

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

**Monday, September 12, 2016**

Council President Louis Fontana called the meeting to order at 9:04 p.m. with the following members present: James Damiano, Joseph Maceri, Pamela Porter, and William Liess. Also present were Mayor Darlene Conti, Township Attorney William Northgrave, Township Engineer Dennis Lindsay, Township Administrator Charles Cuccia, and Municipal Clerk Cynthia Kraus.

Absent: None

Township Employees present: DPW Superintendent Philip Simone, DPW Laborer Ron Stell, Deputy Registrar Marlene Simone, EMS Coordinator Joe Murray, Fire Official Ed Pomponio, Code Enforcement Officer Ron Cordero, Fire Inspector Tom Fahy, OEM Coordinator Sgt. Dan Gianduso, Sgt. Jason Presing, Police Chief Steven Post and Fire Chief Jack Sweezy

Following the Salute to the Flag, the Statement of Public Notice was read.

**STATEMENT OF PUBLIC NOTICE:** Take notice that adequate notice of this meeting was 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 8, 2016; a copy of the notice was faxed to the North Jersey Herald and News and The Record on the same date; additionally, a copy of the notice was filed in the office of the Township Clerk on said date.

**APPROVAL OF MINUTES**

It was moved by Councilmember Damiano, seconded by Councilmember Maceri, that the Minutes of the Regular meetings of August 10, 2015, September 21, 2015, October 19, 2015, December 28, 2015, January 25, 2016, February 22, 2016, March 28, 2016, and April 25, 2016 and the Minutes of the Workshop meetings of July 13, 2015, August 10, 2015, September 21, 2015, October 5, 2015, January 11, 2016, February 8, 2016, March 14, 2016 and April 11, 2016 be and they were approved.

Councilmember Porter abstained from the Regular Meeting and Workshop Meeting Minutes of August 10, 2015.

Poll:	Ayes:	Porter, Maceri Liess, Damiano and Council President Fontana
	Nays:	None

The Council President declared the motion passed.

**REMARKS FROM CHAIR**

Council President FONTANA announced Dave Kaplan will guest speak on Yogi Berra at the library on September 19, 2016 at 7:00 p.m. He encouraged all to attend. He noted the schools are in session in light of all the construction conducted during the summer. The 9-11 Ceremony was well attended with much gratitude to the Fire Department, Police Department, Little Falls schools and Passaic Valley High School for their contributions.

**COUNCIL MEMBER REPORTS**

Councilmember DAMIANO thanked the ABC for the well-organized summer concerts, and the Police Department for presence on foot and on bike. He stated the bonfire for football and cheerleading was well attended and that the 9-11 ceremony gathered together approximately 300 attendees.

Councilmember PORTER attended the bonfire and thanked the Police Department for their support. She noted the 9-11 Ceremony was well attended and commended the Fire and Police Departments. She commented on the accomplishment of being able to have the schools open with all of the construction projects performed over the summer.

Councilmember MACERI welcomed all students back to school for the 2016-2017 year and asked drivers to be mindful of students when on the roads. He added that youth sports are in session as well. Councilmember MACERI announced flu shots are available at the Civic Center from 11:00 a.m.-12:30 p.m. on October 6, 2016 and at the Municipal Building from 3:30 p.m. to 6:30 p.m. on October 31, 2016.

Councilmember LIESS had nothing to report as the Regional Flood Board did not convene during the summer.

**MAYOR'S REPORT**

Mayor Conti commented the 9-11 ceremony was very meaningful and thanked Councilmember Damiano for his organizational efforts. She read the final statement in a book of poems written by former Little Falls resident, Lenny Pullara, and noted the book will be available at the library. Mayor Conti announced she was notified that the Township received approval for a \$50,000 grant from the Passaic County Open Space trust fund to be applied towards batting cage improvements. Additionally, she declared the Township is participating in Drive Sober, Get Pulled Over and at this time read a Proclamation.

Mayor Conti then asked Joe Murray, EMS Coordinator, to provide a status report on EMS to date. Mr. Murray stated since the program's inception 18 weeks ago, 418 responses had been received as of September 10, 2016. Of those, 21 requested mutual aid. There were 239 transports, resulting in 252 billable transports. Response times have

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been between 4.5-5 minutes. A tracking system has been created to monitor all aspects of EMS. Mr. Murray reported strong support from the Fire Chief in asserting the first responder program among the fire companies when there are simultaneous EMS calls. Plans have been solidified with the High School and Recreation Center for coverage during football games; thus far there have been two emergencies. A good rapport has been established with the billing company to receive updates and vet out problem areas. The updates will be reviewed with Mr. Cuccia on a regular basis. Collaboration with the Police Department has yielded the potential for cost reduction through joint training and purchasing. The St. Joseph’s Regional Medical Center Paramedic program has sponsored training and in-services, which will allow our EMTs to use medications that are eligible for the BLS system. Mr. Murray is also being trained for electronic charting to ultimately enable crews in the field to enter patient demographics and insurance information into the billing system. Mr. Murray concluded his report by stating he has received nothing but positive comments from the public to date.

**ATTORNEY’S REPORT**

Mr. Northgrave stated he updated his recommendations on the truck ordinance at the Workshop Meeting, and at this time, had nothing further to report.

**PUBLIC COMMENT**

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

Poll: Ayes: Porter, Maceri Liess, Damiano and Council President Fontana  
Nays: None

The Council President declared the motion passed.

John Veteri, 133 Prospect Street, made the following points: 1) The Little Falls Education Foundation, a 5013c non-profit organization that provides grants to the schools, is holding an Oktoberfest fundraiser at the Russian Hall on October 21, 2016 at 7:00 p.m.; 2) Resulting from his presence at the Planning Board, billboard applicants expressed confusion regarding classification of billboards as principal use versus principal structure, therefore he requested Council clarify the code; 3) Several businesses throughout the Township have flashing signs that are against Township code, raising the issue of enforcement; 4) The new maintenance ordinance adopted two years ago is not codified on the website. In addition, the zoning map does not indicate the Transit Village changes; 5) A status updated was requested regarding the conveyance of Hemlock Road; 6) A status report on Crane Street was requested; and 7) A home on Stanley Street is in foreclosure and may present an opportunity for the Township to address parking expansions.

It was moved by Councilmember Damiano, seconded by Councilmember Maceri, that the meeting be and it was closed to the public.

Poll: Ayes: Porter, Maceri Liess, Damiano and Council President Fontana  
Nays: None

The Council President declared the motion passed.

Mr. Lindsay agreed with Mr. Veteri’s comment that the ordinance for billboards may require adjustment as the intent of the ordinance may not be adequately addressed in the actual verbiage. Mr. Bryce is expected to forward a letter to Mr. Cuccia requesting Council attention to the matter.

Council President FONTANA confirmed that Mr. Janota is working on updating the sign ordinance. Mr. Cuccia will request Mr. Janota review the ordinance in consideration of enforcement.

Mrs. Kraus provided an explanation as to why the ordinances referenced by Mr. Veteri were not codified, which was at Mr. Janota’s request. Mr. Cuccia added that they were placed on hold due to the existing COAH case, which, depending on the outcome, may require modification.

Mr. Cuccia stated the survey company has been contacted and asked to include the infrastructure in the survey of Hemlock Road. Mr. Lindsay to collaborate with the survey company.

Mr. Lindsay reported that the majority of the design for Crane Street is complete, however, all local aid projects have been put on hold, due to a lack of funding in the Transportation Trust Fund Act. Bidding can proceed once resolution of the local aid issue occurs.

**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 August 2016

MUNICIPAL CLERKS REPORT  
Month of August 2016

ABC LICENSES  
OTHER LICENSES  
Business Licenses  
Pre-paid Business Licenses  
Raffle Licenses

\$

\$

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REGISTRAR OF VITAL STATISTICS

Fees & Permits \$  
 Marriage Licenses-LF  
 Marriage Licenses-NJ \$

MRNA

Street Maps \$  
 Zoning Maps  
 Zoning Ordinances  
 Document Copies  
 Garage Sales  
 Misc. Fees & Refunds:

TOTAL MRNA \$  
 TOTAL CURRENT ACCOUNT \$  
 TOTAL TO TREASURER \$

Municipal Clerks Dog/Cat License Report-Month of August 2016

Tax Collector's Report – Month of August 2016

**MONTHLY REPORT**

Municipality of Township of Little Falls  
 Office of the Tax Collector  
 Township of Little Falls Current Account, Lakeland Bank  
 Revenues Collector for the Month of August 2016

Categories 01-	August 1-31, 2016	2016 Year to Date
2016 Taxes	\$9,336,380.47	\$33,539,247.95
2015 Taxes	25,920.67	573,434.60
2014 Taxes	0.00	392.22
Interest	10,175.38	101,923.91
Duplicate Tax Bills	15.00	285.00
Tax Searches	0.00	10.00
Insufficient Check Charge	20.00	120.00
6% Penalty Fee	0.00	13,588.35
<b>GRAND TOTALS</b>	<b>\$9,372,511.52</b>	<b>\$34,229,002.03</b>

Delinquent 2015 Taxes \$112,872.35 (1<sup>st</sup>-4<sup>th</sup> Qtrs.) Subject to tax sale 09/29/16.  
 Delinquent 2016 Taxes 782,578.57(1<sup>st</sup>-3rd Qtrs.)  
**Total Delinquent Taxes \$895,450.92**

2016 Refunds this month = -\$18,911.72  
 2016 Year to date refunds = -\$44,482.26

**Breakdown of refunds for years 2013-2016 completed in 2016(see attached).**

**REFUNDS IN THE YEAR 2016**

Months	All/Any 2015	2014 STCJ	2015 STCJ	2016 STCJ	2016 CBJ	Regular 2016	2016 Veteran / Widow	2016 Senior/ Disabled	Exempt 2016	2016 Homestead Benefit	Total by Months
January	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
February	\$7,682.87	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$7,682.87
March	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
April	\$250.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$250.00
May	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
June	\$33,632.85	\$0.00	\$0.00	\$0.00	\$0.00	\$6,448.35	\$0.00	\$0.00	\$0.00	\$0.00	\$40,081.20
July	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$18,333.31	\$0.00	\$0.00	\$0.00	\$788.88	\$19,122.19
August	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$16,019.23	\$0.00	\$0.00	\$0.00	\$2,892.49	\$18,911.72
<b>Totals</b>	<b>\$41,565.72</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$40,800.89</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$3,681.37</b>	<b>\$86,047.98</b>

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 August 2016

	Deposit	2016 Year-to-Date
January 2016	\$7,837.59	\$ 7,837.59
February 2016	\$ 0.00	\$ 7,837.59
March 2016	\$ 0.00	\$ 7,837.59
April 2016	\$17,102.85	\$24,940.44
May 2016	\$62,883.00	\$87,823.44
June 2016	\$ 0.00	\$87,823.44
July 2016	\$ 0.00	\$87,823.44
August 2016	\$ 7,651.19	\$95,474.63
<b>Total Collected as of August 31, 2016</b>		<b>\$95,474.63</b>

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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 August 2016

	Liens with Premiums Redeemed/ (-)	Bal. /Dep. (+)
Balance Brought Forward (January 1, 2016)		\$270,300.00
January 2016	\$ 0.00	\$270,300.00
February 2016	\$ 0.00	\$270,300.00
March 2016	\$ 0.00	\$270,300.00
April 2016	\$-15,000.00	\$255,300.00
May 2016	\$-28,000.00	\$227,300.00
June 2016	\$ 0.00	\$227,300.00
July 2016	\$ 0.00	\$227,300.00
August 2016	\$ 0.00	\$227,300.00
<b>Ending Balance as of August 31, 2016</b>	<b>\$227,300.00</b>	

**APPLICATIONS**

Raffle- On-Premise 50/50, Holy Cross Church, 10/28/16, 6 p.m.-10 p.m., 245 Paterson Avenue, Little Falls

Raffle- Tricky Tray, Holy Cross Church, 10/28/16, 6 p.m.-10 p.m., 245 Paterson Avenue, Little Falls

Little Falls Fire Department Auxiliary Application – Mario Divjaka, Paterson Avenue, Enterprise Co. #2

Little Falls Fire Department Auxiliary Application- Jon C. Hengeveld, Bergen Drive, Eagle Hose Co. #1

Little Falls Fire Department Auxiliary Application- Robert Poloniak, Tammy Terrace, Wayne Enterprise Fire Co. #2

**RESOLUTIONS**

Overpayment 3<sup>rd</sup> Quarter 2016 Property Taxes

**RESOLUTION [A] 16-09-12 #1**

**WHEREAS**, the property known as Block 8 Lot 12 assessed to Bernadette B. Weems of 209 Woodcliffe Ave., Little Falls, NJ has an overpayment on the 3rd quarter 2016 taxes in the amount of \$1,253.00; and

**WHEREAS**, the taxpayer paid the 3<sup>rd</sup> qtr. taxes along with the taxpayer’s mortgage holder (Chase) both in the amount of \$1,253.00; and

**WHEREAS**, the Tax Collector authorizes the Treasurer to refund the amount of \$1,253.00 made payable to Bernadette B. Weems, 209 Woodcliffe Ave., Little Falls, NJ 07424;

**NOW, THEREFORE BE IT RESOLVED** by the Township Council of Little Falls on this 12th day of September 2016 that Ms. Weems be refunded the total amount of \$1,253.00 due to an overpayment on the 2016 3rd quarter taxes.

Overpayment 2<sup>nd</sup> Quarter 2015 Property Taxes

**RESOLUTION [B] 16-09-12 #2**

**WHEREAS**, the property known as Block 40 Lot 39 assessed to 104 Bergen Dr LLC of 104 Bergen Drive, Little Falls, NJ had an overpayment on the 2nd quarter 2015 taxes in the amount of \$175.73; and

**WHEREAS**, Muidex transferred this overpayment on behalf of the Tax Collector on June 20, 2016 to the 3<sup>rd</sup> qtr. 2016 taxes which should have reflected a reduced amount on their 3<sup>rd</sup> qtr. estimated tax bill; however, it did not; and

**WHEREAS**, the taxpayer paid the 3<sup>rd</sup> qtr. 2016 in the actual billed amount of \$2,252.00 creating the overpayment in the amount of \$175.73; and

**WHEREAS**, the Tax Collector authorizes the Treasurer to refund the amount of \$175.73 made payable to 104 Bergen Dr LLC, 241 Cedar St, Cedar Grove, NJ 07009;

**NOW, THEREFORE BE IT RESOLVED** by the Township Council of Little Falls on this 12th day of September 2016 that 104 Bergen Drive LLC be refunded the total amount of \$175.73 due to an overpayment on the 2016 3rd quarter taxes.

Overpayment 3<sup>rd</sup> Quarter 2016 Property Taxes

**RESOLUTION [C] 16-09-12 #3**

**WHEREAS**, the property known as Block 69 Lot 16 assessed to Patti L. Capo of 20 Louis Street, Little Falls, NJ has an overpayment on the 3rd quarter 2016 taxes in the amount of \$230.00; and

**WHEREAS**, the 3<sup>rd</sup> qtr. 2016 taxes were billed at \$1,274.00, and Mortgage Connect LP paid a total of \$1,507.96 which included \$3.96 interest; and

**WHEREAS**, the Tax Collector authorizes the Treasurer to refund the amount of \$230.00 made payable to Mortgage Connect LP, 260 Airside Drive, Moon Township, PA 15108;

**NOW, THEREFORE BE IT RESOLVED** by the Township Council of Little Falls on this 12th day of September 2016 that Mortgage Connect LP be refunded the total amount of \$230.00 due to an overpayment on the 2016 3rd quarter taxes.

Overpayment 3<sup>rd</sup> Quarter 2016 Property Taxes

**RESOLUTION [D] 16-09-12 #4**

**WHEREAS**, the property known as Block 88.02 Lot 1 C010 currently assessed to Luciano & Jill Gandossi; previously assessed to Keith M. Graham of 240 Main Street, Unit 10, Little Falls, NJ has an overpayment on the 3rd quarter 2016 taxes in the amount of \$223.00; and

**WHEREAS**, the 3<sup>rd</sup> qtr. 2016 taxes were billed at \$2,377.00, and Evident Title Agency, Inc. paid the 3<sup>rd</sup> qtr. in the amount of \$2,600.00; and

**WHEREAS**, the Tax Collector authorizes the Treasurer to refund the amount of \$223.00 made payable to Evident Title Agency, Inc., 878 Pompton Avenue, Suite A2, Cedar Grove, NJ 07009-1266;

**NOW, THEREFORE BE IT RESOLVED** by the Township Council of Little Falls on this 12th day of September 2016 that Evident Title Agency, Inc. be refunded the total amount of \$223.00 due to an overpayment on the 2016 3rd quarter taxes.

Overpayment 3<sup>rd</sup> Quarter 2016 Property Taxes

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**RESOLUTION [E] 16-09-12 #5**

**WHEREAS**, the property known as Block 88.02 Lot 1 C314 assessed to Michael Verzaleno & George Sheridan of 240 Main St., Unit 314, Little Falls, NJ has an overpayment on the 3rd quarter 2016 taxes in the amount of \$1,932.00; and

**WHEREAS**, the taxpayers paid the 3<sup>rd</sup> qtr. taxes along with the taxpayer's mortgage holder (Columbia Bank) both in the amount of \$1,932.00; and

**WHEREAS**, the Tax Collector authorizes the Treasurer to refund the amount of \$1,932.00 made payable to Michael Verzaleno & George Sheridan, 240 Main St., Unit 314, Little Falls, NJ 07424;

**NOW, THEREFORE BE IT RESOLVED** by the Township Council of Little Falls on this 12th day of September 2016 that Mr. Verzaleno & Mr. Sheridan be refunded the total amount of \$1,932.00 due to an overpayment on the 2016 3rd quarter taxes.

Overpayment 2<sup>nd</sup> and 3<sup>rd</sup> Quarter 2016 Property Taxes

**RESOLUTION [F] 16-09-12 #6**

**WHEREAS**, the property known as Block 110 Lot 10 assessed to Cheryl Krom & M Calvin Jr. of 27 Lincoln Ave., Little Falls, NJ had an overpayment on the 3rd quarter 2015 taxes in the amount of \$590.15; and

**WHEREAS**, Munidex transferred this overpayment on behalf of the Tax Collector on June 20, 2016 to the 3<sup>rd</sup> qtr. 2016 taxes which should have reflected a reduced amount on their 3<sup>rd</sup> qtr. estimated tax bill; however, it did not; and

**WHEREAS**, the taxpayers paid the 3<sup>rd</sup> qtr. 2016 in the actual billed amount of \$2,944.00 creating the overpayment in the amount of \$590.15; and

**WHEREAS**, there is also an overpayment on the 2<sup>nd</sup> qtr. 2016 taxes in the amount of \$18.24; and

**WHEREAS**, the Tax Collector authorizes the Treasurer to refund the total amount of \$608.39 made payable to Cheryl Krom & M. Calvin Jr., 65 North Lakeside Ave., Lake Hopatcong, NJ 07849;

**NOW, THEREFORE BE IT RESOLVED** by the Township Council of Little Falls on this 12th day of September 2016 that the taxpayers be refunded the total amount of \$608.39 due to overpayments on the 2016 2<sup>nd</sup> and 3rd quarter taxes.

Overpayment 3<sup>rd</sup> Quarter 2016 Property Taxes

**RESOLUTION [G] 16-09-12 #7**

**WHEREAS**, the property known as Block 120 Lot 10 currently assessed to Andre & Lasasha Adams; previously assessed to Mark Lasky of 15 Wilmore Road, Little Falls, NJ has an overpayment on the 3rd quarter 2016 taxes in the amount of \$2,883.00; and

**WHEREAS**, the 3<sup>rd</sup> qtr. was paid by Key Settlements, Inc. for Adams, and Wells Fargo paid for Lasky; and

**WHEREAS**, the Tax Collector authorizes the Treasurer to refund the amount of \$2,883.00 made payable to Key Settlements, Inc., 1719 Route 10 East, Suite 307, Parsippany, NJ 07054;

**NOW, THEREFORE BE IT RESOLVED** by the Township Council of Little Falls on this 12th day of September 2016 that Key Settlements, Inc. be refunded the total amount of \$2,883.00 due to an overpayment on the 2016 3rd quarter taxes.

Overpayment 3<sup>rd</sup> Quarter 2016 Property Taxes

**RESOLUTION [H] 16-09-12 #8**

**WHEREAS**, the property known as Block 157 Lot 57 assessed to Anthony & Joanne Casper; of 41 Reiners Road, Little Falls, NJ has an overpayment on the 3rd quarter 2016 taxes in the amount of \$3,608.44; and

**WHEREAS**, the 3<sup>rd</sup> qtr. was paid by Vital Abstract, LLC and by CMS (Corelogic);

**WHEREAS**, the Tax Collector authorizes the Treasurer to refund the amount of \$3,608.44 made payable to Vital Abstract, LLC, 3700 Rt. 27, Suite 102B, Princeton, NJ 08540;

**NOW, THEREFORE BE IT RESOLVED** by the Township Council of Little Falls on this 12th day of September 2016 that Vital Abstract, LLC. be refunded the total amount of \$3,608.44 due to an overpayment on the 2016 3rd quarter taxes.

Overpayment 3<sup>rd</sup> Quarter 2016 Property Taxes

**RESOLUTION [I] 16-09-12 #9**

**WHEREAS**, the property known as Block 229 Lot 32 currently assessed to Golubiyev Mykola and previously assessed to Sidney & Rita Bloom of 26 Cheryl Ct., Little Falls, NJ has an overpayment on the 3rd quarter 2016 taxes in the amount of \$2,423.00; and

**WHEREAS**, this parcel had a closing in July of 2016; and

**WHEREAS**, Chase (Corelogic) paid for Rita Bloom and Global Serve Title Agency Corp. paid for Golubiyev Mykola both in the amount of \$2,423.00; and

**WHEREAS**, Global Serve Title Agency Corp has requested this refund be returned to them; and

**WHEREAS**, the Tax Collector authorizes the Treasurer to refund the amount of \$2,423.00 made payable to Global Serve Title Agency Corp., Attn: Kareem Wharton, 525 Northern Boulevard, Suite 205, Great Neck, NY 11021;

**NOW, THEREFORE BE IT RESOLVED** by the Township Council of Little Falls on this 12th day of September 2016 that Global Serve Title Agency Corp. be refunded the total amount of \$2,423.00 due to an overpayment on the 2016 3rd quarter taxes.

Overpayment 3<sup>rd</sup> Quarter 2016 Property Taxes

**RESOLUTION [J] 16-09-12 #10**

**WHEREAS**, the property known as Block 230 Lot 23 currently assessed to James & Karen Damiano and previously assessed to Giovanni LaBarbera of 41 Kingwood Drive, Little Falls, NJ has an overpayment on the 3rd quarter 2016 taxes in the amount of \$614.00; and

**WHEREAS**, this parcel had a closing in June of 2016; and

**WHEREAS**, Techno Title & Abstract Agency, LLC paid the amount of \$5,839.00 on the 3<sup>rd</sup> qtr. 2016 taxes; however, the billing was in the amount of \$5,225.00; and

**WHEREAS**, Techno Title & Abstract Agency, LLC has requested this refund be returned to them; and

**WHEREAS**, the Tax Collector authorizes the Treasurer to refund the amount of \$614.00 made payable to Techno Title & Abstract Agency, LLC, 27 E. Main Street, Little Falls, NJ 07424;

**NOW, THEREFORE BE IT RESOLVED** by the Township Council of Little Falls on this 12th day of September 2016 that Techno Title & Abstract Agency, LLC be refunded the total amount of \$614.00 due to an overpayment on the 2016 3rd quarter taxes.

Overpayment 3<sup>rd</sup> Quarter 2016 Property Taxes

**RESOLUTION [K] 16-09-12 #11**

**WHEREAS**, the property known as Block 238 Lot 7 assessed to Tamaz Shakarashvili of 649 Long Hill Road has an overpayment on the 3rd quarter 2016 taxes in the amount of \$2,119.00; and

**WHEREAS**, the taxpayer paid the 3<sup>rd</sup> qtr. taxes to the Township Clerk's office during the Tax Collector's absence along with the taxpayer's mortgage holder (Ocwen Loan Servicing, LLC) both in the amount of \$2,119.00; and

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**WHEREAS**, the Tax Collector authorizes the Treasurer to refund the amount of \$2,119.00 made payable to Tamaz Shakarashvili, 649 Upper Mountain Ave., Upper Montclair, NJ 07043 as taxes are escrowed through Ocwen Loan Servicing, LLC);

**NOW, THEREFORE BE IT RESOLVED** by the Township Council of Little Falls on this 12th day of September 2016 that Tamaz Shakarashvili be refunded the total amount of \$2,119.00 due to an overpayment on the 2016 3rd quarter taxes.

Overpayment 2<sup>nd</sup> Quarter 2016 Property Taxes Due to Homestead Benefit Credit

**RESOLUTION [L] 16-09-12 #12**

**WHEREAS**, the property known as Block 230.02 Lot 51 assessed to Joseph E & Dolly Heinz/Trustees of 111 Francisco Ave., Little Falls, NJ has an overpayment on the 2nd quarter 2016 taxes in the amount of \$445.14 due to a 2013 State of NJ Homestead Benefit Credit; and

**WHEREAS**, the Tax Collector authorizes the Treasurer to refund the amount of \$445.14 made payable to Joseph E & Dolly Heinz/Trustees, 111 Francisco Ave., Little Falls, NJ 07424;

**NOW, THEREFORE BE IT RESOLVED** by the Township Council of Little Falls on this 12th day of September 2016 that the Heinz Trustees be refunded the total amount of \$445.14 due to a Homestead Benefit credit overpayment on the 2016 2nd quarter taxes.

Overpayment 2<sup>nd</sup> Quarter 2016 Property Taxes Due to Homestead Benefit Credit

**RESOLUTION [M] 16-09-12 #13**

**WHEREAS**, the property known as Block 151 Lot 59 assessed to Carl E Fritsch, Jr. of 50 Third Ave., Little Falls, NJ has an overpayment on the 2nd quarter 2016 taxes in the amount of \$402.67 due to a 2013 State of NJ Homestead Benefit Credit; and

**WHEREAS**, the Tax Collector authorizes the Treasurer to refund the amount of \$402.67 made payable to Carl E Fritsch, Jr., 50 Third Ave., Little Falls, NJ 07424;

**NOW, THEREFORE BE IT RESOLVED** by the Township Council of Little Falls on this 12th day of September 2016 that Mr. Fritsch, Jr. be refunded the total amount of \$402.67 due to a Homestead Benefit credit overpayment on the 2016 2nd quarter taxes.

Overpayment 2<sup>nd</sup> Quarter 2016 Property Taxes Due to Homestead Benefit Credit

**RESOLUTION [N] 16-09-12 #14**

**WHEREAS**, the property known as Block 138 Lot 9 assessed to Robert & Raymond Hubold of 175 Stevens Avenue, Little Falls, NJ has an overpayment on the 2nd quarter 2016 taxes in the amount of \$530.70 due to two 2013 State of NJ Homestead Benefit Credits each in the amount of \$265.35; and

**WHEREAS**, the Tax Collector authorizes the Treasurer to refund the amount of \$265.35 made payable to Robert Hubold, 175 Stevens Avenue, Little Falls, NJ 07424;

**NOW, THEREFORE BE IT RESOLVED** by the Township Council of Little Falls on this 12th day of September 2016 that Mr. Robert Hubold be refunded the total amount of \$265.35 due to a Homestead Benefit credit overpayment on the 2016 2nd quarter taxes.

Overpayment 2<sup>nd</sup> Quarter 2016 Property Taxes Due to Homestead Benefit Credit

**RESOLUTION [O] 16-09-12 #15**

**WHEREAS**, the property known as Block 138 Lot 9 assessed to Robert & Raymond Hubold of 175 Stevens Avenue, Little Falls, NJ has an overpayment on the 2nd quarter 2016 taxes in the amount of \$530.70 due to two 2013 State of NJ Homestead Benefit Credits each in the amount of \$265.35; and

**WHEREAS**, the Tax Collector authorizes the Treasurer to refund the amount of \$265.35 made payable to Raymond Hubold, 175 Stevens Avenue, Little Falls, NJ 07424;

**NOW, THEREFORE BE IT RESOLVED** by the Township Council of Little Falls on this 12th day of September 2016 that Mr. Raymond Hubold be refunded the total amount of \$265.35 due to a Homestead Benefit credit overpayment on the 2016 2nd quarter taxes.

Overpayment 2<sup>nd</sup> Quarter 2016 Property Taxes Due to Homestead Benefit Credit

**RESOLUTION [P] 16-09-12 #16**

**WHEREAS**, the property known as Block 123 Lot 15.22 assessed to Joseph & Angelina Biondello of 46 Turnberry Rd., Little Falls, NJ has an overpayment on the 2nd quarter 2016 taxes in the amount of \$1,000.00 due to a 2013 State of NJ Homestead Benefit Credit; and

**WHEREAS**, the Tax Collector authorizes the Treasurer to refund the amount of \$1,000.00 made payable to Joseph & Angelina Biondello, 46 Turnberry Rd., Little Falls, NJ 07424;

**NOW, THEREFORE BE IT RESOLVED** by the Township Council of Little Falls on this 12th day of September 2016 that Mr. & Mrs. Biondello be refunded the total amount of \$1,000.00 due to a Homestead Benefit credit overpayment on the 2016 2nd quarter taxes.

Overpayment 2<sup>nd</sup> Quarter 2016 Property Taxes Due to Homestead Benefit Credit

**RESOLUTION [Q] 16-09-12 #17**

**WHEREAS**, the property known as Block 88.03 Lot 1 C319 assessed to Allison Liebowitz of 262 Main St., Unit 319, Little Falls, NJ has an overpayment on the 2nd quarter 2016 taxes in the amount of \$356.93 due to a 2013 State of NJ Homestead Benefit Credit; and

**WHEREAS**, the Tax Collector authorizes the Treasurer to refund the amount of \$356.93 made payable to Allison Liebowitz, 262 Main St., Unit 319, Little Falls, NJ 07424;

**NOW, THEREFORE BE IT RESOLVED** by the Township Council of Little Falls on this 12th day of September 2016 that Ms. Liebowitz be refunded the total amount of \$356.93 due to a Homestead Benefit credit overpayment on the 2016 2nd quarter taxes.

Overpayment 2<sup>nd</sup> Quarter 2016 Property Taxes Due to Homestead Benefit Credit

**RESOLUTION [R] 16-09-12 #18**

**WHEREAS**, the property known as Block 39 Lot 2 assessed to Mary Durkos of 19 Wood Street, Little Falls, NJ has an overpayment on the 2nd quarter 2016 taxes in the amount of \$559.72 due to a 2013 State of NJ Homestead Benefit Credit; and

**WHEREAS**, the Tax Collector authorizes the Treasurer to refund the amount of \$559.72 made payable to Mary Durkos, 19 Wood Street, Little Falls, NJ 07424;

**NOW, THEREFORE BE IT RESOLVED** by the Township Council of Little Falls on this 12th day of September 2016 that Ms. Durkos be refunded the total amount of \$559.72 due to a Homestead Benefit credit overpayment on the 2016 2nd quarter taxes.

Settlement of Property Tax Appeal

**RESOLUTION [S] – 16-09-12 - #19**

**Meeting of September 12, 2016**

**WHEREAS**, the Mayor and Council of the Township of Little Falls have been advised of the proposed settlement of a property Tax Appeal filed by Lawrence Sheer (hereinafter the "Tax Appeal"), under Docket Number 017520-2012, and;

**WHEREAS**, the aforesaid Tax Appeal involves a residential condominium unit located at 240 Main Street, Unit 4, and is also designated as Block 88.02 Lot 1 Qualifier C004 on the tax assessment map of the Township (hereinafter the "subject property"), and;

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

**WHEREAS**, the proposed Tax Appeal settlement would reduce the subject properties' assessment to \$435,000 in the 2012 tax year only, and;

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

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Council of the Township of Little Falls, that the proposed settlement of the aforesaid Tax Appeal be approved, and;

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

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Settlement of Property Tax Appeal

**RESOLUTION [T] – 16-09-12 - #20**

**WHEREAS**, the Mayor and Council of the Township of Little Falls have been advised of the proposed settlement of a property Tax Appeal filed by 1300 Associates, LLC (hereinafter the "Tax Appeal"), under Docket Numbers 013486-2012; 000240-2013; 001474-2014, 000424-2015 and 008848-2016, and;

**WHEREAS**, the aforesaid Tax Appeal involves a commercial property located at 9 Fairfield Avenue, and is also designated as Block 66 Lot 1 on the tax assessment map of the Township (hereinafter the "subject property"), and;

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

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

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

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Council of the Township of Little Falls, that the proposed settlement of the aforesaid Tax Appeal be approved, and;

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

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**CORRESPONDENCE**

Request from Eagle Rescue Squad Co. #1 to hold its annual bucket drive on Saturday, October 15, 2016 and Sunday, October 16, 2016 at the intersection of Main Street and Union Avenue between the hours of 9:00 a.m. and 5:00 p.m., with a rain date of Saturday, October 22, 2016 and Sunday, October 23, 2016.

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

Poll: Ayes: Porter, Maceri Liess, Damiano and Council President Fontana  
Nays: None

The Council President declared the motion passed.

**REGULAR AGENDA**

**NEW BUSINESS**

Ordinance No. 1245 & Ordinance No. 1246- It was moved by Councilmember Damiano, seconded by Councilmember Maceri, to adjourn the public hearing of Ordinance No. 1245, "**ORDINANCE OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF LITTLE FALLS, COUNTY OF PASSAIC, STATE OF NEW JERSEY, AMENDING AND SUPPLEMENTING THE ZONING PROVISIONS OF THE TOWNSHIP CODE TO ESTABLISH A SOLAR SYSTEMS ORDINANCE,**" and Ordinance No. 1246, "**ORDINANCE OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF LITTLE FALLS, COUNTY OF PASSAIC, STATE OF NEW JERSEY, AMENDING AND SUPPLEMENTING THE ZONING PROVISIONS OF THE TOWNSHIP CODE TO ESTABLISH A SMALL WIND ENERGY SYSTEMS ORDINANCE**"

Poll: Ayes: Porter, Maceri Liess, Damiano and Council President Fontana  
Nays: None

The Council President declared the motion passed.

Ordinance No. 1263 - It was moved by Councilmember Maceri, seconded by Councilmember Damiano, that the public hearing Ordinance No. 1263, "**ORDINANCE OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF LITTLE FALLS, COUNTY OF PASSAIC, STATE OF NEW JERSEY, AMENDING CHAPTER 57 OF THE CODE OF THE TOWNSHIP OF LITTLE FALLS,**" be and it was opened.

Poll: Ayes: Porter, Maceri Liess, Damiano and Council President Fontana  
Nays: None

The Council President declared the motion passed.

No one having come forward to be heard, it was moved by Councilmember Maceri, seconded by Councilmember Damiano, that the public hearing on Ordinance No. 1263 be and it was closed.

Poll: Ayes: Porter, Maceri Liess, Damiano and Council President Fontana  
Nays: None

**Meeting of September 12, 2016**

The Council President declared the motion passed.

It was moved by Councilmember Damiano, seconded by Councilmember Maceri, that Ordinance No. 1263 be and it was adopted.

Poll: Ayes: Porter, Maceri Liess, Damiano and Council President Fontana  
Nays: None

The Council President declared the motion passed.

Ordinance No. 1264 - It was moved by Councilmember Maceri, seconded by Councilmember Damiano, that the public hearing Ordinance No. 1264, **“BOND ORDINANCE PROVIDING FOR THE ACQUISITION OF AN EMERGENCY GENERATOR FOR THE RECREATION CENTER IN AND BY THE TOWNSHIP OF LITTLE FALLS, IN THE COUNTY OF PASSAIC, NEW JERSEY, APPROPRIATING \$120,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$40,000 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF,”** be and it was opened.

Poll: Ayes: Porter, Maceri Liess, Damiano and Council President Fontana  
Nays: None

The Council President declared the motion passed.

No one having come forward to be heard, it was moved by Councilmember Damiano, seconded by Councilmember Maceri, that the public hearing on Ordinance No. 1264 be and it was closed.

Poll: Ayes: Porter, Maceri Liess, Damiano and Council President Fontana  
Nays: None

The Council President declared the motion passed.

It was moved by Councilmember Liess, seconded by Councilmember Damiano, that Ordinance No. 1264 be and it was adopted.

Poll: Ayes: Porter, Maceri Liess, Damiano and Council President Fontana  
Nays: None

The Council President declared the motion passed.

Ordinance No. 1265 - It was moved by Councilmember Liess, seconded by Councilmember Damiano, that there be introduced and at the meeting of October 17, 2016 set as the date for the public hearing of the following:

**ORDINANCE NO. 1265  
FERAL CAT ORDINANCE  
AN ORDINANCE AMENDING THE LITTLE FALLS CODE, TOWNSHIP OF  
LITTLE FALLS, COUNTY OF PASSAIC, STATE OF NEW JERSEY**

ARTICLE VI Feral Cats

§19-60 Definitions.

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

**ABANDONED**

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

**ANIMAL CONTROL OFFICER**

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

**DOMESTICATED CAT**

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

**FERAL CAT**

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

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

**FERAL CAT COLONY**

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

**NUISANCE**

Disturbing the peace by:

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

**OWNER**

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

**RESCUE GROUP**

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

**STRAY CAT**

## Meeting of September 12, 2016

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

### SUITABLE SHELTER

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

### TAME CAT

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

### TNR

Trap, neuter and return.

### TOWNSHIP

Little Falls Township in the County of Passaic.

§19-61 Feral cat colonies.

Feral cat colonies are not permitted.

§19-62 Disposition of colony cats.

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

§19-63 Enforcement.

The Township shall have the following rights:

- A. The right to seize or remove cats from a feral colony which have not been vaccinated against rabies and which are demonstrating the disease.
- B. The right to seize or remove a cat from a feral colony which is creating a nuisance as defined above, after the caregiver has been given 60 days to remove and relocate the cat and has failed to do so. The caregiver must begin nuisance abatement procedures within 48 hours after being notified of a nuisance by the Animal Control Officer and must take all reasonable steps to resolve the nuisance in as short a time period as possible, not to exceed 60 days.

§19-64 Nuisance complaints.

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

§19-65 Responsibilities of owners of domesticated cats.

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

§19-66 Violations and penalties.

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

§19-67 Conflict with other legislation.

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

Poll:                   Ayes:                   Porter, Maceri, Liess, Damiano and Council President Fontana  
                              Nays:                   None

The Council President declared the motion passed.

Ordinance No. 1266-It was moved by Councilmember Damiano, seconded by Councilmember Liess, that there be introduced and the meeting of October 17, 2016 set as the date for the public hearing of the following:

#### ORDINANCE NO. 1266

#### ORDINANCE OF THE TOWNSHIP OF LITTLE FALLS, COUNTY OF PASSAIC, STATE OF NEW JERSEY, AMENDING THE TOWNSHIP OF LITTLE FALLS CODE CHAPTER 7, ARTICLE I, SECTION 7-15, "TRAFFIC, ON-STREET REGULATIONS, ROUTES FOR TRUCKS OVER FOUR TONS"

**WHEREAS**, pursuant to *N.J.S.A. 40:67-16.1*, the Township of Little Falls (the "Township") is authorized to adopt a system of truck routes throughout the Township concerning trucks having a total combined gross weight of vehicle plus load, in excess of four (4) tons, from Township streets; and

**WHEREAS**, pursuant to *N.J.S.A. 46:67-16.2*, however, no trucks shall be prevented from making deliveries of merchandise or other property along streets from which trucks in excess of four (4) tons are excluded from Township streets; and

**WHEREAS**, due to concerns regarding the health and safety of motorists and pedestrians in the Township, the municipal council of the Township (the "Municipal Council") seeks to amend the municipal roadways upon which trucks having a total combined gross weight of vehicle plus load in excess of four (4) tons can travel; and

**WHEREAS**, in furtherance of the proposed amendment to the Township Code of General Ordinances (the "Code") concerning roadways upon which trucks having a total combined gross weight of vehicle plus load in excess of four (4) tons can travel, the Township caused to be reviewed by the Passaic County Traffic Engineer (the "County Traffic Engineer") the proposed revision to the Township Code and received the County Traffic Engineer's approval of same; and

**WHEREAS**, the Township also caused the proposed ordinance to be sent to the New Jersey Department of Transportation, and received approval of same with regard to conformity with State law; and

**WHEREAS**, the Municipal Council has determined to amend Chapter 7, Article I, Section 7-15 of the Township Code to read as follows (additions are underlined and deletions are in [brackets]).

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

**Meeting of September 12, 2016**

1. The aforesaid recitals are incorporated herein as though fully set forth at length.
2. The Municipal Council hereby amends Chapter 7, Article I, Section 7-15 of the Township Code to read as follows:

**§7-15 Routes for trucks over four tons**

**A.** A system of truck routes in the Township of Little Falls is hereby established pursuant to the provisions of N.J.S.A. 40:67-16.1.  
**B.** All trucks registered at a gross vehicle weight in excess of four tons (8,000 pounds) shall be excluded from all streets in the Township except from those streets designated hereinbelow, which form a part of the system of truck routes upon which trucks are permitted to travel and operate:

<b>Name of Street</b>	<b>Location</b>
Cedar Grove Road	Francisco Avenue to the Essex County line
Clove Road	Entire length
East Main Street	Entire length
Lindsley Road	Main Street to the Essex County Line
Lindsley Road	Essex County Line to Cedar Grove Road
Long Hill Road	Browertown Road to Ridge Road
Long Hill Road (a.k.a. Upper Mountain Avenue)	Clove Road to Essex County Line
Main Street	Entire length
Maple Street	Entire length
McBride Avenue	Entire length
Notch Road	Entire length
Paterson Avenue	Entire length
Ridge Road	Entire length
Stevens Avenue	Entire length
Union Avenue (Boulevard)	Main Street to the Wayne Township Line

... [NOTE to Codifier. Existing text not appearing herein has been deleted solely for brevity. NO CHANGE] ...

3. 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.
4. A copy of this Ordinance shall be available for public inspection at the offices of the Township Clerk.
5. 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.

Poll: Ayes: Porter, Maceri, Liess, Damiano and Council President Fontana  
 Nays: None

The Council President declared the motion passed.

Ordinance No. 1267-It was moved by Councilmember Maceri, seconded by Councilmember Damiano, that there be introduced and the meeting of October 17, 2016 set as the date for the public hearing of the following:

**BOND ORDINANCE PROVIDING A SUPPLEMENTAL APPROPRIATION OF \$230,000 FOR THE STORMWATER COLLECTION, CONVEYANCE AND ROADWAY IMPROVEMENTS AT MORNINGSIDE CIRCLE IN AND BY THE TOWNSHIP OF LITTLE FALLS, IN THE COUNTY OF PASSAIC, NEW JERSEY AND AUTHORIZING THE ISSUANCE OF \$218,500 BONDS OR NOTES OF THE TOWNSHIP FOR FINANCING PART OF THE APPROPRIATION.**

**BE IT ORDAINED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF LITTLE FALLS, IN THE COUNTY OF PASSAIC, NEW JERSEY** (not less than two-thirds of all members thereof affirmatively concurring) **AS FOLLOWS:**

Section 1. The improvement described in Section 3 of this bond ordinance has heretofore been authorized to be undertaken by the Township of Little Falls, New Jersey as a general improvement. For the improvement or purpose described in Section 3, there is hereby appropriated the supplemental amount of \$230,000, such sum being in addition to the \$300,000 appropriated therefor by bond ordinance #1204 of the Township, and including the sum of \$11,500 as the additional down payment required by the Local Bond Law. The additional down payment is now available by virtue of provision for down payment or for capital improvement purposes in one or more previously adopted budgets.

Section 2. In order to finance the additional cost of the improvement or purpose not covered by application of the additional down payment, negotiable bonds are hereby authorized to be issued in the principal amount of \$218,500 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3.

(a) The improvement heretofore authorized and the purpose for the financing of which the bonds are to be issued is the stormwater collection, conveyance and roadway improvement at Morningside Circle, as described in bond ordinance #1204 of the Township, including all work and materials necessary therefor and incidental thereto.

(b) The estimated maximum amount of bonds or notes to be issued for the improvement or purpose is \$504,200, including the \$285,700 bonds or notes authorized by bond ordinance #1204 of the Township and the \$218,500 bonds or notes authorized herein.

(c) The estimated cost of the improvement or purpose is \$530,000, including the \$300,000 appropriated by bond ordinance #1204 of the Township and the \$230,000 appropriated herein.

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer; provided that no note shall mature later than one year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer. The chief financial officer shall determine all matters in connection with notes issued pursuant to this ordinance, and the chief financial officer's signature upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time subject to the provisions of the Local Bond Law. The chief financial officer is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the notes sold, the price obtained and the name of the purchaser.

Section 5. The Borough hereby certifies that it has adopted a capital budget or a temporary capital budget, as applicable. The capital or temporary capital budget of the Borough is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith. To the extent that the purposes authorized herein are inconsistent with the adopted capital or temporary capital budget, a revised capital or temporary capital budget has been filed with the Division of Local Government Services.

Section 6. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvement or purpose described in Section 3 of this bond ordinance is not a current expense. It is an improvement or purpose that the Township may lawfully undertake as a general improvement, and no part of the cost thereof has been or shall be specially assessed on property specially benefitted thereby.

(b) The period of usefulness of the improvement or purpose within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the bonds authorized by this bond ordinance, is 20 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the Township as defined in the Local Bond Law is

**Meeting of September 12, 2016**

increased by the authorization of the bonds and notes provided in this bond ordinance by \$218,500, and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$40,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the purpose or improvement. Of this amount, \$20,000 was estimated for these items of expense in bond ordinance #1204 of the Township and an additional \$20,000 is estimated therefor herein.

Section 7. The Township hereby declares the intent of the Township to issue the bonds or bond anticipation notes in the amount authorized in Section 2 of this bond ordinance and to use proceeds to pay or reimburse expenditures for the costs of the purposes described in Section 3 of this bond ordinance. This Section 7 is a declaration of intent within the meaning and for purposes of Treasury Regulations §1.150-2 or any successor provisions of federal income tax law.

Section 8. Any grant moneys received for the purpose described in Section 3 hereof shall be applied either to direct payment of the cost of the improvement or to payment of the obligations issued pursuant to this ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are so used.

Section 9. The chief financial officer of the Township is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Township and to execute such disclosure document on behalf of the Township. The chief financial officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Township pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of obligations of the Township and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Township fails to comply with its undertaking, the Township shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

Section 10. The full faith and credit of the Township are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Township, and the Township shall be obligated to levy ad valorem taxes upon all the taxable real property within the Township for the payment of the obligations and the interest thereon without limitation of rate or amount.

Section 11. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

**PAYMENT OF BILLS**

It was moved by Councilmember Maceri, seconded by Councilmember Damiano, that the Council approve the following:

**RESOLUTION [BL]**

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

\*\*\*\*\*

Poll:           Ayes:           Porter, Maceri, Liess, Damiano and Council President Fontana  
                  Nays:           None

The Council President declared the motion passed.

**EXECUTIVE SESSION**

It was moved by Councilmember Damiano, seconded by Councilmember Maceri, that the Council approve the following:

**RESOLUTION [EX]**

**WHEREAS**, N.J.S.A. 10:4-12 allows for a Public Body to go into executive session during a Public Meeting; and **WHEREAS**, the Governing Body of the Township of Little Falls has deemed it necessary to go into executive session to discuss certain matters which are exempted for the Public; and

**WHEREAS**, the regular meeting of this Governing Body with reconvene;

**NOW, THEREOFRE, BE IT RESOLVED** that the Township Council of the Township of Little Falls will go into executive session for the following reason(s) – pending or anticipated litigation- no action taken.

\*\*\*\*\*

Poll:           Ayes:           Porter, Maceri, Liess, Damiano and Council President Fontana  
                  Nays:           None

The Council President declared the motion passed.

The Council entered Executive Session at 9:39 p.m.

At 10:26 p.m. the Council returned and it was moved by Councilmember Porter, seconded by Councilmember Damiano, that the meeting return to Open Session.

There being no further business to come before the meeting, it was moved by Councilmember Maceri, seconded by Councilmember Porter, that the meeting be and it was adjourned at 10:27 p.m.

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Municipal Clerk  
Cynthia Kraus