

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

Monday, February 24, 2014

Council President Louis Fontana called the meeting to order at 7:36 p.m. with the following members present: Louis Fontana, Joseph Maceri, William Organisciak and Pamela Porter. Also present were Mayor Darlene Post, Township Attorney William Northgrave, Township Engineer Dennis Lindsay, Municipal Clerk Cynthia Kraus and Township Administrator Joanne Bergin.

Absent: None

Township Employees present: DPW Superintendent Phillip Simone and Deputy Registrar Marlene Simone

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, 2014; 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.

REMARKS FROM CHAIR

At this time, Council President FONTANA announced the members of the Senior Citizen Advisory Committee, since they were not announced at the Reorganization Meeting. Those members are: Lucille Clifford, Marcella Kelleher, Lynn DeLuccia, Evelyn Tosi, Jean Giancola, Nadine Heinis, Joan Imandt, Phyllis Dillon, Rosemarie Ryglicki

COUNCIL MEMBER REPORTS

Councilmember ORGANISCIK had nothing to report.

Councilmember VANTUNO had nothing to report.

Councilmember MACERI informed that the February Flood Board meeting had been cancelled due to weather conditions; they will now be meeting on 2/27/14 at 7:00 p.m. at the Cedar Grove Municipal Building. They will discuss the new plan for the Peckman Project, as well as what they plan to speak to the Army Corps about. where they will discuss what they need to speak to the Army Corps of Engineers about. There is also a Workshop scheduled for Friday morning, 3/7/14, with the Army Corps of Engineers. The Army Corps will also be present for the open public meeting 3/14/14 in Woodland Park.

Councilmember PORTER informed that the Senior Citizen Advisory Board held an event last Wednesday at the Civic Center. There was a presentation by a speaker about retirement income, reverse mortgages and other financial information that may be useful. It was a very successful day and she thanked everyone who organized this.

MAYOR'S REPORT

Mayor Post informed that the Council has now received a copy of the 2014 Mayor's Budget. Therefore, she hoped that the budget would be introduced at the March 10, 2014 Council meeting. She also informed that Little Falls schools held one of three strategic planning programs on 2/12/14; the session included breaking out into groups and strategizing as to the school's strengths, weaknesses and needs. She encouraged everyone to come out to the next session, which is scheduled for 3/12/14, noting that this is an important process, as the quality of our schools is important. On 2/18/14, the town held its first visioning session with the Planning Board and the Municipal Planner for the Master Plan. The next session will be held on 3/20/14. She informed that she had the privilege of participating in the ribbon cutting ceremony for a business in town called *Artistic Endeavors*. The Police Building Committee was scheduled to meeting this Thursday, but will be rescheduled.

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ATTORNEY'S REPORT

Mr. Northgrave had nothing to report.

ADMINISTRATOR'S REPORT

Mrs. Bergin explained that the time of the vision sessions have been changed to 7:30 p.m., but the dates will remain the same. She gave her report as follows:

Thank You Council President.

I have an update on PSE&G's Northeast Grid Reliability Project. Currently five (5) monopole foundations have been constructed, but none of the monopoles have yet been erected and none of the transmission towers were removed along the route of the PSE&G Northeast Grid (NE Grid) electric transmission reliability project. You can review the planned work along the route by clicking on "Construction Schedule" on the NE Grid website, www.pseg.com/negrid.

The NE Grid will upgrade the 138 thousand volt (kV) circuit to 230kV on the existing overhead transmission right-of-way. The upgrade will deliver increased electric capacity required by New Jersey business and residents, increase transfer capability, provide better power quality and reduce transmission system congestion.

On tonight's agenda there is a resolution authorizing the Township to submit an FY2014 Passaic County Community Development Block Grant. This application will request funds to make improvements to the main entrance here at Town Hall, specific to the handicapped accessible main doors which are in need of repair and the walkway leading up the doors. The application will focus on accessibility to this building for those with physical limitations. Last year, the Township applied for, and received a grant through this program for improvements to the public bathrooms at the Recreation Building. That project is underway.

While not on the agenda, the Township is also applying for a grant from New Jersey Transit to secure a new senior bus. A resolution for this grant is not required, but the Township is required to place display advertisements in our local papers advising of the intent to apply. Residents may notice that ad and for those who do, it is in reference to this application. The bus we are applying for will be handicapped accessible. Our current bus is not, and we have placed the need for a bus to accommodate our seniors with physical limitations as a high priority.

On tonight's agenda there will be a public hearing on ordinance #1187 as needed to fund the Township's responsible portion of the cost of remediation of the Passaic River. The judgment is part of a settlement in the matter of the NJDEP vs. Occidental Chemical Corporation. Several months ago, the Council voted to approve the settlement.

Tonight's action provides for the funding of that settlement. However, it should be noted that the case is not resolved, and continues to be heard at the federal level. Tonight's action resolves the matter in terms of the State portion of the suit. The Township continues to gauge the course of the matter in federal court.

Also on tonight's agenda we will hold a public hearing on ordinance #1189, amending the property maintenance code of the Township. The Council previously approved an amendment to the current ordinance that allows for a fee structure to be established, which gives our code officials more to work with when enforcing the codes of the Township. The State reviewed that ordinance and requested modifications specific to the fee structure. Those changes have been made and once this ordinance passes will go on to the State for approval. When that occurs, we can then establish consistent and equitable monetary penalties for offenses, which do seem to have more of an impact than written warnings. This ordinance came about as one of the recommendations by the Township's Property Maintenance Committee, chaired by Planning Board Chairman Bill Van Houten. This is the first step in moving toward a more stringent approach to property maintenance to ensure the community is maintained and that beautification and aesthetics are common practice.

There is also an amending to ordinance #1189 on tonight's agenda specific to enforcement of the Township's snow and ice removal ordinance. This amendment extends the ability for enforcement of this ordinance to our code officials. Previously, the DPW Superintendent was the only person able to issue citations, and as we know, in weather events involving snow and ice, the DPW is focused first on clearing the roads. Recent weather events illustrated the need for better enforcement of the ordinance that stipulated snow and ice must be removed from sidewalks and streets used by the public. Our code officials were not able to enforce this ordinance, but should this amendment pass, our code officials can enforce this as needed. The DPW Superintendent will continue to have the authority to do so; this amendment expands the ability to do so to our code officials as well.

We will also hold a public hearing tonight on Ordinance #1188, establishing an energy aggregation program pursuant to the energy aggregation act of 2003. This ordinance establishes the Township's commitment of interest to share data regarding energy consumption of both residential and non-residential users in the Township. That data will be used as part of a bid to solicit pricing for energy. Once the bid is held, representatives from the Co-op will then request Council approval to continue with the sale of energy through this third party. At that time, if the

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projections are not what we have been led to anticipate, the Council can opt not to participate in the Program. At this point, the Council is moving forward with approval to include our data in the bid.

Ordinance #1190 is the introduction of an amendment to the police division section of the Township Code to enable the Township, in an emergency situation, to hire police officers who apply for vacancies from other departments or through an alternate route program. The current ordinance calls for a test to be done every three years administered by the Police Chiefs Association. While the Township intends to continue this practice, in the event of any unanticipated reduction in the police force, the Township needs to have a mechanism in place to move expeditiously to avoid staffing voids. The department is not fully staffed, so if we were to experience one or two officers leaving the force unexpectedly, the staffing ratio could not maintain services effectively.

Resolution E requests Council permission to reject all bids received on February 6, 2014 for the elevation of 2 homes in the Township's SRL FY 10 project. All bids received were higher than the construction amount awarded in the grant. Therefore, we are asking for Council approval to reject all bids. Additionally, the resolution requests Council approval to advertise the project. In both of these homes, the project architect and myself met with the property owners to review the bids and to determine any areas where modifications could be made to reduce the cost. Once those modifications are made, the bids will be re-advertised.

I'll ask Phil to speak to Resolution D.

At this time, Mr. Simone provided an explanation of Resolution [D].

PUBLIC PORTION

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

Poll: Ayes: Maceri, Organisciak, Porter, Vantuno and President Fontana
 Nays: None

The Council President declared the motion passed.

Renea Shapiro, Little Falls ABC, explained that she received literature from the Recreation Center that Passaic County is offering funding to do a community garden. She asked if this is something to town would consider, as there would be no cost to the town. On 3/14/14 there is a grant due for the open space. She explained that the gazebo at the Morris Canal is starting to erode and lean back. They can have the grant written and ready for the next meeting if the Council will consider approving it.

Mark Simolaris, 111 First Avenue, questioned the ordinance on tonight's agenda relating to property maintenance and asked if the town had a code enforcement person on duty. He further noted that the DPW is burdened by so many duties, and now Mr. Simone will have the authority to enforce codes. Referring to the newest backup pump, he asked if this will be able to handle catastrophic situations.

Louis Fernandez, Harrison Street, reminded that Mrs. Bergin had previously made comments that this building needs repairs. He asked why the building needs repairs at this point when it is still so new.

In response to Council President FONTANA, Mr. Simone informed that there was some discussion about a community garden. They need some more information as to the amount of space needed for this so they can see if there is an area they can use in town. The town would have to look into issues of maintenance and insurance for this. President FONTANA said the town was approached by the Little Falls ABC last year about getting a grant application out; it was requested at the last minute. They asked for approval of something the Council didn't have in front of them. He explained that the Council must first be provided with what is being proposed before approving same. They had previously explained this process and doesn't agree that this should be coming before the Council last minute

Lou read a statement into the record as follows:

Last year the Council was approached at a meeting with the same request, and advised that to the ABC that the Governing Body cannot approve a project using Municipal property on a concept. The Open Space Grant requires a municipal resolution which states support and review of the application. The application requires a site plan, engineer's estimates and a narrative description of the project. If the Council receives those documents along with a draft resolution, we will review that request at that time. The Township offset the cost of our engineer last year in an effort to assist the ABC as the request came to us just before the deadline, but we were very clear that we cannot

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offset those funds for the Township professionals for these grants. The ABC also met with Councilmember Vantuno and our Administrator last year to confirm the process for grant applications that the ABC wants to pursue. The understanding of that meeting was that all requests would first be vetted by the Administrator, who would arrange for Council approval if the proper materials were provided and the project was feasible. That did not occur again. Last year's grant for the walking bridge down by the Morris Canal is a perfect example of why this process is needed. The bridge is not installed; it is sitting at the DPW yard taking up space because the DEP came in and issued a Stop Work Order. The Township has taken a hit both from the County and the State on this project and this is why we will not consider a resolution supporting an application for work on Municipal property unless we have a chance to review the actual application and determine if it is indeed appropriate and feasible. All of this we explained last year.

In response to Councilmember ORGANISCIAK, Mr. Simone explained that this is the first he is hearing of the issues with the gazebo; he will take a look at it.

Council President FONTANA informed that Ordinance No. 1189 is allowing code enforcement officials, as well as the DPW Superintendent to issue summonses in town for violations.

Mr. Simone informed that there have been issues in the past with the pump station, adding that the station is about 27 years old now. Normally there is not a problem, as there are two large pumps. To avoid overflows, they have occasionally gone out to rent pumps. This pump will allow them to bypass the station and has a large pumping capacity. It will be very beneficial to the town.

Mrs. Bergin explained that the Town Hall is not as new as the Police Department extension. Mr. Simone informed that the Town Hall is about eleven years old. Mrs. Bergin informed that the CDBG grant is limited as to what you can apply for, noting that they have applied for repairs to this building. The money must be used for public facilities, which is tied to handicapped accessibility. Mr. Lindsay said there is work to be done on the ramp; Mrs. Bergin informed that they have asked before and the application was denied. She also informed that they are not encumbering any new debt.

CONSENT AGENDA

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

APPLICATIONS

Blue Light Permit – John Conti, Prospect Street, Little Falls Fire Department

Little Falls Fire Department Auxiliary – Dane Knudsen, McCosh Road, Clifton, Enterprise Fire Co. #2
- Ryan Gaffney, Long Hill Road, Singac Fire Co. #3

REPORTS

Municipal Clerk's Report – Month of January 2014

MUNICIPAL CLERKS REPORT		
Month of January 2014		
ABC LICENSES		
OTHER LICENSES		
Business Licenses	\$9,260.00	
Pre-paid Business Licenses		
Raffle Licenses	2,960.00	
		\$12,220.00
REGISTRAR OF VITAL STATISTICS		
Fees & Permits	\$256.00	
Marriage Licenses-LF	50.00	
Marriage Licenses-NJ	6.00	
		\$312.00
MRNA		
Street Maps		
Zoning Maps	\$6.00	
Zoning Ordinances		
Document Copies	36.05	
Garage Sales		
Misc. Fees & Refunds:		

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TOTAL MRNA	<u>\$42.05</u>
TOTAL CURRENT ACCOUNT	<u>\$12,574.05</u>
TOTAL TO TREASURER	<u>\$12,574.05</u>

Municipal Clerk's Dog/Cat License Report – Month of January 2014
MUNICIPAL CLERK'S DOG/CAT LICENSE REPORT
Month of January 2014

Dog Licenses issued 01/01/2014 thru 01/31/2014
Nos. 451 to 454 = 4 Licenses
Amount due Little Falls \$27.20
Amount due State 13.80
Total Cash Received \$41.00

Total to Treas. \$41.00

Tax Collector's Report – Month of January 2014

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 January 2014

Categories	January 1-31, 2014	2014 Year to Date
2014 Taxes	\$3,191,952.20	*\$3,635,650.75
2013 Taxes	57,411.07	57,411.07
2010 Taxes	250.00	250.00
Prepaid 2015 Taxes	0.00	0.00
Interest	2,603.58	2,603.58
Township Tax Title Lien	0.00	0.00
Township Tax Title Lien Int.	0.00	0.00
Township Tax Title Lien 6% PE	0.00	0.00
Cost of Tax Sale	0.00	0.00
Outside Tax Liens	0.00	0.00
Duplicate Tax Bills	60.00	60.00
Tax Searches	10.00	10.00
Insufficient Check Charge	40.00	40.00
6% Penalty Fee	1,258.04	1,258.04
Misc. Line Item Fee	0.00	0.00
Premium Outside Lien	0.00	0.00
Tax Sale Additional Fee	0.00	0.00
Municipal Copy Fee	0.00	0.00
GRAND TOTALS	\$3,253,584.89	\$3,697,283.44

*Includes Prepaid (\$443,698.55) collected in 2013.

Delinquent 2013 Taxes	\$255,260.62 (1 st -4th Qtrs.) 74 line items.
Total Delinquent Taxes	\$255,260.62

Comparison same time last year:

Delinquent 2012 Taxes	\$349,552.93 (1 st -4th Qtrs.) 101 line items.
Delinquent 2011 Taxes	1,236.85 (1 Bankruptcy/1 Sr. Dis.)
Total Delinquent Taxes	\$350,789.78

2014 Refunds this month =	-\$0.00
2014 Year to date refunds =	-\$0.00

Breakdown of refunds for years 2011-2014 completed in 2014(see attached).

2014 Insufficient check charge backs (year to date) = -\$0.00.

REFUNDS IN THE YEAR 2014

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Months	2011 STCJ	2012 STCJ	2013 STCJ	2014 STCJ	2014 CBJ	Regular 2014	2014 Veteran/ Widow	2014 Senior/ Disabled	Exempt 2014	2014 Homestead Benefit	Total by Months
January	\$1,072.50	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$1,072.50
Totals	\$1,072.50	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$1,072.50

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 2 (Lien Premium Monies), Lakeland Bank
Revenues for the Month of January 2014

	Liens with Premiums Redeemed/(-)	Bal./Dep.(+)
Balance Brought Forward (January 1, 2014)		\$170,000.00
January 2014	\$0.00	\$170,000.00
Ending Balance as of January 31, 2014		\$170,000.00

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 January 2014

	Deposit	2014 Year-to-Date
January 2014	\$0.00	\$0.00
Total Collected as of January 31, 2014		\$0.00

RESOLUTIONS

NJ Dept. of Health – State Dog License Fees

RESOLUTION [A] 14-02-24 - #1

BE IT RESOLVED by the Township Council of the Township of Little Falls, the Treasurer having certified to the availability of funds, that the Mayor, Clerk and Treasurer be and they are hereby authorized and directed to issue a check in the amount of:

\$13.80

payable to:

NJ State Dept. of Health

representing payment of State dog license fee, license Nos. 451 to 454 for the month of January 2014.

Refund for Overpayment of Property Taxes

RESOLUTION [B] 14-02-24 #2

WHEREAS, the property known as Block 116 Lot 8 assessed to Rose M & Luigi G Coiro of 50 Lincoln Avenue, Little Falls, NJ has a credit on their 1st quarter 2014 taxes in the amount of \$2,179.36; and

WHEREAS, the Coiro's mortgage company known as Core Logic paid the 1st quarter taxes on February 6, 2014 along with Green Label Title on February 20, 2014 both in the amount of \$2,179.36; and

WHEREAS, Green Label Title has requested in writing to our Tax Collector that the overpayment be refunded to them in the amount of \$2,179.36; and

WHEREAS, the Tax Collector authorizes our Treasurer to refund the amount of \$2,179.36 made payable to: Green Label Title, 2517 Highway 35, Bldg B, Suite 102, Manasquan, NJ 08736;

NOW, THEREFORE BE IT RESOLVED by the Township Council of Little Falls on this 24th day of February 2014 that Green Label Title be refunded the total amount of \$2,179.36 in taxes due to an overpayment of taxes on the 2014 1st quarter taxes.

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

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Poll: Ayes: Maceri, Organisciak, Porter, Vantuno and President Fontana
Nays: None

The Council President declared the motion passed.

REGULAR AGENDA

The following items were individually considered.

NEW BUSINESS

Authorizing Submittal of FY 2014 Passaic County CDBG Application – It was moved by Councilmember Maceri, seconded by Councilmember Porter, that the Council approve the following:

RESOLUTION [C] 14-02-24 - #3

RESOLUTION OF THE TOWNSHIP OF LITTLE FALLS, COUNTY OF PASSAIC, STATE OF NEW JERSEY, AUTHORIZING THE SUBMITTAL OF THE FISCAL YEAR 2014 PASSAIC COUNTY COMMUNITY DEVELOPMENT BLOCK GRANT APPLICATION

WHEREAS, it is the desire of the Mayor and Township Council to authorize the submittal of a FY 2014 Passaic County Community Development Block Grant application to the Passaic County Department of Economic Development for repairs to the Municipal Building that ensure handicapped accessibility;

WHEREAS, at a meeting held February 24, 2014, the Township Council of the Township of Little Falls adopted a resolution authorizing the application for and use of funds from the Passaic County Community Development Block Grant Program for activities described in the proposal and, if awarded funds, shall implement the activities in a manner to ensure compliance with all applicable federal, state and local laws and regulations.

NOW, THEREFORE BE IT RESOLVED that Mayor Darlene J. Post and Township Council of the Township of Little Falls, Passaic County, State of New Jersey, support the application to the Passaic County Community Development Block Grant program.

Poll: Ayes: Maceri, Organisciak, Porter, Vantuno and President Fontana
Nays: None

The Council President declared the motion passed.

Authorizing Award of Contract to Xylem for Purchase of a Ten-Inch Trailer Mounted Back Up Pump w/ Accessories – It was moved by Councilmember Vantuno, seconded by Councilmember Organisciak, that the Council approve the following:

RESOLUTION [D] 14-02-24 - #4

AUTHORIZING THE AWARD OF A TEN INCH TRAILER MOUNTED BACK UP PUMP WITH ACCESSORIES

WHEREAS, the Township of Little Falls received sealed bids for a ten inch trailer mounted back up pump with accessories as follows:
Xylem
Bid: \$62,871.57

WHEREAS, the Treasurer has provided a Certification of the Availability of Funds (a copy of which is appended to the original of the with Resolution) pursuant to Rule 5:30-1.10 of the Local Finance Board; and

WHEREAS, the Township Attorney has reviewed the proposals for legal sufficiency, and the DPW Superintendent has reviewed the bids for technical sufficiency and recommends that a contract be awarded to Xylem; and

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

- 1) That the proposal of

Xylem
6 Connerty Court
East Brunswick, NJ 08816

in the amount of

\$62,871.57

be and the same is hereby accepted; and

- 2) That the Mayor and Clerk be and they are hereby authorized to execute a contract in a form prepared and approved by the Township Attorney for the purchase of the within designated services subject to the successful contractor’s filing the required New Jersey Employee Information Report (Form AA302)or providing a Certificate of Employee Information to the Township.

Poll: Ayes: Maceri, Organisciak, Porter, Vantuno and President Fontana
Nays: None

The Council President declared the motion passed.

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Rejecting Bids Received for SRL FY10 – Phase I House Elevations – It was moved by Councilmember Vantuno, seconded by Councilmember Maceri, that the Council approve the following:

RESOLUTION [E] 14-02-24 - #5
REJECTING BIDS RECEIVED FOR
SRL FY10 – PHASE 1 HOUSE ELEVATIONS

WHEREAS, pursuant to advertisement duly made, bids for SRL FY10 – Phase 1 House Elevations were received by the Township of Little Falls on February 6, 2014; and

WHEREAS the Township Attorney has reviewed the bids for legal sufficiency; and

WHEREAS, it was found that the bid packages submitted exceed the contract amount and therefore, could not be recommended for award.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Little Falls that the bids for SRL FY10 – Phase 1 House Elevations be and they are hereby rejected; and

BE IT FURTHER RESOLVED that the Administrator and Clerk be and they are hereby authorized and directed to cause advertisement for receipt of bids for this project.

Poll: Ayes: Maceri, Organisciak, Porter, Vantuno and President Fontana
 Nays: None

The Council President declared the motion passed.

Ordinance No. 1187 – It was moved by Councilmember Organisciak, seconded by Councilmember Vantuno, that the public hearing on Ordinance No. 1187, **“BOND ORDINANCE PROVIDING FOR REMEDIATION OF THE PASSAIC RIVER IN AND BY THE TOWNSHIP OF LITTLE FALLS, IN THE COUNTY OF PASSAIC, NEW JERSEY, APPROPRIATING \$100,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$95,000 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF”**, be and it was opened.

Poll: Ayes: Maceri, Organisciak, Porter, Vantuno and 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 Vantuno, that the public hearing on Ordinance No. 1187 be and it was closed.

Poll: Ayes: Maceri, Organisciak, Porter, Vantuno and President Fontana
 Nays: None

The Council President declared the motion passed.

It was moved by Councilmember Maceri, seconded by Councilmember Organisciak, that the Ordinance No. 1187 be and it was adopted.

Poll: Ayes: Maceri, Organisciak, Porter, Vantuno and President Fontana
 Nays: None

The Council President declared the motion passed.

Ordinance No. 1188 – It was moved by Councilmember Vantuno, seconded by Councilmember Organisciak, that the public hearing on Ordinance No. 1188, **“AN ORDINANCE ESTABLISHING AN ENERGY AGGREGATION PROGRAM PURSUANT TO GOVERNMENT ENERGY AGGREGATION ACT OF 2003”**, be and it was opened.

Poll: Ayes: Maceri, Organisciak, Porter, Vantuno and President Fontana
 Nays: None

The Council President declared the motion passed.

No one having come forward to be heard, it was moved by Councilmember Organisciak, seconded by Councilmember Maceri, that the public hearing on Ordinance No. 1188 be and it was closed.

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Poll: Ayes: Maceri, Organisciak, Porter, Vantuno and President Fontana
Nays: None

The Council President declared the motion passed.

It was moved by Councilmember Vantuno, seconded by Councilmember Maceri, that the Ordinance No. 1188 be and it was adopted.

Poll: Ayes: Maceri, Organisciak, Porter, Vantuno and President Fontana
Nays: None

The Council President declared the motion passed.

Ordinance No. 1189 – It was moved by Councilmember Organisciak, seconded by Councilmember Vantuno, that the public hearing on Ordinance No. 1189, “**AN ORDINANCE AMENDING CHAPTER 163, “PROPERTY MAINTENANCE” OF THE CODE OF THE TOWNSHIP OF LITTLE FALLS**”, be and it was opened.

Poll: Ayes: Maceri, Organisciak, Porter, Vantuno and President Fontana
Nays: None

The Council President declared the motion passed.

No one having come forward to be heard, it was moved by Councilmember Vantuno, seconded by Councilmember Organisciak, that the public hearing on Ordinance No. 1189 be and it was closed.

Poll: Ayes: Maceri, Organisciak, Porter, Vantuno and President Fontana
Nays: None

The Council President declared the motion passed.

It was moved by Councilmember Vantuno, seconded by Councilmember Maceri, that the Ordinance No. 1189 be and it was adopted.

Poll: Ayes: Maceri, Organisciak, Porter, Vantuno and President Fontana
Nays: None

The Council President declared the motion passed.

Ordinance No. 1190 – It was moved by Councilmember Organisciak, seconded by Councilmember Maceri, that there be introduced and the meeting of March 10, 2014 set as the date and time for the public hearing on the following:

ORDINANCE NO. 1190

ORDINANCE OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF LITTLE FALLS IN THE COUNTY OF PASSAIC, STATE OF NEW JERSEY, TO AMEND SECTION L OF THE ORDINANCE ENTITLED APPOINTMENT OF MEMBERS; APPLICATION FEES.

WHEREAS, the Township of Little Falls (“Township”) is a public body corporate and politic of the State of New Jersey; and
WHEREAS, the municipal council (“Municipal Council”) of the Township has determined to amend the Little Falls Township Code (“Code”) entitled: Appointment of Members; Application Fees. Specifically, Paragraph 1, to allow for, in addition to the current practice, the hiring of police officers who have either worked for another police department and/or through the Alternate Route program wherein the officer has met the standards required under *N.J.S.A. 52:17-B-69.1*, including the general qualifications for a police officer as set forth in the provisions of *N.J.S.A. 40A:14-122*.

WHEREAS, the Code, specifically §3-7.7 requires that the Township shall have a test every three years for applicants to the position of police officer. The Chiefs of Police Association will administer such test. Each candidate receiving a passing grade will be listed as eligible for hire as a police officer in the Township of Little Falls.

WHEREAS, the Code states that the Mayor, in his (or her) discretion, from the list created by the testing listed in Code §3-7.7, Subsection L(1), appoint such qualified persons as police officer as he (or she) from time to time deems to be appropriate.

WHEREAS, the Municipal Council has determined to amend Code §3-7.7 to provide an alternative means to hire police officers.

WHEREAS, the Municipal Council has determined to amend Code §3-7.7 to read as follows (additions are underlined):

“The Township shall have a test every three years for applicants to the position of police officer. The Chiefs of Police Association will administer such test. Each candidate receiving a passing grade will be listed as eligible for hire as a police officer in the Township of Little Falls. Alternatively, instead of hiring from a list compiled from a test administered by the Chiefs of Police Association, the Township of Little Falls, in the discretion of the Mayor with the advise and consent of the Township Council, may hire police officers directly who meet the general qualifications for a police officer as set forth in the provisions of *N.J.S.A. 40A:14-122* and who either worked for another police department or are eligible for hire through the Alternate Route program under *N.J.S.A. 52:17-B-69.1*.”

Meeting of February 24, 2014

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

1. The aforementioned recitals are incorporated herein as though fully set forth at length.
2. The Municipal Council hereby amends Code §3-7.7 to read as follows:
“The Township shall have a test every three years for applicants to the position of police officer. The Chiefs of Police Association will administer such test. Each candidate receiving a passing grade will be listed as eligible for hire as a police officer in the Township of Little Falls. Alternatively, instead of hiring from a list compiled from a test administered by the Chiefs of Police Association, the Township of Little Falls, in the discretion of the Mayor with the advise and consent of the Township Council, may hire police officers directly who meet the general qualifications for a police officer as set forth in the provisions of *N.J.S.A. 40A:14-122* and who either worked for another police department or are eligible for hire through the Alternate Route program under *N.J.S.A. 52:17-B-69.1*.”
3. It is the intent of the Municipal Council to incorporate the additions contained in this Ordinance in to the Code. All of the remaining provisions in Chapter 3 shall remain unchanged and remain in full force and effect.
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 Office 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: Maceri, Organisciak, Porter, Vantuno and President Fontana
Nays: None

The Council President declared the motion passed.

Ordinance No. 1191 – It was moved by Councilmember Porter, seconded by Councilmember Vantuno, that there be introduced and the meeting of March 10, 2014 set as the date and time for the public hearing on the following:

ORDINANCE #1191
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 AUTHORIZE THE CONSTRUCTION
OFFICIAL TO ENFORCE
THE TOWNSHIP SNOW AND ICE REMOVAL ORDINANCE.

WHEREAS, the Township of Little Falls (“Township”) is a public body corporate and politic of the State of New Jersey; and

WHEREAS, the municipal council (“Municipal Council”) of the Township has determined to amend the Little Falls Township Code (“Code”) to additionally empower the Township’s Construction Official (“Construction Official”) to implement and enforce the local ordinance requiring the removal of snow and ice from sidewalks and streets used by the public; and

WHEREAS, the Code at Chapter 223, Subchapter 223-3 currently empowers the Superintendent of Public Works with the authority to have snow and ice removed from sidewalks and streets; and

WHEREAS, the Municipal Council seeks to amend the Code to additionally empower the Construction Official with the authority to have snow and ice removed from sidewalks and streets; and

WHEREAS, the Municipal Council has determined to amend Subchapter 223-3 of the Code to read as follows (additions are underlined and deletions are in [brackets]):

“In case the snow or ice shall not be removed from the sidewalks or shall be cast or deposited thereon or placed upon the sidewalks or the street by the owner, tenant or occupant of any premises as herein provided, the same may be removed under the direction of the Superintendent of Public Works or the Construction Official, and the cost of removal as nearly as can be ascertained shall be certified by the Superintendent of Public Works or Construction Official to the Director of Finance. The Township shall examine the certification and, if found to be correct, shall cause the cost to be charged against the real estate abutting or bordering on the sidewalks, and the amount so charged shall forthwith become a lien and a tax in the same manner as the taxes next to be levied and assessed on the premises, and shall bear interest and be enforced and collected by the same officers and in the same manner as other taxes. The imposition and collection of a fine or fines or any other penalty for violation of any of the provisions of this article shall not constitute any bar to the right of the Township to collect the cost, as certified, for the removal of snow or ice in the manner herein authorized.”

WHEREAS, the Code at Chapter 223, Subchapter 223-4 currently empowers both the Township’s Police Department and Superintendent of Public Works with the authority to enforce the provisions of Chapter 223, Article I ‘Removal of Snow and Ice’ of the Code; and

WHEREAS, the Municipal Council seeks to amend the Code to additionally empower the Construction Official with the authority to enforce Chapter 223, Article I of the Code; and

WHEREAS, the Municipal Council has determined to amend Subchapter 223-4 of the Code to read as follows (additions are underlined and deletions are in [brackets]):

“The Police Department and the Superintendent of Public Works or the Construction Official, or their respective designees, shall enforce the provisions of this article.”

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

Meeting of February 24, 2014

1. The aforementioned recitals are incorporated herein as though fully set forth at length.
2. The Municipal Council hereby amends Subchapter 222-3 of the Code to read as follows:
“In case the snow or ice shall not be removed from the sidewalks or shall be cast or deposited thereon or placed upon the sidewalks or the street by the owner, tenant or occupant of any premises as herein provided, the same may be removed under the direction of the Superintendent of Public Works or the Construction Official, and the cost of removal as nearly as can be ascertained shall be certified by the Superintendent of Public Works or Construction Official to the Director of Finance. The Township shall examine the certification and, if found to be correct, shall cause the cost to be charged against the real estate abutting or bordering on the sidewalks, and the amount so charged shall forthwith become a lien and a tax in the same manner as the taxes next to be levied and assessed on the premises, and shall bear interest and be enforced and collected by the same officers and in the same manner as other taxes. The imposition and collection of a fine or fines or any other penalty for violation of any of the provisions of this article shall not constitute any bar to the right of the Township to collect the cost, as certified, for the removal of snow or ice in the manner herein authorized.”
3. The Municipal Council hereby amends Subchapter 222-4 of the Code to read as follows:
“The Police Department and the Superintendent of Public Works or the Construction Official, or their respective designees, shall enforce the provisions of this article.”
4. It is the intent of the Municipal Council to incorporate the additions, amendments and/or supplements contained in this Ordinance in to the Code. All of the remaining provisions in Chapter 223 of the Code shall remain unchanged and have full force and legal effect. All other resolutions and ordinances governing snow and ice removal heretofore enacted and inconsistent herewith are hereby modified pursuant to the terms of this Ordinance.
5. If any section, paragraph, subdivision, clause, sentence, phrase or provision of this Ordinance is declared unconstitutional or invalid by a court of competent jurisdiction, such decision shall not affect the remaining portions of this Ordinance.
6. A copy of this Ordinance shall be available for public inspection at the offices of the Township Clerk.
7. This Ordinance shall take effect after twenty (20) days of its final passage by the Municipal Council, upon approval by the Mayor and publication as required by law.

Poll: Ayes: Maceri, Organisciak, Porter, Vantuno and President Fontana
Nays: None

The Council President declared the motion passed.

EXECUTIVE SESSION

It was moved by Councilmember Organisciak, 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 from the Public; and
WHEREAS, the regular meeting of this Governing Body will reconvene;
NOW, THEREFORE, BE IT RESOLVED that the Township Council of the Township of Little Falls will go into executive session for the following reason(s) as outlined in N.J.S.A 10:4-12: Discussion of Personnel.

Poll: Ayes: Maceri, Organisciak, Porter, Vantuno and President Fontana
Nays: None

The Council President declared the motion passed.

The Council entered Executive Session at 8:12 p.m.

At 8:40 p.m., the Council returned and it was moved by Councilmember Maceri, seconded by Councilmember Organisciak, that the meeting return to Open Session.

Poll: Ayes: Maceri, Organisciak, Porter, Vantuno and President Fontana
Nays: None

The Council President declared the motion passed.

PAYMENT OF BILLS

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

RESOLUTION [BL]

Meeting of February 24, 2014

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: Maceri, Organisciak, Porter, Vantuno and President Fontana
 Nays: None

The Council President declared the motion passed.

There being no further business to come before the meeting, it was moved by Councilmember Organisciak, seconded by Councilmember Porter, that the meeting be and it was adjourned at 8:40 p.m.

Cynthia Kraus
Municipal Clerk