

TOWNSHIP COUNCIL MEETING AGENDA

MONDAY, NOVEMBER 27, 2017
7:00 P.M.

SALUTE TO THE FLAG

STATEMENT OF PUBLIC NOTICE - TAKE NOTICE THAT ADEQUATE NOTICE OF THIS MEETING HAS BEEN PROVIDED IN ACCORDANCE WITH N.J.S.A. 10:4-8 AND N.J.S.A. 10:4-10 AS FOLLOWS: A NOTICE OF THE MEETING WAS PROMINENTLY POSTED ON THE BULLETIN BOARD AT THE MUNICIPAL BUILDING, LOCATED AT 225 MAIN STREET, LITTLE FALLS, N.J. ON JANUARY 3, 2017. A COPY OF THE NOTICE WAS MAILED TO THE NORTH JERSEY HERALD & NEWS AND THE RECORD ON THE SAME DATE. ADDITIONALLY, A COPY OF THE NOTICE WAS FILED IN THE OFFICE OF THE TOWNSHIP CLERK ON SAID DATE.

ROLL CALL

MINUTES

APPROVAL OF MINUTES FROM THE WORKSHOP MEETING OF NOVEMBER 13, 2017
AND THE REGULAR MEETING OF OCTOBER 30, 2017

REMARKS FROM THE CHAIR

COUNCIL MEMBER REPORTS

MAYOR'S REPORT

DISCUSSION OF LOWER NOTCH ROAD PARKING REGULATIONS

ATTORNEY'S REPORT

PUBLIC COMMENT - AGENDA ITEMS ONLY

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

CONSENT AGENDA

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

REPORTS

MUNICIPAL CLERK'S REPORT FOR THE MONTH OF OCTOBER 2017

MUNICIPAL CLERK'S DOG/CAT LICENSE REPORT FOR THE MONTH OF OCTOBER 2017

TAX COLLECTOR'S REPORT FOR THE MONTH OF OCTOBER 2017

RECREATION CENTER REPORT FOR THE MONTH OF OCTOBER 2017

CIVIC CENTER REPORT FOR THE MONTH OF OCTOBER 2017

POLICE ARREST REPORT FOR THE MONTH OF SEPTEMBER 2017

APPLICATIONS

GROVER CLEVELAND MIDDLE SCHOOL HSA, SILENT AUCTION, 2/24/18, 7:00 PM TO 11:00 PM, 215 ROUTE 23 SOUTH, LITTLE FALLS

GROVER CLEVELAND MIDDLE SCHOOL HSA, OFF-PREMISE 50/50, 2/24/18, 7:00 PM TO 11:00 PM, 215 ROUTE 23 SOUTH, LITTLE FALLS

LITTLE FALLS FIRE DEPARTMENT AUXILIARY APPLICATION, STEFAN SCHIMPF, REINERS ROAD, GREAT NOTCH FIRE CO. #4

LITTLE FALLS FIRE DEPARTMENT AUXILIARY APPLICATION, ALEXANDER BOSCAINO, HUDSON STREET, LITTLE FALLS FIRE DEPARTMENT

NJ STATE FIREMEN'S ASSOCIATION, JONATHAN NIELSEN, RIVERVIEW CIRCLE, LITTLE FALLS FIRE DEPARTMENT

RESOLUTIONS

RESOLUTION AUTHORIZING TRANSFERS IN THE 2017 BUDGET [A]

BILL LIST [B]

NEW BUSINESS

SECOND READING AND PUBLIC HEARING OF ORDINANCE #1302, AN ORDINANCE ENTITLED, "ORDINANCE OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF LITTLE FALLS, IN THE COUNTY OF PASSAIC, STATE OF NEW JERSEY, AMENDING THE TOWNSHIP CODE TO REGULATE RESTRICTIONS AS TO MORRIS CANAL MUNICIPAL PARKING LOT".

SECOND READING AND PUBLIC HEARING OF ORDINANCE #1303, AN ORDINANCE ENTITLED, "AN ORDINANCE AUTHORIZING AND DIRECTING THAT TITLE AND POSSESSION OF CERTAIN REAL PROPERTY SITUATED IN TAX BLOCK 122, LOT 54.01 AND 55 OWNED BY HIGHVIEW HOMES LF, LLC LOCATED WITHIN THE TOWNSHIP OF LITTLE FALLS, COUNTY OF PASSAIC AND STATE OF NEW JERSEY, BE ACQUIRED BY EMINENT DOMAIN OR PURCHASE OR GIFT".

INTRODUCTION OF ORDINANCE #1304, AN ORDINANCE ENTITLED, "ORDINANCE OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF LITTLE FALLS, IN THE COUNTY OF PASSAIC, STATE OF NEW JERSEY, AMENDING THE TOWNSHIP CODE CHAPTER 223 ENTITLED STREETS AND SIDEWALKS", WITH A SECOND READING AND PUBLIC HEARING SCHEDULED FOR DECEMBER 18, 2017.

INTRODUCTION OF ORDINANCE #1305, AN ORDINANCE ENTITLED, "ORDINANCE OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF LITTLE FALLS, IN THE COUNTY OF PASSAIC,

STATE OF NEW JERSEY, AMENDING ORDINANCE NUMBER 1268 FINALLY ADOPTED ON SEPTEMBER 25, 2017 IN ORDER TO AMEND PARKING RESTRICTIONS", WITH A SECOND READING AND PUBLIC HEARING SCHEDULED FOR DECEMBER 18, 2017.

PUBLIC COMMENT - GENERAL MATTERS

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

ADJOURN

RESOLUTION () 17-11-27 - # _____

WHEREAS, Title 40:4-58 of the New Jersey Statutes provides that should it become necessary, during the last two months of the fiscal year to expend for any of the purposes specified in the budget an amount in excess of the respective sums appropriated therefore and there shall be an excess in any appropriation over and above the amount claimed to be necessary to fulfill the purpose of such appropriation, the Governing Body may by resolution setting forth the facts (adopted by not less than 2/3 vote of the full membership thereof), transfer the amount of such excess of those appropriations deemed to be insufficient.

NOW, THEREFORE, BE IT RESOLVED, by the Governing Body of the Township of Little Falls, not less than 2/3 of the members thereof affirmatively concurring, that the Treasurer be and is authorized to make the attached transfers in the 2017 Budget Appropriations.

APPROVED: _____

cc: Finance Dept.
DLGS
Auditor
Budget File
Dept.

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TOWNSHIP OF LITTLE FALLS
Journal Entries
Sorted By Transfers

Total Debit: 61,500.00
Total Credit: 61,500.00

Records Printed

16

BUDGET TRANSFERS 11/27/2017 COUNCIL MEETINGS

Date	From	Debit	Credit Account #	Is Journal	Trans #
11/27/17			10,000.00 01-2010-20-1000-010	NON-CASH	42460
11/27/17			10,000.00 01-2010-21-1802-228	NON-CASH	42460
11/27/17			8,500.00 01-2010-25-2403-010	NON-CASH	42460
11/27/17			8,000.00 01-2010-25-2802-293	NON-CASH	42460
11/27/17			2,000.00 01-2010-43-4902-230	NON-CASH	42460
11/27/17			5,000.00 01-2010-22-1952-262	NON-CASH	42460
11/27/17			8,000.00 01-2010-25-2662-273	NON-CASH	42460
11/27/17			5,000.00 01-2010-25-3152-250	NON-CASH	42460
11/27/17			5,000.00 01-2010-28-3702-264	NON-CASH	42460
11/27/17		2,000.00	01-2010-43-4952-220	NON-CASH	42460
11/27/17		5,000.00	01-2010-25-2801-010	NON-CASH	42460
11/27/17		1,000.00	01-2010-25-2522-258	NON-CASH	42460
11/27/17		8,500.00	01-2010-25-2404-010	NON-CASH	42460
11/27/17		20,000.00	01-2010-20-1652-228	NON-CASH	42460
11/27/17		15,000.00	01-2010-20-1552-220	NON-CASH	42460
11/27/17		10,000.00	01-2010-20-1300-010	NON-CASH	42460

End of report.
Total Debit: 61,500.00
Total Credit: 61,500.00

ORDINANCE NO. 1302

**ORDINANCE OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF
LITTLE FALLS IN THE COUNTY OF PASSAIC, STATE OF NEW
JERSEY, AMENDING THE TOWNSHIP CODE TO REGULATE
RESTRICTIONS AS TO MORRIS CANAL MUNICIPAL PARKING LOT**

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 specifies the parking restrictions at various locations in the Township; and

WHEREAS, the municipal council ("Municipal Council") of the Township has determined to amend Chapter 7, Subchapter 7-40.11 to regulate parking at and/or on Morris Canal Municipal Parking Lot; and

WHEREAS, the Municipal Council has determined to amend Subchapter 7-40.11 of the Code to read as follows (additions are underlined):

"7-40.11 Morris Canal Parking Lot.

- a) **Property Description.** The provisions of this subsection shall apply to the property of the Township locally known as a portion of the old Morris Canal. The parking areas regulated hereby consists of the municipal parking lots bordering the Passaic River behind the buildings at the intersection of Main Street and Paterson Avenue.
- b) **Parking Regulations.**
 1. All vehicles must be parked in designated parking areas only and between the lines provided.
 2. Between the hours of 6 a.m. and 11 p.m., the parking of vehicles in the municipal parking lot shall be time-restricted such that no vehicle may be parked or remain standing for three or more consecutive hours.
 3. Between the hours of 11 p.m. and 6 a.m., all vehicles parked in the municipal lots must display a parking permit hangtag issued by the Township. The fee for such permit shall be set by the Township at \$300.00 per year.
 4. Only vehicles displaying a handicapped parking permit issued by the New Jersey Motor Vehicle Commission may be parked in handicapped stalls.
 5. During emergencies, parking may be temporarily prohibited or otherwise further regulated upon a declaration of emergency by the Mayor.
 6. Parking may be temporarily prohibited for snow plowing and removal in accordance with the Township's generally applicable ordinance regarding same.
 7. Unauthorized vehicles parked in the municipal lot overnight shall be subject to being towed.

8. The Township may reserve parking spaces for various types of municipal vehicles and/or officials. Such reserved spaces shall be prominently identified. Only authorized vehicles may be parked in such reserved spaces; all other vehicles will be subject to ticketing and towing at owner's expense.
9. Whenever snow has fallen and the accumulation is such that it covers the roadway, an emergency shall exist and no vehicle shall be parked in the main lot overnight and that permitted cars will only be allowed to park in an alternate lot so designated and posted by the Township for the duration of the snow event. The above parking prohibition shall remain in effect after the snow has ceased and until the parking lot has been plowed sufficiently and to the extent that parking will not interfere with the snow plowing or the normal parking arrangements. No other vehicles than those possessing a permit will be allowed in the alternate lot and may be subject to penalty.

c) Penalty. Any person who violates any provision of this subsection shall be liable for a fine in the Municipal Court in the amount of \$50 for the first offense, and not to exceed \$75 for any second offense within six months. A third offense within six months shall be subject to a fine of up to \$250."

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 Subchapter 7-40.11 of the Code to read as outlined above.
3. It is the intent of the Municipal Council to incorporate the additions, amendments and/or supplements contained in this Ordinance in to the Code. All of the remaining provisions in Chapter 7 of the Code shall remain unchanged and have full force and legal effect. All other resolutions and ordinances governing parking on Township streets and lots enacted and inconsistent herewith are hereby modified pursuant to the terms of this Ordinance.
4. The Township Public Works Department is hereby instructed to oversee the installation of all street signage required by the regulations adopted under this Ordinance.
5. 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.
6. A copy of this Ordinance shall be available for public inspection at the offices of the Township Clerk.
7. 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.

ORDINANCE #1303

AN ORDINANCE AUTHORIZING AND DIRECTING THAT TITLE AND POSSESSION OF CERTAIN REAL PROPERTY SITUATED IN TAX BLOCK 122, LOT 54.01 and 55 OWNED BY HIGHVIEW HOMES LF, LLC LOCATED WITHIN THE TOWNSHIP OF LITTLE FALLS, COUNTY OF PASSAIC AND STATE OF NEW JERSEY BE ACQUIRED BY EMINENT DOMAIN OR PURCHASE OR GIFT

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

WHEREAS, Highview Homes LF, LLC, is the owner of record of certain land situated in the Township of Little Falls (hereinafter referred to as "the Township") and designated as Tax Block 122, Lot 54.01 and 55 or a portion thereof, and being more commonly known as Wilmore Road, in the Township of Little Falls (hereinafter referred to as the "the Property"); and

WHEREAS, the Township has determined that the Property be acquired for public use for the general welfare and benefit of the community as setting aside property near a waterway; and

WHEREAS, the acquisition of such property will fulfill a primary goal of the Township with regard to preservation of the Township's character and environmental conditions of the neighborhood.

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

SECTION ONE AUTHORIZATION TO ACQUIRE LAND

Pursuant to the provisions of the "Local Lands and Buildings Law," N.J.S.A. 40A:12-1 et seq., and N.J.S.A. 40:61-11, the Township of Little Falls is hereby authorized and directed to acquire by purchase or gift, the hereinafter described real property provided that the owner of record expresses the desire to convey the said real property to the Township or, in the alternative, the Township is hereby authorized to take, or condemn the real property hereinafter described pursuant to the provisions of the "Eminent Domain Act of 1971", N.J.S.A. 20:3-1 et., seq., as follows: Tax Block 122, Lots 54.01 and 55 or a portion thereof, owned by Highview Homes LF, LLC and consisting of approximately 2,500 square feet more or less for the public use and to be maintained as such.

SECTION TWO AUTHORITY OF AGENTS

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

documents necessary for the acquisition of said real property; however, no settlement figure, purchase price or stipulation to purchase shall be binding on the Township of Little Falls or its agents until the Mayor and Council of the Township of Little Falls approves such figure or price by resolution.

**SECTION THREE
COST OF ACQUISITION**

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

NOW, THEREFORE, BE IT FURTHER ORDAINED that:

1. Ordinances, resolutions and regulations or parts of ordinances, resolutions and regulations inconsistent herewith are hereby repealed to the extent of such inconsistency; and
2. If any section, subsection, clause or phrase of this Ordinance is for any reason held to be unconstitutional or invalid by a court of competent jurisdiction, such a decision shall not affect the remaining portion of the Ordinance; and
3. This Ordinance shall take effect immediately upon final passage and publication in accordance with law.

ORDINANCE NO. XXXX

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 223 ENTITLED STREETS AND SIDEWALKS

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 safe use of various public streets and sidewalks in the Township; and

WHEREAS, the municipal council (“Municipal Council”) of the Township has determined to amend Chapter 223 entitled Streets and Sidewalks to include a Complete Streets Policy as follows;

ARTICLE VII- COMPLETE STREETS POLICY

7.1 Purpose

The Township of Little Falls Complete Streets Policy promotes a comprehensive, integrated, connected multimodal transportation network by providing connections to bicycling and walking trip generators such as employment, education, residential, recreational and public facilities, as well as retail and transit centers.

7.2 Goals

- a. Create a comprehensive, integrated, connected multimodal transportation network by facilitating connection to bicycling and walking trip generators such as employment, education, residential, recreational, and public facilities, as well as retail and transit centers in the Transit Village Zone.
- b. Provide safe and accessible accommodations for existing and future pedestrian, bicycle, vehicle and transit facilities on all roadways in the Township.
- c. Develop procedures for Township officials to evaluate transportation projects, major site plan reviews and redevelopment plans, and to ensure that adequate consideration of bicycle, pedestrian and transit needs are incorporated into the planning, design, constructions, and maintenance of projects.
- d. Transportation facilities constructed for long-term use shall anticipate likely future demand for bicycling, and walking facilities and not preclude the provision of future improvements.
- e. Designs shall address the need for bicyclist and pedestrians to cross corridors, as well as travel along them, in a safe accessible and convenient manner; therefore, the design of intersections, interchanges and bridges shall anticipate use by bicyclist and pedestrians.
- f. Improvements shall also consider connections for trail crossings and areas or populations groups with limited transportation options.
- g. Improvements shall comply with the Americans with Disabilities Act. (ADA)

7.3 Exemptions

There are no exceptions to the Complete Streets Policy in the Transit Village Zone. Exemptions in the remaining zones in the Township for the Complete Streets Policy shall be documented with supporting data that indicates the reason for the decision and are limited to the following:

- a. Pedestrian and bicycle facilities shall not be required where they are prohibited by law.
- b. Where scarcity of population, travel and attractors, both existing and future, indicate an absence of need for these accommodations, they shall not be required.
- c. Where detrimental environmental, safety or social impacts outweigh the need for these accommodations, they shall not be required.
- d. Proposed bike lanes and sidewalks shall have connections to adjoining Township and County roads. Bike lanes and sidewalks with no planned connections may not be considered.
- e. Where no present or future transit facilities exist, or are anticipated compliance is not required.

7.4 Complete Streets Priority Action Plan

The Complete Streets Priority Action Plan is set forth to identify priority actions and improvement areas for decision-makers, and Township professionals to focus their attention and propose complete street alternatives in adherence to the policy.

- a. Work with the Township School Districts to encourage walking and bicycling in accordance with school policies for school -aged children.
- b. Encourage and facilitate complete streets improvements on roadways owned and maintained by the County of Passaic.
- c. Promote al fresco dining in the Transit Village Zone to engender the community and encourage pedestrian activity.
- d. Require Public Works employees to consider complete streets policies during their maintenance activities. Employees shall be expected to:
 - (1) Complete street cleaning of the entire street surface, and
 - (2) Avoid snow plowing that pushes snow into crosswalks, blocking access. Blocked crosswalks shall be cleared as soon as possible.
- e. The Land Use Board shall promote Bicycle and pedestrian improvements during their review of commercial, retail, office, and multifamily residential land uses.

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

PASSED: _____

ATTEST:

APPROVE:

Cynthia Kraus, Municipal Clerk

James Belford Damiano, Mayor