install special electrostatic devices which will be designed to eliminate fumes from this product leaking into the atmosphere outside the building.

(5) In all Zones in the Township consumption of Cannabis in any form and smoking of Cannabis and use of its related items is strictly prohibited indoors and outdoors on public property, the operation of a Café for the purpose of consuming Cannabis and its related products in any form in compliance with New Jersey Statutes and regulations is prohibited.

(6) Within the SC District no establishments duly licensed by the State of New Jersey for Cannabis as defined above shall be located closer than 500 feet from a similar establishment. Additionally, no establishments duly licensed by the State of New Jersey for Cannabis as defined above shall be located closer than 1,000 feet from any school building.

- 4. This ordinance shall be sent to the Planning Board for their review and comments prior to the final adoption by the Governing Body.
- 5. A copy of this Ordinance shall be available for public inspection at the offices of the Township Clerk.
- 6. This Ordinance shall take effect upon its final passage by the Municipal Council, and approval by the Mayor and publication as required by law.

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

The Council President declared the motion passed.

Ordinance No.1417 - It was moved by Councilmember Seber, seconded by Councilmember Kahwaty, that there be introduced and the meeting of July 26, 2021 set as the date for the public hearing of the following:

ORDINANCE NO. 1417
AN ORDINANCE AMENDING THE LITTLE FALLS FIRE DIVISION IN THE CODE OF THE
TOWNSHIP OF LITTLE FALLS CODE SECTION 3-7.8 ENTITLED: FIRE DIVISION

The Township of Little Falls is repealing Code section 3-7.8 in its entirety and replacing code section 3-7.8 as follows:
3-7.8 Fire Division.

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

Each Company has ownership of its own Fire House for which the Township pays a rental fee of \$5,700.00 to Company #1, \$4,500.00 to Company #2, \$4,200.00, to Company #3 and \$4,200.00 to Company #4 for storage of Municipal Apparatus and Equipment thru the annual municipal budget. The Township will pay for utilities for the Company owned Fire Houses and generator maintenance thru the annual municipal budget. The Township provides all firematic apparatus and equipment for use by the Fire Department, including the Department Chief's marked vehicle. Each Company shall provide one Assistant Fire Chief vehicle, owned by the company, for use by its duly elected Assistant Fire Chief, for which the Township will provide gasoline for said company owned vehicle. The Township, at the request of the Company, will provide those insurance coverages integral to the operations of the company under the Townships Master Insurance Program Insurance program offered by the Joint Insurance Fund.

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

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

C. Fire Chief.

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

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

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

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

- a) Prescribe Standard Operating Procedures, rules and regulations subject to the review by the Township Administrator, and approval of the Mayor.
- b) Upon arrival at a fire, enter upon and take charge of any buildings involved or endangered. The Chief's authority while directing the Department members at a fire shall be absolute and the Chief shall, when necessary, at a fire, order a street to be closed or traffic rerouted and may call upon the Police Division for any assistance required.
- c) Control and be responsible for the care and proper operation of all fire apparatus, and equipment.
- d) Purchasing for the Department is administered by the Fire Chief and must comply with the Township purchasing policy and procedures.
- e) Make such recommendations to the Mayor and Administrator for the betterment of the Department as he/she may deem necessary.
- f) Report Department activity to the Administrator monthly, and on an annual basis, the condition of the Department, a record of the fires and the attendance at the fires.
- g) Have the authority to request from any property owner or tenant access to any building for the purpose of conducting a fire pre plan and walk through in order to protect the members of the Department should they be called upon to enter the building during an emergency.
- h) The Fire Chief shall monitor for sufficiency the local water supply and distribution system as it relates to fire fighting and shall inform the Township Administrator of the conditions found and make recommendations for improvements and increased efficiency of the system as conditions may require.
- i) Establish and maintain a training program for all firefighters in the Department
- j) . In case of insubordination on the fire ground or at a firematic event, the Fire Chief may order a temporary suspension of a department member for a time not to exceed 5 days. The Fire Chief shall then make a formal report to the Township Administrator. If charges are sustained by the Township Administrator, the suspension will stand as ordered. If the situation requires continued discipline, suspension or termination, the Administrator shall inform the Mayor as to his/her determination. At this time the Township Labor Counsel shall be advised of the matter and will further investigate the situation. If extended suspension or termination is suggested the action to suspend or expel such member from the Department shall made by formal letter to the member.

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

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

(7) Absence of Fire Chief. In the absence of the Fire Chief, the next highest-ranking officer among the four Assistant Chiefs shall, temporarily or otherwise, perform all of the duties of the Fire Chief.

(D) Assistant Chiefs- Four Assistant Chiefs to be designated as First, Second, Third and Fourth Assistant Chiefs.

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

- (a) Direct and control the operations of the Fire Department at all fire emergencies and have the following duties:
- (b) Upon arrival at a fire, enter upon and take charge of any buildings involved or endangered. The Assistant Chief's authority while directing the Department members at a fire shall be absolute and the Assistant Chief shall, when necessary, at a fire, order a street to be closed or traffic rerouted and may call upon the Police Division for any assistance required.
- (c) Control and be responsible for the care and proper operation of all fire apparatus, and equipment.
- (d) Make such recommendations to the Fire Chief for the betterment of the Department as he/she may deem necessary.
- (e) Make such recommendations to the Fire Chief to request from any property owner or tenant access to any building for the purpose of conducting a fire pre plan and walk through in order to protect the members of the Department should they be called upon to enter the building during an emergency.
- (f) Assist the Fire Chief with the Training Program for the Department.

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

(E) Captains

The Captain of each company shall notify the Department Fire Chief of any firefighter by July 15, of each year who has not attended the required number of meetings, fires, training drills and wash nights during the first 6 months of the year. The Department Fire Chief

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Shall Certify to the Township Administrator, in writing, the name of all firefighters who have not attended the required number of meetings, fires, training drills and wash nights during first 6 months of the year. The Administrator shall thereupon notify the members and the Captains of said companies, in writing, that those member have been placed on guarded status. Each Company shall provide its members with a remedial plan to allow them to meet the required standard for membership in good standing over the next six month period. The member may request the Board of Fire Officers review the attendance record and seek reinstatement to full active membership. If the member is not satisfied with the result before the Board of Fire Officers, the member shall follow the grievance policy steps set forth in the Township's Personnel Policy Manual to resolve this dispute.

(F) Election of officers.

(A) Chief.

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

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

[3] In the event of the death, resignation or removal of the Chief, the membership of the Fire Department shall hold a special election on the second Thursday next following the death, or the effective date of the resignation or removal, and elect in accordance with the terms hereof another person to fill the office of the Chief for the unexpired term. The remainder of that term shall not count towards the two consecutive terms that a Chief can hold.

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

[5] If the First Assistant Chief declines to act as the Chief of the Department and no election to fill the position is held, then the Mayor shall appoint a qualified Department member to fill the unexpired term of the Department Chief.

(B) Assistant Chiefs.

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

[2] In the event of the death, resignation or removal of an Assistant Chief, the membership of the Fire Department shall hold a special election on the second Thursday next following the vacancy and elect in accordance with the terms hereof another person to fill the office of Assistant Chief. The vacancy will be filled by the ratification of the company's choice, with the new Assistant Chief becoming the third Assistant Chief, unless replacing the fourth assistant chief, in which case they shall become the fourth assistant chief. All of the other Assistant Chiefs except for the fourth assistant would automatically move up the chain of command.

(G) Eligibility.

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

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

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

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

(H) Election under direction of The Township Clerk and the Township Administrator.

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

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

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

(I) Rejection by the Mayor

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

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

(J) Board of Fire Officers.

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

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

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

(K) Company Officers.

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

(2) Duties of Captain.

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

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

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

(L) Membership.

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

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

(3) Eligibility and qualifications.

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

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

(c) Each application shall be accompanied by a certificate from the health care provider clearing the applicant for attendance at the Fire Academy/or Fire and certifying that the health care provider has examined the applicant and is of the opinion that the applicant is physically fit to perform the duties of a fire fighter.

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

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

(f) To remain a member of the Fire Department, a member shall be in good standing in accordance with the approved by-laws of the fire company to which the member belongs.

Each member shall be afforded the opportunity to be a member in good standing by attending and participating Company meetings, training drills, and wash nights.

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

(h) No member shall be permitted to transfer from one company to another unless the transfer shall be acceptable to both companies involved. The Board of Fire Officers may review the decision made by the company accepting the member only in terms of allocating the proper manpower in order to keep each company viable for fire response. This decision may be appealed to the Township Administrator by the Company accepting the new member. The Decision of the Administrator shall be final and not subject to appeal.

(4) Duties:

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

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

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

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

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

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

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

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

(M) Exempt certificates.

Each member of the Department who has performed not less than 60% of required duty for seven years shall be entitled to an Exempt certificate in compliance with the New Jersey Statutes 40A:14-56 et.al. thereof, signed by the Mayor, the Township Clerk and the Department Fire Chief and shall be entitled to wear such badge as shall be designated by the Mayor and shall be considered an exempt member of the Fire Department. Copy of each members exempt certificate shall be filed with the Township Clerk.

(N.) Interference with Fire Department

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

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

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

(1) Each junior firefighter shall be at least 16 years old, but not more than 18 years old, and assigned to one of the four fire companies in the Township.

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

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

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

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

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

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

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

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

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

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

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

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

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

(Q) LOSAP

Emergency Services Volunteer Defined Contribution Program.

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

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

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

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

(5) An active volunteer member shall be eligible to participate in the Length of Service Award Program immediately upon the commencement of the active volunteer member's performance of active emergency services in the Township's emergency services organization. Members who have served for a year or part of a year and have earned sufficient points to gain a monetary reward to their deferred income account shall be considered to have vesting rights from that time forward for all LOSAP contributions. Vested members shall be able to withdraw the deposited funds at any time in accordance with current IRS rules, New Jersey state laws and applicable rules established by the plan's fiduciary administrator. In the event of the death of a volunteer member who is vested, contributions made to the member's account shall be distributed to the member's immediate family in accordance with current IRS rules and New Jersey state laws

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

(a) Point system: Sixty-point annual goal for maximum contribution points may be earned as either all fire call points or a combination of fire call points and activity points. No more than 24 activity points shall be earned annually. Fire calls earn 0.3 points each.

Fire Calls Earned Points

50	15
100	30
150	45
	60

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

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

* Members must qualify every year.

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

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

(c) Additional activity points shall be credited for accumulated years with the Little Falls Fire Division as follows:

Years Points

1 to 5	1
6 to 10	3
11 to 15	6
16 to 20	10

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

Points Accumulated Annually % of Maximum Annual Contribution to be Paid

60 or more	100%
50 to 59	75%
40 to 49	50%
30 to 39	25%
Less than 30 points	0%

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

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

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

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

Severability.

If any section, paragraph, subdivision, clause, sentence, phrase or provision of this ordinance is declared unconstitutional or invalid by a court of competent jurisdiction, such decision shall not affect the remaining portions of this ordinance.

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Repealer and Merger.

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

Section 7 - Effective Date.

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

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

The Council President declared the motion passed.

Ordinance No.1418 - It was moved by Councilmember Kahwaty, seconded by Councilmember Hablitz, that there be introduced and the meeting of July 26, 2021 set as the date for the public hearing of the following:

**ORDINANCE NO. 1418
AN ORDINANCE AMENDING THE LITTLE FALLS FIRE DIVISION IN THE CODE OF THE
TOWNSHIP OF LITTLE FALLS CODE SECTION 82.1 ENTITLED: FIRE PREVENTION**

The Township of Little Falls is repealing Code section 82.1 in its entirety and replacing code section 82.1 as follows:

FIRE PREVENTION

ARTICLE I

Local Enforcement Agency

§ 82-1. Local enforcement.

Pursuant to Section 11 of the Uniform Fire Safety Act (N.J.S.A. 52:27D-192 et seq.; PL. 1983, c. 383), the New Jersey Uniform Fire Code (N.J.A.C. 5:70-1 et seq.) shall be locally enforced the Township of Little Falls.

§ 82-2. Agency designation.

The local enforcing agency shall be the Bureau of Fire Prevention in the Little Falls Township Fire Department, which is hereby created herein. The Bureau of Fire Prevention shall hereinafter be known as the local enforcing agency.

§ 82-3. Duties of Fire Bureau.

(1) The local enforcing agency shall enforce the Uniform Fire Safety Act and the codes and regulations adopted under it in all buildings, structures and premises within the established boundaries of Little Falls, other than owner-occupied one-family and two-family dwellings and shall faithfully comply with the requirements of the Uniform Fire Safety Act and Uniform Fire Safety Code.

(2) ~~In accordance with N.J.A.C 5:71-3.3(a)25 investigate the cause, circumstances and origin of fires and report to the Township Police Department and to the Passaic County Prosecutor every case of suspicion of arson.~~

(3) ~~Support and administer the National Fire Incident Reporting System within the Township. The Fire Official or his designee shall certify all reports and submit required data.~~

§ 82-4. Organization.

The local enforcing agency established by § 82-2 of this chapter shall be under the direct supervision and control of a Fire Official who shall report to the Township Administrator.

§ 82-5. Appointments; qualifications; term of official removal. [Amended 6-21-2004 by Ord. No. 938; 12-28-2015 by Ord. No. 1236]

A. Appointment and qualifications of the Fire Official. ~~A person who holds a valid Fire Official's Certification issued by the New Jersey Division of Fire Safety and appointed by the Mayor.~~

~~The Fire Official shall be certified by the State of New Jersey and appointed by the Mayor. The Board of Fire Officers of the Little Falls Township Fire Department may provide the Mayor with recommendations for the appointment of a Fire Official, which recommendations shall be advisory and not binding upon the Mayor.~~

B. Appointment and qualifications of the Senior Fire Inspector. The Senior Fire Inspector shall be certified as a Fire Official by the State of New Jersey and appointed by the Township Administrator. ~~The Board of Fire Officers of the Little Falls Township Fire Department may provide the Township Administrator with recommendations for the appointment of a Senior Fire Inspector, which recommendations shall be advisory and not binding upon the Township Administrator.~~ The Senior Fire Inspector shall report to the Fire Official and be in charge of the Bureau of Fire Prevention in the event the Fire Official is absent for more than one week.

C. Appointment and qualifications of fire inspectors and other employees. Fire inspectors and other employees shall be appointed by the Township Administrator. ~~The Board of Fire Officers of the Little Falls Township Fire Department may provide the Township Administrator~~ The fire inspectors and other employees shall report to the Fire Official. All life hazard use inspectors shall be certified by the State of New Jersey.

D. Term of office. The Fire Official, Senior Fire Inspector, each fire inspector and other employees shall serve for a term of one year. Any vacancy shall be filled for the unexpired term.

E. Removal from office. The Fire Official, Senior Fire Inspector, fire inspectors and other employees shall be subject to removal by the Mayor for just cause. Before removal from office, the Fire Official, each fire inspector or other employees shall be afforded an opportunity to be heard by a hearing officer designated by the governing body. In the event of an adverse decision by the hearing officer, there shall be a right of appeal to the governing body.

§ 82-6. Recommendations by Board of Fire Officers.

~~The Board of Fire Officers of the Little Falls Township Fire Department may provide the governing body with recommendations regarding any changes in the ordinance governing the Little Falls Township Bureau of Fire Prevention, which recommendations shall be advisory and not binding upon the governing body.~~

§ 82-7. Life-hazard uses.

The Bureau of Fire Prevention established by § 82-2 of this chapter shall carry out the periodic inspections of life hazard uses required by the Uniform Fire Code on behalf of the Commissioner of the New Jersey Department of Community Affairs. Registration and inspection fees for life hazard uses shall be in accordance with the provisions of the Uniform Fire Code.

§ 82-8. Non-life-hazard uses.

In addition to the registrations and inspection fees required by the Uniform Fire Code, the following non-life-hazard uses shall register with the Bureau of Fire Prevention. These fees shall not be used for life-hazard uses as defined in the Uniform Fire Code.

A. Additional inspections and fees shall be required with regard to any use in the Township subject to the Uniform Fire Code. These uses shall be inspected not less than once every two years and pay an annual fee set forth in Chapter 71, Fees.

B. At the Discretion of the Fire Official, vacant buildings will be charged and inspected according to the previous use of the building.

C. Uses required to register with the State as life-hazard uses shall not be required to register under this section.

D. Payment of fees shall be made to the Township Bureau of Fire Prevention within 30 days of notice. Failure to pay the required fee on time will result in a penalty, equal to one times the amount unpaid fee.

§ 82-9. Permits and certificates of Fire Code status.

A. The application fee for Type 1-4 permits listed in N.J.A.C. 5:70-2.7 shall be in accordance with the provisions in N.J.A.C. 5:70-2.9.

B. The cost for the issuance of a certificate of Fire Code status shall be as set forth in Chapter 71, Fees. [Amended 12-22-2008 by Ord. No. 1060]

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§ 82-10. Fee for certificates of smoke detector and carbon monoxide alarm compliance. [Amended 12-22-2008 by Ord. No. 1060]

In addition to the application fees for certificates of smoke detector and carbon monoxide alarm compliance set forth under N.J.A.C. 5:70-2.3 and N.J.A.C. 5:70-2.9, the reinspection fee for a certificate of smoke detector and carbon monoxide alarm compliance shall be as set forth in Chapter 71, Fees.

ARTICLE II
Fire Alarms

§ 82-11. Definitions.

As used in this article, the following terms have the meanings indicated:

ALARMS — Any mechanical or electronic signal reporting by means of telephone cables or other means of transmission, which signals are monitored by the Little Falls Township Fire Department at its headquarters, or an audible alarm which is heard and/or called in by another and which signals, upon receipt or upon activation, indicate to the Fire Department that any emergency exists at the sending location. Said alarms shall include those types installed to indicate fire at the sending location.

FALSE NOTIFICATIONS — Any fire report or request for firm service directed to the Fire Department by any means of any communication wherein the situation, condition, incident or emergency as subject of the report or request did not and does not exist.

FIRE DEPARTMENT — The volunteer fire company or companies located within the Township of Little Falls.

PERSON — Any individual, partnership, association, syndicate, company, firm trust, corporation, department, bureau, agency, or other entity recognized by law as the subject of rights and duties.

§ 82-12. Registration of alarms required.

A. No person, firm or corporation shall install or cause to be installed any automatic alarm dialing equipment without have fi registered the same with the Township Clerk of the Township. The registration shall include the type of device utilized, including brand name or manufacturer thereof, serial number, type of device, from whom purchased, method of operation of the device, provisions relating to false alarms and testing procedures, a list of persons to be contracted in the event of an alarm and any other information as may be required by the Chief of the Fire Department or his designated agent.

B. Registration will be required of all person, firms or corporations who have installed said automatic alarm dialing equipment prior to the effective date of this article.

§ 82-13. Registration fee; operational fee.

A. Upon the filing of the registration, the registrant shall pay the Township a registration fee and thereafter an annual operational fee as set forth in Chapter 71, Fees, for all alarms terminating in the Township fi headquarters. This fee shall include both direct lease lined alarms and those utilizing recorded telephone dialing equipment. [Amended 12-22-2008 by Ord. No. 1060] § 82-13 LITTLE FALLS CODE § 82-16

B. The registration fee shall cover all or part of the fi year. The operation fee shall be payable by January 15 annually, as long as the alarm is in service.

§ 82-14. Enforcement.

The Bureau of Fire Prevention shall have the power and the duty to enforce the provisions of this article.

§ 82-15. False alarms prohibited.

It shall be unlawful for any person, persons, corporation, owner or lessee of any building in which a firealarm has been installed to:

A. Cause, suffer, allow or permit the accidental or purposeful transmission of a false alarm signal from any public or private place in the Township to the Fire Department of the Township.

B. Cause, suffer, allow or permit to be made any report or request for fi service or assistance by means of communication wherein the situation, condition, incident, or emergency as subject of the report or request for fi service or assistance do not and does not exist.

§ 82-16. Penalties for false alarm within a one-calendar-year period.

A. Penalties for false alarms transmitted from a multifamily (4 units or more) residential complex, business, commercial, and/or industrial premises shall be as follows:

Table with 2 columns: Number of Alarms Within a Calendar Year, Penalty. Rows include First 3 alarms (Warning only), 4th alarm (\$100), 5th alarm (\$250), 6th alarm (\$500), and In excess of 7 alarms (\$1,000 per alarm).

B. Penalties for false alarms transmitted from single-family detached dwellings, individual townhouses and condominium unit dwellings shall be as follows:

Table with 2 columns: Number of Alarms Within a Calendar Year, Penalty. Rows include First 3 alarms (Warning only), 4th alarm (\$50), 5th alarm (\$150), 6th alarm (\$250), and In excess of 7 alarms (\$500 per alarm).

ARTICLE III

Penalties and Enforcement

§ 82-17. Interference with fire systems prohibited; violations and penalties. [Amended 12-20-2004 by Ord. No. 952]

Blocking access, interfering or tampering with or causing malicious damage to any fire alarm, suppression system, fire communications system, fire detection, first aid, fire-fighting system, device, unit or part thereof shall result in a maximum penalty as provided for in the Uniform Fire Code. During an actual fire alarm, the condition shall result in a maximum penalty as required by the Uniform Fire Code. Penalties shall remain in effect until conditions are deemed corrected by the Bureau of Fire Prevention. Failure to comply shall result in an issued summons to appear in court. Penalties assessed from this chapter shall go into the Bureau of Fire Prevention account.

§ 82-18. Appeals.

Pursuant to Sections 15 and 17 of the Uniform Fire Safety Act (N.J.S.A. 52:27D-206 and 52:27D-208, respectively) any person aggrieved by any action of the local enforcing agency shall have the right to appeal to the Passaic County Construction Board of Appeals.

§ 82-19. Enforcement, violations and penalties.

Enforcement, violations, and penalties shall be managed in conformity with the Uniform Fire Safety Act, the Uniform Fire Code and all other laws of the State of New Jersey.

ARTICLE IV

Rapid Entry Systems [Added 12-22-2008 by Ord. No. 1062]

§ 82-20. Definitions.

As used in this article, the following terms shall have the meanings indicated:

AFFECTED STRUCTURE - Any building or structure located in the Township of Little Falls, whether privately or publicly owned, including, without limitation, any building owned by the Township of Little Falls, the Little Falls

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Board of Education, or any other public, quasi-public, or private entity or person, including but not limited to the following:

- A. Any industrial or warehouse building or structure;
- B. Hotels, motels or multiple dwellings which have locked main entrances at any time during the day or night or which have locked boiler rooms, electrical rooms, basements, sprinkler control rooms or elevator control rooms;
- C. All educational and day-care buildings or structures;
- D. All mercantile buildings and structures including shopping centers;
- E. All office buildings and structures;
- F. All buildings and structures of public assembly including churches, restaurants and movie theaters.

~~FIRE OFFICIAL - The Fire Chief or his or her designee.~~ **A person holding a valid Fire Official's Certification issued by the New Jersey Division of Fire Safety and appointed by the Mayor.**

HAZMAT CABINET- A UL-listed Knox Box HazMat cabinet approved by the Fire Official that meets the requirements and uses the same security key code adopted by the Fire Department.

KNOX BOX - A UL-listed Knox Bo Rapid Entry Key Box System approved by the Fire Official that meets the requirements and uses the same security key code adopted by the Fire Department.

MASTER KEY - The key or other instrument used to gain access to the various Knox Boxes to be utilized as a result of the provisions of this article.

RESPONSIBLE PARTY - The person(s) charged with the responsibility for the occupancy, building or business owner.

VAULT - A UL-listed Knox Vault approved by the Fire Official that meets the requirements and uses the same security key adopted by the Fire Department.

§ 82-21. Exemptions.

The following buildings or structures shall be exempt from the terms and provisions of this article: § 82-21

LITTLE FALLS CODE § 82-22

- A. Any building or structure staffed 24 hours a day, seven days a week;
- B. Any one- or two-family residential dwelling;
- C. Any storage shed, pump station, recycling trailer, recreation fi building or other similar type accessory building.

§ 82-22. Mandatory Knox Box and HazMat cabinet.

- A. Every affected structure within the Township of Little Falls shall be equipped with a Knox Box. The Knox Box shall be installed at a location and in a manner approved by the Fire Official. The Knox Box shall be of a UL type approved by the Fire Official.
- B. The location on the outside of the affected structure where the Knox Box is to be located must be, as nearly as possible, uniform among similar-type structures in order to promote quick accessibility upon arrival of fi personnel at the scene of an emergency. Given differing structural characteristics of different types of structures and buildings, the location of the Knox Box on the exterior of each affected structure shall be submitted to be approved by the Fire Official.
- C. Contents of Knox Box.
 - (1) The Knox Boxes shall contain the following:
 - (a) Keys or access or swipe cards to locked points of egress, whether in the interior or exterior of such buildings;
 - (b) Keys or access or swipe cards to the locked mechanical rooms;
 - (c) Keys or access or swipe cards to the locked elevator rooms;
 - (d) Keys or access or swipe cards to the elevator controls;
 - (e) Keys or access or swipe cards to any fence or secured areas;
 - (f) Keys or access or swipe cards to fire protection equipment;
 - (g) Keys or access or swipe cards to any other areas, that may be required by the Fire Official;
 - (h) Elevator emergency door release keys or drop keys. If these items are too large to place in the Knox Box, the responsible party shall supply a copy of all such keys in to the custody of the Fire Official;
 - (i) A card containing the emergency contact people and phone numbers for such building;
 - (j) If required by the Fire Official, all current information of hazardous materials stored in the building or facility. If the volume of material is too large to place in the Knox Box, the responsible party shall file the material with the Fire Official.
 - (2) In addition to the foregoing, floor plans of the rooms within the building may be required, in the sole discretion of the Fire Official.
 - (3) Each key or access card shall be individually tagged and labeled so as to be easily identified and shall be kept current. There shall be no more than one (1) key or access card per key ring.
- D. Where a building contains a business that is required to prepare or have available a materials safety data sheet or an emergency and hazardous chemical inventory form under Subtitle B, Sections 311 and 312 of Title III of the Superfund Amendments and Reauthorization Act of 1986 (SARA Title III), the Fire Official may require that the responsible party also install a HazMat cabinet or vault as determined by the Fire Official.
- E. The HazMat cabinet or vault shall contain the following information for emergency response personnel:
 - (1) A current list of facility management personnel knowledgeable about safety procedures of materials on site, complete with telephone numbers for such personnel in the event of an incident after normal business hours;
 - (2) A current emergency and hazardous chemical inventory form and a binder containing the material safety data (MSD) sheets or, in the event that the volume of the MSD sheets is too great to keep practically in the HazMat cabinet, shall give the location of the onsite MSD sheets and the MSD sheets shall be readily available for use by emergency response personnel.
 - (3) A facility site plan to include the following:
 - (a) The location of storage and use of hazardous materials on site;
 - (b) The location of on-site emergency fire-fi and spill clean- up equipment;
 - (c) A diagram of the complete sewer system and the water system, showing fire hydrant and water main locations and sizes;
 - (d) A copy of the local fire department's preplan for the facility;
 - (e) Any building floor plan deemed necessary by the Fire Official.
- F. The Fire Official may require the installation of tamper switches to connect the key lock box or vault box to the building's alarm system.
- G. The cost of purchasing and installing, along with any cost associated with implementation of the program at a specific affected structure, will be borne by the responsible party.

§ 82-23. Compliance.

All existing affected structures shall comply with this article within 12 months from the effective date. All newly constructed affected structures, not yet occupied, or affected structures currently under construction, and all affected structures or businesses applying for a certificate of occupancy or continued certificate of occupancy, shall immediately comply with the terms and provisions of this article.

§ 82-24. Noncompliance.

Any responsible party in violation of any provision hereof shall receive written notice of the violation(s) and be provided 30 days to correct the violation(s). Any responsible party, after receiving written notice by the Fire Official and failing to correct the violation within the thirty-day period, shall be subject to a fi of up to \$500 for each and

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every day of noncompliance. Continued noncompliance may result in the revocation of the certificate of occupancy.

§ 82-25. Return of keys.

Following the installation by a responsible party of a lock box, all keys currently in the possession of the Fire Official shall be returned to the responsible party.

§ 82-26. Master key security.

The Township of Little Falls Fire Official shall establish a system of security and procedures to limit access to any master key(s) to authorized personnel in times of emergency. The Fire Official shall, to the extent feasible and practical, use the latest technological advances available to preserve and enhance the security of the master key(s).

§ 82-27. Limitation of liability.

The Township of Little Falls and the Township of Little Falls, The Township's Fire Official and Township of Little Falls Fire Department assume no liability for any defects in the operation of the Knox Box, the keys contained in the Knox Box, any information stored within the key lock box or otherwise provided to the Fire Official, or the security of any property required to have a Knox Box due to access to the Knox Box by any person.

Severability.

If any section, paragraph, subdivision, clause, sentence, phrase or provision of this ordinance is declared unconstitutional or invalid by a court of competent jurisdiction, such decision shall not affect the remaining portions of this ordinance.

Repealer and Merger.

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

Section 7 - Effective Date.

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

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

The Council President declared the motion passed.

Ordinance No.1419 - It was moved by Councilmember Kahwaty, seconded by Councilmember Seber, that there be introduced and the meeting of July 26, 2021 set as the date for the public hearing of the following:

ORDINANCE NO. 1419

ORDINANCE OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF LITTLE FALLS IN THE COUNTY OF PASSAIC, STATE OF NEW JERSEY, AMENDING THE TOWNSHIP CODE CHAPTER 71 FEES

WHEREAS, the Township of Little Falls ("Township") is a public body corporate and politic of the State of New Jersey; and
WHEREAS, the Township's Code of General Ordinances ("Code") currently provides for the regulation of its Fees in the Township;
WHEREAS, the municipal council ("Municipal Council") of the Township has determined to amend Chapter 71 of the Code entitled Fees; and

WHEREAS, the Municipal Council has determined to amend said Chapter of the Code as follows:

71-2 Fees Schedule

Chapter 143 Parks and Recreation Facilities

Cross Country (4th – 8th Grade): \$35.00 - \$100.00

136. XI. Consistency, Severability and Repealer

(A) If any provision or portion of a provision of this ordinance is held to be unconstitutional, preempted by Federal or State law, or otherwise invalid by any court of competent jurisdiction, the remaining provisions of the ordinance shall not be invalidated.

(B) All ordinances or parts of ordinances, which are inconsistent with any provisions of this ordinance, are hereby repealed as to the extent of such inconsistencies.

(C) No provision of this ordinance shall be construed to impair any common law or statutory cause of action, or legal remedy there from, of any person for injury or damage arising from any violation of this ordinance or from other law.

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

1. The aforementioned recitals are incorporated herein as though fully set forth at length.
2. The Municipal Council hereby amends Chapter 71 of the Code entitled Fees of the Code of the Township of Little Falls.
3. It is the intent of the Municipal Council to incorporate the additions and/or supplements contained in this Ordinance in to the Code. All of the remaining provisions in Chapter 71 of the Code entitled Fees of the Code shall remain unchanged and have full force and legal effect. All other ordinances enacted and inconsistent herewith are hereby modified pursuant to the terms of this Ordinance.
4. If any section, paragraph, subdivision, clause, sentence, phrase or provision of this Ordinance is declared unconstitutional or invalid by a court of competent jurisdiction, such decision shall not affect the remaining portions of this Ordinance.
5. A copy of this Ordinance shall be available for public inspection at the offices of the Township Clerk.
6. This Ordinance shall take effect after twenty (20) days of its final passage by the Municipal Council, upon approval by the Mayor and publication as required by law.

PUBLIC COMMENT – GENERAL MATTERS

Members of the public who desire to provide comment shall raise their virtual hand in the Zoom application. The Meeting moderator will queue the members of the public that wish to provide comment and the Council President will recognize them in order. Members of the public who have joined the Meeting by calling in must press *6 to mute and unmute themselves and *9 to raise their hand. Members of the public who have joined the Meeting via the Zoom application must click the Reactions icon and then Raise the Hand icon. Please give your name and address for the record. Once the process is complete, we will return to the regular order of business.

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

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

The Council President declared the motion passed.

Tom Barone – 26 Viewmont Terrace, thanked the Council for an expeditious response to his concern raised at a previous Meeting.

Luis Fernandez, 54 Harrison Street, posed questions regarding Fire Co. 2. Mayor Damiano stated the Township has taken no position as to any relocation of the Fire Co. and added there have been discussions with KV Realty

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however, any decisions are up to the Fire Company. The Mayor then explained the relocation of dispatchers was a response situation.

Joe Krell – 45 Jacobus Avenue, requested line numbers be added to Ordinance No 1417 as it is a lengthy document and would provide a more effective reference while under discussion.

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

Poll: Ayes: Hablitz, 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 8:01 p.m.

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

The Council President declared the motion passed.

Cynthia Kraus
Municipal Clerk