

Meeting of November 24, 2014

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

Monday, November 24, 2014

Council President Louis Fontana called the meeting to order at 7:30 p.m. with the following members present: Joseph Maceri, Pamela Porter. Also present were Mayor Darlene Post, Township Attorney William Northgrave, Township Engineer Dennis Lindsay, Municipal Clerk Cynthia Kraus and Township Administrator Charles Cuccia.

Absent: John Vantuno and William Organisciak

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

Council President FONTANA attended the League of Municipalities conference in Atlantic City last week and found it to be a productive and informative conference. On Saturday, December 6, 2014 the annual Christmas tree lighting will be at Wilmore Park at 7:00 p.m. Council President FONTANA wished all a Happy Thanksgiving.

COUNCIL MEMBER REPORTS

Councilmember MACERI had nothing to report and wished everyone a Happy Thanksgiving.

Councilmember PORTER reported the NJ Lottery ran an enjoyable program for senior citizens last week. A beautiful ceremony was held on Veteran's Day, thanks in part to the Damiano family for honoring it with flags. The town was invited to take the flags and show their support of our veterans by displaying the flags at their own homes. On December 12, 2014, the Senior Luncheon will be held at Civic Center at 11:30 am. Councilmember PORTER wished all a Happy Thanksgiving.

MAYOR'S REPORT

Mayor Post reported a meeting with the Little Falls Business Association regarding the Transit Village application will yield a letter of support from several businesses. She also attended the League of Municipalities conference, and received beneficial information for the Township. Congratulations to the Little Falls animal hospital on Main Street on their grand opening yesterday. Mayor Post requested an ad hoc committee be convened to participate in the state regarding tourism. Membership thus far consists of Renea Shapiro as chair and Bill Liess. Our Township had participated in 2 Veterans Day celebrations. The Damiano Family was thanked for their patriotism. In addition, Artistic Endeavors hosted another Veterans Day celebration which included a patriotic display from the art students. Mayor Post stated this made her proud to be part of such an amazing community. She wished all a Happy Thanksgiving.

ATTORNEY'S REPORT

Ms. London had nothing to report.

ADMINISTRATOR'S REPORT

Mr. Cuccia had nothing to report.

PUBLIC PORTION

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

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

The Council President declared the motion passed.

Ron Mullen, 94 Jacobus Avenue, addressed the speeding traffic on Jacobus and questioned the status of speed humps for the road.

Bob Dombrowski, 49 Parkway, queried the status of Louis Street Park. He also expressed concern with regard to installation of storm drains at Main and William, as well as other locations, tying into one drain. He requested attention and urgency be paid to placing a pipe in to Suchorsky Park.

Arnold Korotkin, 181 Long Hill Road, questioned the status of Council minutes being made available on the website. There have been 15 Council meetings of which minutes have not been approved or posted on the site. According to the Governor's Best Practices, the township must keep meeting dates, agendas, minutes, etc.. He expressed concern regarding Financial Disclosure Statements that several members have not filed to date, and whether the Township has a plan to address traffic safety concerns with respect to Route 3/46 project. Mr. Korotkin also queried the state of the Little Falls diner, and whether employees could be cross-trained to alleviate the

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workload in the Tax Collector's office. He additionally asked for an explanation to be provided for the purpose of the lock box.

Roland Buchholz, 17 Ridge Road, made a recommendation at the previous meeting that the Township pass an ordinance for a review committee for the Planning Board. He questioned the board's decision on the issue regarding a wall that has water going over and running into his property.

Louis Fernandez, Harrison Street, inquired about the status of the Pinnacle project, and if the Police Department is not using the equipment, whether the funds could be recovered.

Blanka Foucaud 77 Jacobus, requested a status report with regard to speeding on the street, and noted a speed limit sign was installed.

Suzanne Erikson, 66 Jacobus, addressed the speeding on the road, and cited correspondence with the Police Chief last year, has not yielded a response.

Renea Shaprio, Walnut Street, raised the issues of whether the DPW is adequately prepared for snow storms and whether a policy exists for notifying residents to be vigilant in light of recent home invasions.

Rocco Corage, 68 Jacobus Avenue, raised safety and noise issues regarding speeding on Jacobus Avenue.

Roland Buchholz, 17 Ridge Road concurred with the residents of Jacobus and noted similar speeding problems on Ridge Road and Browertown Road.

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

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

The Council President declared the motion passed.

Council President FONTANA reported different speeding products to reduce speeding were reviewed at the conference in Atlantic City. The matter is being addressed and potential solutions considered. Mr. Cuccia added that research is being done to determine if a speed reduction unit recommended by the Police Chief could be purchased under a grant.

Mr. Simone stated three speed limit signs are present in each direction of the road. The stop signs were approved by the DOT under a grant. Mr. Lindsay noted speeding traffic on Jacobus has been reported for some time, however, newer products may have more attractive features to reduce the problem. Traffic signs will be considered. Council President FONTANA recommended officers be stationed for enforcement until the signs are up.

Council President FONTANA announced Louis Street Park is eventually slated for expansion under a grant and would consider current housing in the area.

Mr. Simone said the County agreed to install drainage to help the flooding at William Street and Main Street. The drainage goes inside the pipe instead of over the road. It is getting to the same point, but a lot quicker than before. It is something that they have to look into to see what can be done.

Council President FONTANA agreed there is a backlog of minutes, however, issues must be prioritized. He will investigate what members are behind on the Financial Disclosure Statements.

Mr. Cuccia said they met with DOT and presented results to Mayor Post, Mr. Lindsay, and Mr. Simone in collaboration with the Engineer regarding the route 3/46 project.

Council President FONTANA addressed the diner on Paterson Avenue and revealed while there are potential possibilities no plans have been made as yet.

Mr. Cuccia explained in many municipalities, government is getting smaller due to insufficient funds to staff positions. In order to deal with this situation, employees are cross-trained employees so no one is turned away in the event an office is closed. The lock box serves a similar purpose for the Tax Department when it is closed.

Council President FONTANA reviewed agenda items to discuss with the Planning Board.

Mr. Lindsay affirmed he will speak to Mr. Macones regarding Mr. Buchholz's problem and the requirements on the plans for runoff.

Mr. Cuccia informed the Council all of the Pinnacle equipment was delivered, but all of it is not being used, as the Police Department continues to work through issues with the Fire Department to assure proper communication. He will refer to the Chief to see if there is any possibility of utilizing the remaining equipment.

Council President FONTANA addressed Mrs. Shapiro's concern of snow removal and noted the Town is amply prepared.

Mr. Cuccia informed the Council the Police Department would notify the public of home invasions at their discretion.

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Councilmember MACERI reminded the Council other roads were to be included in a traffic study earlier in the year. Mr. Cuccia will follow-up with Chief to determine the status.

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

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

The Council President declared the motion passed.

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

Little Falls Fire Department Auxiliary, Isaiah Vitiello, Stevens Avenue, Enterprise Co #2

NJ State Firemen’s Association, Paul Wendling, Main Street, Little Falls Fire Department

NJ State Firemen’s Association, Steven Wojnicz, Woodland Drive, Woodland Park, Little Falls Fire Department

Raffle License, On-Premise 50/50 Raffle, Little Falls School #1 PTA, 2/8/15, 12:00 P.M. – 4:00 P.M, Passaic Valley High School

It was moved by Councilmember Porter, seconded by Councilmember Maceri to approve the Consent Agenda.

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

The Council President declared the motion passed.

REGULAR AGENDA

CORRESPONDENCE

REQUEST FROM SINGAC FIRE COMPANY NUMBER THREE FOR PERMISSION TO CONDUCT A COIN TOSS AT THE INTERSECTION OF MAIN STREET AND ROUTE 23 ON 11/28/14 AND 11/29/14, WITH RAIN DATES OF 2/6/14 AND 12/7/14

It was moved by Councilmember Porter, seconded by Councilmember Maceri that the Council approved the Coin Toss.

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

The Council President declared the motion passed.

REQUEST FROM SPORTSMAN DOMAIN ACADEMY, MONTCLAIR, NJ, FOR PERMISSION TO RENT PATERSON AVENUE FIELD IN JUNE OR AUGUST, 2015 FOR A PERIOD OF TWO WEEKS

It was motioned by Councilmember Maceri, seconded by Councilmember Porter that the Council approve the rental of Paterson Ave. Field

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

The Council President declared the motion not passed.

NEW BUSINESS

Authorizing Change Order to D’Arminio & Sons for Improvements to Amity Park in Excess of \$2,8000.00 of the Contract Price – It was moved by Councilmember Maceri, seconded by Councilmember Porter, that the Council approved the following:

**RESOLUTION [E] 14-11-24 - #5
RESOLUTION AWARDDING CHANGE ORDER #2 TO D’ARMINIO & SONS FOR
IMPROVEMENTS TO AMITY PARK IN EXCESS OF \$2,800 OF CONTRACT PRICE**

WHEREAS, the Township Council has received recommendations from the Township Engineer regarding the Improvements to Amity Park contract to include several modifications as listed in the Township Engineer’s estimates; and

WHEREAS, the Township Council has considered these recommendations in accordance with N.J.A.C. 5:30-1 et seq. and the Local Public Contracts Law; and

WHEREAS, the Township Council has determined that the most efficient method of completion of this work, with the least cost to the residents and tax payers of the Township of Little Falls would be by having the work performed under the Township’s Amity Park Improvement contract; and

WHEREAS, the Township Council has determined there are benefits in having a single contractor responsible for coordination of the work; and

WHEREAS, the Township Council has a contract with D’Arminio & Sons for Improvements to Amity Park, which was awarded by public bidding under the Local Public Contracts Law.

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NOW, THEREFORE, BE IT RESOLVED, that the Township Council authorizes Change Order #2 to D'Arminio & Sons in the total amount of \$2,800.00 for the completion of accessory work as listed in the Township Engineer's estimate and further authorizes a notice of this action be printed in the official newspaper and a copy of the advertisement be filed with the Township Clerk.

Mr. Lindsay gave an explanation of the resolution.

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

The Council President declared the motion passed.

Approving the Transfer of Plenary Retail Consumption License from D.J. Gabby, Inc. to Sear Restaurant Corp. – It was moved by Councilmember Porter, seconded by Councilmember Maceri, that the Council approve the following:

RESOLUTION [F] 14-11-24 - #6

WHEREAS, an application has been filed for a Person-to-Person Transfer of Plenary Retail Consumption License Number 1605-33-003-009, heretofore issued to D.J. Gabby, Inc. for premises located at 1 Newark Pompton Turnpike, Little Falls, New Jersey; and

WHEREAS, the submitted application form is complete in all respects, the transfer fees have been paid, and the license has been properly renewed for the current license term; and

WHEREAS, the applicant is qualified to be licensed according to all standards established by Title 33 of the New Jersey Statutes, regulations promulgated thereunder, as well as pertinent local ordinances and conditions consistent with Title 33; and

WHEREAS, the applicant has disclosed and the issuing authority reviewed the source of all funds used in the purchase of the license and the licensed business and all additional financing obtained in connection with the licensed business;

NOW, THEREFORE, BE IT RESOLVED that the Little Falls Township Council does hereby approve, effective November 24, 2014, the transfer of the aforesaid Plenary Retail Consumption License to Sear Restaurant Corp., t/a Sear, and does hereby direct the Township Clerk/A.B.C. Board Secretary to endorse the license certificate to the new ownership as follows: "This license, subject to all its terms and conditions, is hereby transferred to Sear Restaurant, Corp., t/a Sear, whose mailing address is 231 Hudson Avenue, Norwood, New Jersey 07648, effective November 24, 2014 upon proof of sale being submitted to the Township Clerk within 30 days hereafter.

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

The Council President declared the motion passed.

Authorizing no Passing Zones as Recommended by NJDOT-It was moved by Councilmember Porter, seconded by Councilmember Maceri, that the Council approved the following:

RESOLUTION [G] 14-11-24 - #7

WHEREAS, the New Jersey Department of Transportation (NJDOT) recently completed a traffic investigation on Route 23 in the Township of Little Falls; and

WHEREAS, NJDOT, investigation revealed the current centerline pavement markings on Route 23 meet and conform to current design standards; and

WHEREAS, NJDOT will update existing records to reflect current No Passing Zone conditions along NJ Route 23;

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Little Falls, County of Passaic, in the State of New Jersey, that it supports the use of a "No Passing Zone" on Route 23 in the Township of Little Falls as recommended by NJDOT.

BE IT FURTHER RESOLVED, that a certified copy of this Resolution shall be forwarded to NJDOT as requested.

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

The Council President declared the motion passed.

Authorizing the Award of Contract Operation of Concession Stands at Duva Field and Amity Park- It was moved by Councilmember Maceri, seconded by Councilmember Porter, that the Council approve the following:

Council President Fontana gave an explanation on this resolution.

RESOLUTION [H] 14-11-24 - #8

AUTHORIZING THE AWARD OF CONTRACT OPERATION OF CONCESSION STANDS FOR THE SALE OF FOOD AND BEVERAGES AT DUVA PARK AND AMITY PARK

WHEREAS, on November 7, 2014, the Township of Little Falls received bids for the operation of concession stands for the sale of food and beverages at Duva Park and Amity Park as follows:

| | |
|-----------------|--------------------------|
| Bask III, LLC | Seasonal Concession, LLC |
| Bid: \$6,000.00 | Bid: \$13,000.00 |
| CAS Caterers | |
| Bid: 13,500.00 | |

WHEREAS, the amount bid is the amount to be paid to the Township by the Contractor for use of the facilities; and

WHEREAS, the Township Attorney has reviewed the proposals for legal sufficiency and recommends that a contract be awarded to CAS Caterers; and

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

1) That the bid of

CAS Caterers
14 Madison Avenue
Little Falls, NJ 07424

in the amount of

\$13,500.00

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, subject to the successful contractor's filing of the required New Jersey Employee Information Report (Form AA302) or providing a Certificate of Employee Information to the Township.

Poll: Ayes: Maceri, Porter and Council President Fontana

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Nays: None

The Council President declared the motion passed.

Authorizing the Award of a Contract to Cobra Enterprises for the Demolition of 35 Zeliff Avenue – It was moved by Councilmember Porter, seconded by Councilmember Maceri, that the Council approve the following:

**RESOLUTION [I] 14-11-24 - #9
AUTHORIZING THE AWARD OF A FAIR AND OPEN CONTRACT
FOR THE DEMOLITION OF 35 ZELIFF AVENUE**

WHEREAS, on October 28, 2014, the Township of Little Falls received bids for the Demolition of 35 Zeliff Avenue as follows:

| | |
|----------------------------------------------------|-------------------------------------------------|
| Two Brothers Contracting, Inc. Bid: \$16,800.00 | Cobra Enterprises, LLC Bid: \$14,427.00 |
| Yannuzzi Group Bid: \$19,875.00 | Caravella Contractors, Inc. Bid: \$16,323.00 |

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

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

1) That the bid of

Cobra Enterprises, LLC
31 Cliffwood Drive
Allentown, NJ 08501

in the amount of

\$14,427.00

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, Porter and Council President Fontana

Nays: None

The Council President declared the motion passed.

Authorizing the Award of a Contract to Cobra Enterprises for the Demolition of 35 Zeliff Avenue – It was moved by Councilmember Porter, seconded by Councilmember Maceri, that the Council approve the following:

**RESOLUTION [J] 14-11-24 - #10
ACCEPTING BID AND AWARDED CONTRACT FOR SOLID WASTE AND
RECYCLABLES MATERIAL COLLECTION AND DISPOSAL**

WHEREAS, pursuant to advertising duly made, bids were received by the Township of Little Falls on September 25, 2014 for Solid Waste Disposal, and the bids were opened and read publicly as follows:

| | |
|---------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------|
| Gaeta Recycling 278-282 West Railway Avenue Paterson, N.J. 07503 Bid: \$381,888.00 | Waste Management of New Jersey 77 Brookside Place Hillsdale, N.J. Bid: \$1,200,000.00 |
|---------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------|

F. Basso Jr. Rubbish Removal, Inc.
55-93 S. 20th Street
Irvington, NJ 07111
Bid: \$319,995.00

and, **WHEREAS**, the Department of Public works Superintendent has reviewed the bids for technical sufficiency and the Township Attorney has reviewed the bids for legal sufficiency; and

WHEREAS, each bidder has been notified of the need to supply the appropriate form of proof of compliance with Affirmative Action requirements; and

WHEREAS, the award is subject to the Availability of Funds and certification of same in the 2015 budget for Solid Waste Disposal;

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

1) That the bid of

F. Basso Jr. Rubbish Removal, Inc.
55-93 S. 20th Street
Irvington, NJ 07111

in the amount of

\$399,990.00

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 approved by the Township Attorney for the designated services at the bid price hereinabove cited, subject to the successful Contractor's filing the required form of Affirmative Action compliance and Payroll Certification for Public Works Projects; and

3) That the Clerk be and he is hereby authorized and directed to return to the unsuccessful bidder(s) any Certified checks and/or Bid Bonds received from them as surety, with the exception of the surety received from the second-lowest bidder, which shall be retained for a period not to exceed sixty (60) days or until a contract in a form satisfactory to the Township Attorney shall have been executed with the low bidder, whichever shall come first.

Mr. Cuccia gave an explanation regarding this resolution.

Poll: Ayes: Maceri, Porter and Council President Fontana

Nays: None

The Council President declared the motion passed.

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Authorizing the Award of a Contract to Unique Floors, LLC for the Elevation of 10 Louis Street & 176 William Street – It was moved by Councilmember Porter, seconded by Councilmember Maceri, that the Council approve the following:

**RESOLUTION [K] 14-11-24 - #11
AUTHORIZING THE AWARD OF A FAIR AND OPEN CONTRACT
FOR THE ELEVATION OF 10 LOUIS STREET AND 176 WILLIAM STREET**

WHEREAS, on October 16, 2014, the Township of Little Falls received bids for the Elevation of 10 Louis Street and 176 William Street as follows:

Unique Floors, LLC
10 Louis Street: \$155,000.00
176 William Street: \$159,900.00

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 DPW Superintendent has reviewed the proposals for technical sufficiency, and the Township Attorney has reviewed the proposals for legal sufficiency and recommends that a contract be awarded to Unique Floors, LLC; and

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

1) That the bid of

Unique Floors, LLC
34 Morris Avenue
West Milford, NJ 07480

in the amount of

\$155,000.00 – 10 Louis Street
\$159,900.00 – 176 William Street

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.

Mrs. London gave an explanation regarding this resolution.

Poll: Ayes: Maceri, Porter and Council President Fontana

Nays: None

The Council President declared the motion passed.

Accepting bid and Awarding Contract for the Purchase of Winter Products under County Cooperative Purchasing – It was moved by Councilmember Porter, seconded by Councilmember Maceri, that the Council approve the following:

**RESOLUTION [L] 14-11-24 - #12
ACCEPTING BID AND AWARDING CONTRACT
FOR THE VENDORS LISTED BELOW FOR THE 2015 WINTER PRODUCTS
Under County Cooperative Purchasing
Contract Period December 1, 2014 through November 30, 2015**

WHEREAS, the County of Passaic's Purchasing Agent has advised that pursuant to advertising duly made, bids were received by the County of Passaic as lead agency for the Voluntary Cooperative Pricing System for the furnishing and delivery of

Rock Salt, Grits, Magnesium Chloride Flakes, Magnesium Chloride,
Calcium Chloride, Liquid Calcium Chloride

for the Contract period December 1, 2014 to November 30, 2015; and

WHEREAS, the County of Passaic as lead agency, based on review of bids and the resulting recommendation, has awarded a master contract for this commodity; and

WHEREAS, the Township of Little Falls wishes to participate in the master contract for the purchase of WINTER PRODUCTS because the price under Contract No. 38-PCCP-08-1 is lower than the prices quoted to the Township by other suppliers; and

WHEREAS the Township Treasurer has provided a Certification of the Availability of Funds (a copy of which is appended to the original of the within Resolution) pursuant the Local Finance Board; and the appropriation to be charged for this expenditure is Department of Public Works Other Expenses;

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

1) That the following bids be awarded for purchases to be made on an as-needed basis:

| | | |
|---------------------|------------------|-------------------|
| Atlantic Salt, Inc. | Summit Paper Co. | Peckham Materials |
| Bid: \$1,272,300.00 | Bid: \$32,200.00 | Bid: \$15,878.00 |

| | |
|------------------|-----------------|
| Eastern Concrete | Reed & Perrine |
| Bid: \$354.60 | Bid: \$8,830.08 |

the award being based upon the unit price; and payment to be made based upon the unit price multiplied by the quantities), be and the same is hereby accepted; and

2) That the Mayor and Clerk be and they are hereby authorized to execute a Contract for the purchase of the within designated goods at the bid price hereinabove cited.

Poll: Ayes: Maceri, Porter and Council President Fontana

Nays: None

The Council President declared the motion passed.

Authorizing the Public Works Superintendent to reference and use bids received for snow Removal Services as the coming Snow Season may require-It was moved by Councilmember Maceri, seconded by Councilmember Porter, that the Council approve the following:

RESOLUTION [M] 14-11-24 - #13

WHEREAS, the Township has received and Public Works Superintendent Phillip Simone has reviewed the two bids for snow removal for the 2014-2015 snow season as follows:

Ralph J. Casendino, t/a Consolidated Maintenance Solutions, LLC
P.O. Box 809, Pine Brook, NJ 07058

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| | |
|--------------------------------------------|-------------------|
| 1994 International DT-466-Single Axle Dump | \$165.00 per hour |
| 1994 International DT-466 Single Axle Dump | \$165.00 per hour |
| 2002 Ford F-350 Pump | \$120.00 per hour |

| | |
|---------------------------------------------------------------------------------|-------------------|
| Global Development Contractors, LLC 86 Lavergne Street, Belleville, NJ 07109 | |
| 1997 John Deere Skidsteer w/bucket | \$282.00 per hour |
| 2000 Kenworth Dump Truck w/5 cubic yard spreader | \$282.00 per hour |
| 1997 John Deere Wheel Loader (444) w/1.5 cu. Yd. bucket | \$378.00 per hour |
| 1997 John Deere Backhoe (410) w/1.3 cu. Yd. bucket | \$308.40 per hour |
| 2004 Ford F-350 w/8 foot plow | \$235.00 per hour |
| 2008 Ford F-350 w/10 foot plow | \$257.00 per hour |
| 1995 John Deere Backhoe (310) w/1.3 cu. Yd. bucket | \$308.40 per hour |

and; **WHEREAS**, the DPW Superintendent has recommended that, after the remedying of any deficiencies specified in his report, the bids be filed for reference and future use as the nature of the snowfall may require relative to the equipment and price proposed;

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Little Falls that the bids received be and are hereby referred to the Superintendent, Public Works for his reference and use as the coming snow season may require.

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

The Council President declared the motion passed.

Ordinance No. 1203 – It was moved by Councilmember Porter, seconded by Councilmember Maceri, that the public hearing on Ordinance No. 1203, “**ORDINANCE OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF LITTLE FALLS IN THE COUNTY OF PASSAIC, STATE OF NEW JERSEY, AMENDING THE TOWNSHIP CODE AS TO THE SCHEDULE OF SEWER CONNECTION FEES**”, be and it was opened.

Poll: Ayes: Maceri, Porter 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 Maceri, the public hearing on Ordinance No. 1203 be and it was closed.

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

The Council President declared the motion passed.

It was moved by Councilmember Porter, seconded by Councilmember Maceri, that the Ordinance No. 1203 be and it was adopted.

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

The Council President declared the motion passed.

Ordinance No. 1204 – It was moved by Councilmember Porter, seconded by Councilmember Maceri, that the public hearing on Ordinance No. 1204, “**BOND ORDINANCE PROVIDING FOR STORMWATER COLLECTION SYSTEM IMPROVEMENTS IN AND BY THE TOWNSHIP OF LITTLE FALLS, IN THE COUNTY OF PASSAIC, NEW JERSEY, APPROPRIATING \$300,000 THEREOF AND AUTHORIZING THE ISSUANCE OF \$285,700 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF**”, be and it was opened.

Poll: Ayes: Maceri, Porter 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 Maceri, that the public hearing on Ordinance No.1204 be and it was closed.

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

The Council President declared the motion passed.

It was moved by Councilmember Porter, seconded by Councilmember Maceri, that the Ordinance No. 1204 be and it was adopted.

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

The Council President declared the motion passed.

Ordinance No. 1205 – It was moved by Councilmember Maceri, seconded by Councilmember Porter, that there be introduced and the meeting of December 29, 2014 set as the date and time for the public hearing on the following:

**ORDINANCE NO. 1205
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 TRACTOR TRAILER TRUCK INGRESS AND EGRESS AT 228 BROWERTOWN ROAD**

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WHEREAS, the Township of Little Falls (“Township”) is a public body corporate and politic of the State of New Jersey; and
WHEREAS, the Township entered a developers’ agreement with developer DH Little Falls, LLC (“Developer”) dated June 20, 2014 to establish the respective obligations of the parties as to Developer’s construction of a retail pharmacy at the real property located at 228 Browertown Road (“Property,” also known on the Township tax maps as Block 202, Lots 1, 1.01, 2 and 3; Block 203, Lots 4-6) in the Township; and

WHEREAS, as a condition of granting its approvals to Developer, the Passaic County Planning Board requires that the Township adopt a municipal ordinance which (1) requires that tractor trailer trucks (*i.e.* WB-50 trucks) only access the Property from the Route 46 westbound ramp across Browertown Road, (2) requires that tractor trailer trucks only egress the Property to access the Route 46 eastbound and westbound ramps and (2) makes applicable to the Property the provisions of Title 39 of the Revised Statutes, *N.J.S.A. 39:1-1 et seq.*, to provide for the municipal enforcement of the tractor trailer access restrictions stated herein; and

WHEREAS, the municipal council (“Municipal Council”) of the Township has determined to amend the Little Falls Township Code (“Code”) to accommodate the commercial development of the Property by amending the Code to prohibit tractor trailer trucks from making certain traffic movements in accessing and exiting the Property; and

WHEREAS, the Code at Chapter 7, Subchapter 7-22 prohibits the making of certain traffic movements on Township roads; and

WHEREAS, the Municipal Council has determined to amend Subchapter 7-22 of the Code to read as follows (additions are underlined and deletions are in [brackets]):

“§7-22 Turn Prohibitions

No person shall make a turn at any location listed and only in the manner described.

| Intersection/Location | Turn Prohibited | Movement Prohibited |
|------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Main Street | U-Turn | Between Center Avenue and Paterson Avenue |
| Main Street and Newark Pompton Turnpike | U-Turn | At the intersection |
| [Ingress/]Egress [to] of 228 Browertown Road, between Route 46 and Briarwood Court | Right [or Left] out of the development on <u>to</u> Browertown Road (WB-50 tractor trailer trucks only) | WB-50 tractor trailer trucks shall not <u>turn right when egressing</u> 228 Browertown Road [other than to access the Route 46 ramp]; <u>all egress from the site shall be to access the Route 46 eastbound and westbound ramps only</u> |
| Browertown Road, between Route 46 and Briarwood Court | Left (southbound) or Right (northbound) turn not access 228 Browertown Road in to the development at 228 Browertown Road (WB-50 tractor trailer trucks only) | WB-50 tractor trailer trucks shall from other than the Route 46 westbound ramp” |

WHEREAS, the Municipal Council additionally seeks to make applicable *N.J.S.A. 39:1-1 et seq.* to the Property to provide for the municipal enforcement of the vehicular access restrictions described herein.

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

1. The aforementioned recitals are incorporated herein as though fully set forth at length.
2. The Municipal Council hereby amends Subchapter 7-22 of the Code to read as follows:

“§7-22 Turn Prohibitions

No person shall make a turn at any location listed and only in the manner described.

| Intersection/Location | Turn Prohibited | Movement Prohibited |
|---------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Main Street | U-Turn | Between Center Avenue and Paterson Avenue |
| Main Street and Newark Pompton Turnpike | U-Turn | At the intersection |
| Egress of 228 Browertown Road, between Route 46 and Briarwood Court | Right out of the development on to Browertown Road (WB-50 tractor trailer trucks only) | WB-50 tractor trailer trucks shall not turn right when egressing 228 Browertown Road; all egress from the site shall be to access the Route 46 eastbound and westbound ramps only |
| Browertown Road, between Route 46 and Briarwood Court | Left (southbound) or Right (northbound) turn in to the development at 228 Browertown Road (WB-50 tractor trailer trucks only) | WB-50 tractor trailer trucks shall not access 228 Browertown Road from other than the Route 46 westbound ramp” |

3. The Township Building Department is hereby instructed to oversee the Developer’s installation of all street signage required by the regulations adopted under this Ordinance. All work to be completed pursuant to this Ordinance shall be performed in accordance with the Manual on Uniform Traffic Control Devices for Streets and Highways, as adopted by the Commissioner of the New Jersey Department of Transportation.

4. The Township Engineer is hereby instructed to certify to the Municipal Council, under his seal as a licensed professional engineer, that any and all installation of signage pursuant to this Ordinance has been approved by the engineer after investigation of the circumstances, appears to be in the interest of safety and the expedition of traffic on the public highways and conforms to the current standards prescribed by the Manual on Uniform Traffic Control Devices for Streets and Highways.

5. The Township hereby makes applicable to the Property the provisions of Title 39 of the Revised Statutes, *N.J.S.A. 39:1-1 et seq.*, to provide for the municipal enforcement of the tractor trailer access restrictions adopted hereunder.

6. It is the intent of the Municipal Council to incorporate the additions, amendments and/or supplements contained in this Ordinance in to the Code. All of the remaining provisions in Chapter 7 of the Code shall remain unchanged and have full force and legal effect. All other resolutions and ordinances governing roads and traffic enacted and inconsistent herewith are hereby modified pursuant to the terms of this Ordinance.

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

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

9. 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, and shall be subject to the approval of the Passaic County Board of Chosen Freeholders and the New Jersey Department of Transportation.

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

The Council President declared the motion passed.

PAYMENT OF BILLS

It was moved by Councilmember Maceri, seconded by Councilmember Porter, 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: Maceri, Porter and Council President Council 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 Maceri, seconded by Councilmember Porter, that the meeting be and it was adjourned 8:36 p.m.

Cynthia Kraus
Municipal Clerk