

Meeting of February 23, 2015

Mr. Northgrave stated there are some items to be discussed in Closed Session.

ADMINISTRATOR’S REPORT

Mr. Cuccia distributed a final report for the Council regarding the refinancing of bonds.

PUBLIC PORTION

It was moved by Councilmember Liess, seconded by Councilmember Maceri, 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.

Dorothy O’Haire, Turnberry Road, received a letter from the Army Corps of Engineers, stating that 42 legacy studies have been selected and among the four identified for immediate suspension, was the Peckman project. She notified the Council she called the offices of Frelinghuysen, Rumana and Senator O’Toole who backed the Flood Board. The Passaic Valley Sewerage Commission is going to cut down all of the leaning trees along the river throughout all three of the towns. Councilmember MACERI stated there was an issue with the administration side of the grant. Mrs. O’Haire responded 48 other towns received grants and stated what is done for one town should be done for all of them. The Township will be able to use the machinery but has to determine how to fund the project.

Lauren Mitchell, 15 Hemlock Road, questioned what steps need to be taken to maintain Hemlock Road, part of which is owned by the church.

Arnold Korotkin, Long Hill Road questioned resolutions A, B and D. He also queried how Little Falls CERT (Community Emergency Response Team) will collaborate with Woodland Park and why some individuals are not included on the CERT resolution as members.

Renea Shapiro, Little Falls ABC, inquired what projects are slated under the CDBG (Community Development Block Grant) and reiterated her previous suggestion for an ordinance to replace vehicles and equipment. She requested the public portion be moved to the end of the Workshop meeting providing opportunity for public comment. She also announced a Town Tasting will be held at the Russian Hall on March 31, 2015.

John Veteri, 133 Prospect Street, requested the Council add discussion of the old police station building to the next Workshop Agenda.

It was moved by Councilmember Liess, 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.

Council President FONTANA thanked Ms. O’Haire for the update.

Mr. Cuccia stated the street that Ms. Mitchell referred to is a private road. The Township contacted the church to inform them of the situation. Mr. Northgrave is to research whether any violations are applicable and what the role of the Township is in this case and report back to the Council.

Mr. Cuccia provided an explanation of Resolution A and Resolution B. The CERT team members are provided to the Clerk by the OEM Coordinator. Mutual aid protocol remains the same.

Mr. Lindsay stated he has not been working on any CDBG grants at this time.

Mr. Cuccia said a draft ordinance will be presented at the next Workshop Meeting to the Council for consideration.

Council President FONTANA explained the mayor’s budget includes capital budget items, including vehicles. Using a timeframe rather than status based method of vehicle replacement may not be the most effective approach, as equipment longevity is unpredictable.

Council President FONTANA encouraged everyone to go to the Town Tasting on March 31, 2015.

Council President FONTANA agreed to move the public comment to the end of the Workshop meeting.

Council President FONTANA requested Mr. Veteri provide information on his proposed agenda topic for the next Workshop meeting.

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.

APPLICATIONS

Little Falls Fire Department Association – Adam Hamdan, Hillcrest Avenue, Woodland Park
Nicholas Gencarelli, Lower Notch Road
Nicholas Campagna, Mozart Avenue, Singac #3
Richard Timmerman, William Street, Singac #3

Blue Light Permit – Thomas K. Lawrence Jr., Taylor Avenue, Little Falls Fire Dept.

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Little Falls Fire Department Auxiliary – Joseph Maroulis, Harrison Street, Enterprise Fire Co. #2
Kaitlin Corral, Gilbert Place, Clifton, Eagle Hose Co. #1

Raffles – Little Falls Alliance for a Better Community, Tricky Tray, 3/31/15, 6 P.M. – 9 P.M. – Russian Hall, Little Falls, NJ

RESOLUTIONS

Resolution Authorizing Settlement of Property Tax Appeal Filed by Angelo & Annunziata Associates for the property located at 275 Paterson Avenue, Block 216, Lot 4 in the amount of \$75,339.42

RESOLUTION [A] 15-01-23- #1

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 Angelo & Annunziata Associates (hereinafter the “Tax Appeal”), under Docket Numbers 003759-2011;00410-2012; 006983-2013; 003725-2014, and;

WHEREAS, the aforesaid Tax Appeal involves an office building located at 275 Paterson Avenue, and is also designated as Block 216 Lot 4 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, per the terms set forth in the Schedule “A” attached hereto, 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, and;

BE IT FURTHER RESOLVED, that upon the issuance of Tax Court Judgments requiring the issuance of refunds for the above-referenced tax years, the Tax Collector hereby authorizes the Township Treasurer to refund the total amounts stated herein within 60 days of the date of receipt of the aforementioned Tax Court Judgments.

Resolution Authorizing Treasurer to issue a check to several property owners representing refund for overpayment of property taxes for the year 2014:\$39,653.44

RESOLUTION [B] 15-02-23 #2

WHEREAS, the following properties have tax overpayments for the Year 2014; and

WHEREAS, the Tax Collector shall authorize the Treasurer to refund the overpayments as follows:

BLOCK/LOT QUAL.	OWNER/ LOCATION	REFUND AMOUNT	PAYABLE & MAIL TO:
3/13	Harootunian, Robyn	\$83.78	Robyn, Harootunian
12/21	Anthony, David C III & Elizabeth	30.17	Angelo Dattolo, Esq.
28/29	John H Mueller Assoc.	456.46	John H Mueller Associates
28/41	Barsoum, Basiem W	500.00	Lereta LLC Attn: NJ Tax Dept. Team
40/40	Lekutanaj, John &	3,816.91	Harold P. Cook, III Esq & Assoc.
53/5.01	Aliano, Angelo & Santa	65.01	Angelo & Santa Aliano
53/19	Santo, Thomas & Maureen	2,106.65	Valley National Title Serv. Attn: Gianni
71/65	Wei, Xiu Jie & Yang, Mel Fang Ou	1,314.22	Joseph C Petriello, Attorney At Law
75/42	Smith, Jonathan W & Morgan	10.65	Corelogic Real Estate Tax Service Attn: Refund Dept.
76/24	Lopez, Lender & Idalmis	234.72	Lender & Idalmis Lopez
82/37	Sjeckoca, Snezana	685.13	Max Title Agency, LLC
88.02/1 C208	Mastroberte, Stephen & A	356.19	A Absolute Escrow Settlement Co Inc.
88.03/1 C314	Sharma, Rahul	51.65	McLaughlin & Nardi, LLC
88.04/1 C307	Valencia, Sandra	2,600.00	Ray Castellano, Esq.
88.05/1 C307	Kamen, Mollie	10.70	Mollie Kamen
88.05/1 C414	McKelvie, Sharon	12.35	Sharon McKelvie
88.05/1 C913	Bizik, Norman D	1,967.32	Norman D Bizik
92/7	Laky, Robert J & Valerie	20.91	Lereta, LLC
92/8	Palladino, Michael & A	2,141.75	William S Taylor, Esq.
96/34	Lofaro, Arcangelo & A	89.23	All-Pro Title Group, LLC
112/4	Walker, S Est/V Grossi	34.65	S Walker Est/V. Grossi
124/3	Salierno, John	11.80	Lereta, LLC Attn: NJ Tax Dept. Team
148/42	Fischbach, James L & Marie A	427.06	James L & Marie A Fischbach
167/20	Deutsche Bank National Trust Co	1,818.67	Ocwen Financial Corp Attn: Tax Dept.
167/20	Deutsche Bank National Trust Co	2,071.80	Prestige Title Agency
170.01/47	Santana, Amircal M & Rossetti, N	117.25	Amircal M Santana & N Rossetti
183/11	State of NJ Dept of Transportation	1,499.66	Valley National Bank Attn: Commercial Mtg
184.02/5	Zambrano, Paul J & Edward M	131.16	Elite Title Group LLC
184.02/10	Dutkiewicz, Stephen E & Maria	2,418.97	Lereta, LLC Attn: NJ Tax Dept. Team
184.03/3	Gencarelli, Gennaro & Elvira	35.70	Gennaro & Elvira Gencarelli
185/5	Notch Rd/Jackson Ln LLC	200.10	Wells Fargo Real Estate Tax Service Attn: NJ Tax Dept.
186/7 C046	Paulson, Glenn	1,084.50	Lereta, LLC Attn: NJ Tax Dept. Team
186/7 C058	Bucci, Roseann V	169.78	Anthony F. Sannitti, Esq.

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186/7 C077	Carroccia, Donna	1,208.89	Donna Carroccia
186/7 C174	Colonial Hill c/o GEM Management Co	1,208.89	Lereta, LLC
186/23	De Luccia, Michael & Pamela	2,026.35	Attn: NJ Tax Dept. Team Felix, Nihamin & Assoc PC
189/4	Suero, Carlos M & Sara T	25.71	Carlos M & Sara T Suero
216/2	Annunziata Assoc, LP	60.72	Annunziata Associates, LP
218/3	Appaluccio, Marian & Lucy/LR	2,311.63	Stewart Title Company
231/1.04	Kahlon, Angelina K	5,894.56	MB Financial Refund Dept.
233/60	Howanice, Richard & June	20.00	Richard & June Howanice
240.02/23	Wloch, Krystian & Sklodowska, M	321.79	A Absolute Escrow Settlement Co
Total Refund =		\$39,653.44	

NOW, THEREFORE BE IT RESOLVED by the Township Council of the Township of Little Falls on this 26th day of January 2015 that the above block and lots for 2014 be noted as overpaid and be granted refunds in the total amount of \$39,653.44.

It was moved by Councilmember Maceri, seconded by Councilmember Porter, 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

The following items were individually considered.

RESOLUTIONS

Council President FONTANA stated resolutions C, D & E will be considered at the Reorganization meeting in the future.

Establishing a Community Emergency Response Team – It was moved by Councilmember Liess, seconded by Councilmember Porter, that the Council approved the following:

RESOLUTION [C] 15-02-23 - #3

RESOLUTION ESTABLISHING A COMMUNITY EMERGENCY RESPONSE TEAM

WHEREAS, the Governing Body of the Township of Little Falls recognizes the need for enhanced emergency response resources in the wake of recent, unprecedented, natural disasters in the state of New Jersey and the likelihood that such events will increasingly occur; and

WHEREAS, first responders to such natural disasters, and other emergencies, have to address often overwhelming circumstances in emergency situations; and

WHEREAS, the Federal government has established the Community Emergency Response Team (CERT) program under its Citizen Corps, a subsidiary of the USA Freedom Corps created by Executive Order 13254 in 2002; and

WHEREAS, the Governing Body of the Township of Little Falls has the authority to establish a CERT that can be trained to help first responders and address various needs in the event of an emergency; and

WHEREAS, the Federal government offers resources to assist in the establishment and maintenance of a CERT team, including Federal grants through the Department of Homeland Security which fund CERT councils in each County which provide materials for training and certification of CERT team members; and

WHEREAS, the Township of Little Falls has an Office of Emergency Management (OEM) coordinator or a Mayoral appointee designated, to establish and oversee a CERT team; and

NOW, THEREFORE, BE IT RESOLVED, the Governing Body of the Township of Little Falls of the County of Passaic of the State of New Jersey tasks the Municipal Office of Emergency Management (OEM) Coordinator to establish and oversee a CERT.

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

The Council President declared the motion passed.

Councilmember DAMIANO queried if the CERT membership could be expanded upon. The Council recommended the resolution be discussed with the OEM Coordinator before Council's final approval.

Appointing Community Emergency Response Team Members – It was moved by Councilmember Damiano, seconded by Councilmember Fontana, that Resolution [D] be tabled.

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

The Council President declared the motion passed.

Appointing Office of Emergency Management Counsel – It was moved by Councilmember Liess, seconded by Councilmember Porter, that the Council approved the following:

RESOLUTION [E] 15-02-23 - #5

RESOLUTION APPOINTING OFFICE OF EMERGENCY MANAGEMENT COUNSEL

BE IT RESOLVED, that James Hearney is hereby appointed Deputy OEM Coordinator for the Township of Little Falls; and

BE IT FURTHER RESOLVED, that the following members have been appointed to the Emergency Management Council: Darlene Conti, Louis Fontana, Pamela Porter, Daniel Gianduso, James Hearney, Jack Sweezy, Edmond Pomponio, John Dmuchowski, Phillip Simone, Joseph Macones, Scott Carter, Richard Timmerman, Joan Strothers, Hans Prell, Robert McFarlane

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

The Council President declared the motion passed.

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Approving Certified List of LOSAP Eligible Volunteer Members of the Little Falls Volunteer Fire Department – It was moved by Councilmember Porter, seconded by Councilmember Liess, that the Council approved the following:

RESOLUTION [F] 15-02-23 - #6

APPROVING CERTIFIED LIST OF LOSAP ELIGIBLE VOLUNTEER MEMBERS OF THE LITTLE FALLS VOLUNTEER FIRE DEPARTMENT

BE IT RESOLVED by the Township Council of the Township of Little Falls, that the attached certified list of volunteer members of the Little Falls Volunteer Fire Department eligible to participate in the Little Falls Length of Service Award Program is hereby approved.

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

The Council President declared the motion passed.

Authorizing increase in deferred School Taxes for Regional High School Taxes – It was moved by Councilmember Liess, seconded by Councilmember Damiano, that the Council approved the following:

RESOLUTION [G] 15-02-23 - #7

RESOLUTION AUTHORIZING INCREASE IN DEFERRED SCHOOL TAXES FOR REGIONAL HIGH SCHOOL TAXES

WHEREAS, the Division of Local Government Services requires that the Governing Body of any municipality which has Deferred School Taxes must authorize any increase in the deferral of any amounts, and

WHEREAS, the Township desires to increase Deferred School Taxes to the amount permitted under State statutes and to be effective at December 31, 2014.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Township Council that the following Deferred School Taxes be hereby increased for the year ended December 31, 2014 as follows:

	Deferred Regional High School Taxes
Amount Deferred 12/31/13	\$3,807,872
Amount Deferred 12/31/14	<u>3,865,101</u>
Amount of Increase	<u>\$ 57,229</u>

BE IT FURTHER RESOLVED, by the Township Council that a certified copy of this resolution be filed with the Director of the Division of Local Government Services.

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

The Council President declared the motion passed.

Application to extend plenary retail consumption license to bankruptcy trustee – It was moved by Councilmember Damiano, seconded by Councilmember Porter, that the Council approve the following :

RESOLUTION [H] 15-02-23 - #8

RESOLUTION TO TRANSFER LIQUOR LICENSE TO BANKRUPTCY TRUSTEE

WHEREAS, an application has been filed for the extension of Plenary Retail Consumption License 1605-33-005-007 from A4M, LLC to Chapter 7 Bankruptcy Trustee Karen E. Bezner, and

WHEREAS, the submitted application form is complete in all respects, including proof of appointment to act as Chapter 7 Bankruptcy Trustee for A4M, LLC.

NOW, THEREFORE, BE IT RESOLVED that the Township Council of the Township of Little Falls, does hereby approve, effective February 24, 2015, the extension of the aforesaid Plenary Retail Consumption License to Karen E. Bezner to conduct business under the privileges, terms, and conditions of the license as Chapter 7 Bankruptcy Trustee for A4M, LLC for the benefit of A4M, LLC until such time as the license may be transferred in compliance therewith and directs the Township Clerk/ABC Board Secretary to endorse the License Certificate as follows: "This license is hereby extended, subject to all its terms and conditions to Karen E. Bezner, Trustee until June 30, 2015."

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

The Council President declared the motion passed.

Authorizing submission of Grant Application to the Passaic County Open Space and Farmland Preservation Trust Fund for Improvements to Paterson Avenue Field – It was moved by Councilmember Porter, seconded by Councilmember Damiano, that the Council approve the following:

RESOLUTION [I] 15-02-23 - #9

WHEREAS, the Township of Little Falls is making a grant application to the Passaic County Open Space and Farmland Preservation Trust Fund for Improvements to Paterson Avenue Field; and

WHEREAS, the funding request of \$225,000.00 is to make improvements to the light poles at the Paterson Avenue Field.

NOW, THEREFORE, BE IT RESOLVED, the Governing Body resolves that Mayor Darlene J. Conti or the successor to the office of Mayor is hereby authorized to:

- (a) Make application for such a grant,
- (b) Provide additional application information and furnish such documents as may be required, and
- (c) Act as the authorized correspondent of the above named applicant.

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

The Council President declared the motion passed.

Councilmember DAMIANO had a question on Resolution I to which Mr. Lindsay provided an explanation.

NEW BUSINESS

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Councilmember DAMIANO commented that Ordinance No.1206 does not reflect the amendments to the ordinance made at the previous meeting, therefore, he requested the ordinance be tabled.

Additionally, he reported discussion with the affected business owners regarding the parking lot time, resulting in a request that the time be moved from the proposed 10 p.m. to 11 p.m. instead. Mr. Northgrave advised a typed ordinance is not necessary when voting on one single change. Councilmembers MACERI and DAMIANO recommended the range in the ordinance be amended from 7p.m. to 10 p.m. to 7p.m. to 11p.m..

Ordinance No. 1206– It was moved by Councilmember Damiano , seconded by Councilmember Maceri, that the public hearing on Ordinance No. 1206, “**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 PARKING RESTRICTIONS AS TO CERTAIN MUNICIPAL LOTS AND PROPERTY**”, 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 Porter, seconded by Councilmember Damiano, that the public hearing on Ordinance No.1206 be and it was closed.

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

The Council President declared the motion passed.

Ordinance No. 1206 – It was moved by Councilmember Damiano, seconded by Councilmember Maceri, that the ordinance be amended to change the time for closing from 10 p.m. to 11 p.m.

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

The Council President declared the motion passed.

It was moved by Councilmember Damiano, seconded by Councilmember Maceri, that the Ordinance No.1206 be and it was adopted.

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

The Council President declared the motion passed.

Mr. Simone provided an explanation of Ordinance No. 1207, noting the delineation of responsibility, as per the request of Councilmember Damiano.

Ordinance No. 1207 – It was moved by Councilmember Porter, seconded by Councilmember Damiano, that there be introduced and the meeting of March 23, 2015 set as the date and time for the public hearing on the following:

Ordinance No. 1207

ORDINANCE OF THE TOWNSHIP COUNCIL OF LITTLE FALLS IN THE COUNTY OF PASSAIC, STATE OF NEW JERSEY, SUPPLEMENTING THE TOWNSHIP CODE TO INCLUDE A CHAPTER GOVERNING THE MAINTENANCE OF SEWER LATERALS IN THE TOWNSHIP, WITH A SECOND READING AND PUBLIC HEARING SCHEDULED FOR MARCH 23, 2015.

WHEREAS, the Township of Little Falls (“Township”) is a public body corporate and politic of the State of New Jersey; and
WHEREAS, there is a need to supplement the Township Code of General Ordinances (“Code”) to include provisions to address the maintenance of sewer laterals in the Township; and

WHEREAS, the municipal council (“Municipal Council”) of the Township has determined to supplement the Code to add a new Chapter 192 to address this issue; and

WHEREAS, Chapter 192 shall read as follows:

Chapter 192. SEWERS: Maintenance of Sewer Laterals

§ 192-1. Designation of sewer collection system.

The sewer system of the Township is the sewer collection system presently constructed in the roadway or easements and servicing all of the many adjoining properties in the Township. The sewer collection system will consist of the main sewer line and all manholes.

§ 192-2. Designation of sewer connections.

The sewer connections (sewer lateral) shall be as described below:

Sewer lateral - shall be the portion from the sewer collection system of the Township, which shall include the connection to the system, to the building sewer/drain.

§ 192-3. Responsibility to repair existing sewer connection.

It shall be the responsibility of the property owner to make all necessary repairs to any existing sewer and or new sewer laterals. The cost of such repairs shall be at the property owner’s sole expense.

§ 192-4. Responsibility to maintain sewer connections.

It shall be the responsibility of the property owner to clean and maintain, at the property owner’s sole expense, the entire sewer connection, whether such connection was constructed by the Township or otherwise. The entire sewer connection includes the sewer lateral and all piping and any appurtenances, from the building to the sewer collection system.

§ 192-5. Installation of new sewer laterals.

Where there are no existing laterals and it is determined by the Township that there is a need to install a new sewer lateral, it shall be the sole responsibility of the property owner to install the sewer lateral and/or connection to the sewer collection system, at the property owner’s sole cost and at no expense to the Township.

§ 192-6. Construction of missing sections of sewer collection system.

In the event that a roadway within the Township does not have a section of the sewer collection system constructed therein and it is determined by the Township that it is necessary to construct said missing section of the sewer collection system in order to allow a property owner to connect a sewer lateral into the existing sewer collection system, the cost of installing said missing section of the sewer collection system shall be the responsibility of the property owner.

However, upon application of said property owner, the Township Council may by resolution authorize said work on any part thereof, to be the responsibility of the Township. The Township Council shall consider in connection with the above application, the location in question,

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the availability of that portion of the sewer collection system to be constructed to additional property owners and the recommendation of the Department of Public Works. This section shall not be deemed to allow the Township to assume the cost of installing sewer laterals.

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 supplements the Code to add a new Chapter 192 to read as follows:

Chapter 192. SEWERS: Maintenance of Sewer Laterals

§ 192-1. Designation of sewer collection system.

The sewer system of the Township is the sewer collection system presently constructed in the roadway or easements and servicing all of the many adjoining properties in the Township. The sewer collection system will consist of the main sewer line and all manholes.

§ 192-2. Designation of sewer connections.

The sewer connections (sewer lateral) shall be as described below:

Sewer lateral - shall be the portion from the sewer collection system of the Township, which shall include the connection to the system, to the building sewer/drain.

§ 192-3. Responsibility to repair existing sewer connection.

It shall be the responsibility of the property owner to make all necessary repairs to any existing sewer and or new sewer laterals. The cost of such repairs shall be at the property owner's sole expense.

§ 192-4. Responsibility to maintain sewer connections.

It shall be the responsibility of the property owner to clean and maintain, at the property owner's sole expense, the entire sewer connection, whether such connection was constructed by the Township or otherwise. The entire sewer connection includes the sewer lateral and all piping and any appurtenances, from the building to the sewer collection system.

§ 192-5. Installation of new sewer laterals.

Where there are no existing laterals and it is determined by the Township that there is a need to install a new sewer lateral, it shall be the sole responsibility of the property owner to install the sewer lateral and/or connection to the sewer collection system, at the property owner's sole cost and at no expense to the Township.

§ 192-6. Construction of missing sections of sewer collection system.

In the event that a roadway within the Township does not have a section of the sewer collection system constructed therein and it is determined by the Township that it is necessary to construct said missing section of the sewer collection system in order to allow a property owner to connect a sewer lateral into the existing sewer collection system, the cost of installing said missing section of the sewer collection system shall be the responsibility of the property owner.

However, upon application of said property owner, the Township Council may by resolution authorize said work on any part thereof, to be the responsibility of the Township. The Township Council shall consider in connection with the above application, the location in question, the availability of that portion of the sewer collection system to be constructed to additional property owners and the recommendation of the Department of Public Works. This section shall not be deemed to allow the Township to assume the cost of installing sewer laterals.

3. It is the intent of the Municipal Council to incorporate the additions and/or supplements contained in this Ordinance into the Code. All of the remaining provisions in the Code shall remain unchanged and have full force and legal effect. All other resolutions and ordinances of the Township with respect to the maintenance of sewer laterals in the Township 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.

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

The Council President declared the motion passed.

Bond Ordinance No. 1208 – It was moved by Councilmember Maceri, seconded by Councilmember Damiano, that there be introduced and the meeting of March 23, 2015 set as the date and time for the public hearing on the following:

BOND ORDINANCE NO. 1208

REFUNDING BOND ORDINANCE OF THE TOWNSHIP OF LITTLE FALLS, IN THE COUNTY OF PASSAIC, NEW JERSEY, PROVIDING FOR THE REFUNDING OF ALL OR A PORTION OF CERTAIN GENERAL IMPROVEMENT BONDS OF 2006 AND CERTAIN GENERAL IMPROVEMENT BONDS OF 2008, APPROPRIATING \$4,500,000 THEREFOR AND AUTHORIZING THE ISSUANCE BY THE TOWNSHIP OF ONE OR MORE SERIES OF REFUNDING BONDS IN THE AGGREGATE PRINCIPAL AMOUNT OF NOT EXCEEDING \$4,500,000 FOR FINANCING THE COST THEREOF.

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 Township of Little Falls, in the County of Passaic, New Jersey (the "Township") is hereby authorized to (i) advance refund all or a portion of the \$960,000 outstanding principal amount of its General Improvement Bonds, dated March 15, 2006, originally issued in the aggregate principal amount of \$2,290,000, maturing on March 15 in each of the years 2017 through 2022, inclusive (the "2006 General Improvement Refunded Bonds"); and (ii) advance refund all or a portion of the \$2,810,000 outstanding principal amount of its General Improvement Bonds, dated December 15, 2008, originally issued in the aggregate principal amount of \$4,235,000, maturing on December 15 in each of the years 2017 through 2023, inclusive (the "2008 General Improvement Refunded Bonds" and together with the 2006 General Improvement Refunded Bonds, the "Refunded Bonds"). The 2006 General Improvement Refunding Bonds are subject to redemption on any date on or after March 15, 2016; the 2008 General improvement Refunded Bonds are subject to redemption on any date on or after December 15, 2016; each at the option of the Township at a redemption price of 100% of the principal amount of the Refunded Bonds to be redeemed.

Section 2. In order to finance the cost of the purpose described in Section 1 hereof and the costs of issuance associated therewith, negotiable refunding bonds are hereby authorized to be issued in one or more series in the aggregate principal amount not exceeding \$4,500,000 (the "Refunding Bonds") pursuant to the Local Bond Law of the State of New Jersey.

Section 3. An aggregate amount not exceeding \$125,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-51(b) has been included in the aggregate principal amount of Refunding Bonds authorized herein.

Section 4. The Township desires to provide for all or a portion of the principal amount of the Refunded Bonds outstanding and the interest and redemption premium, if any, thereon in order to provide for savings in debt service as a result of lower interest rates in the bond markets.

Section 5. 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 is increased by the authorization of the Refunding Bonds provided in this refunding bond ordinance by \$4,500,000, and that an amount representing the principal amount of the Refunded Bonds equal to \$3,770,000 will be deductible from gross debt. The obligations authorized herein will be within all debt limitations prescribed by that law.

Section 6. A certified copy of this refunding bond ordinance as adopted on first reading has been filed with the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey prior to final adoption.

Meeting of February 23, 2015

Section 7. This refunding bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law, provided that the consent of the Local Finance Board has been endorsed upon a certified copy of this refunding bond ordinance as finally adopted, which consent will be so endorsed upon satisfaction of N.J.A.C. 5:30-2.5.

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

The Council President declared the motion passed.

PAYMENT OF BILLS

It was moved by Councilmember Organisciak, seconded by Councilmember Maceri, 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 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 Porter, seconded by Councilmember Damiano, 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) – Anticipated litigation.

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 8:07 p.m.

At 8:35 p.m. the Council returned and it was moved by Councilmember Maceri , 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 8:38 p.m.

Cynthia Kraus
Municipal Clerk