

TOWNSHIP COUNCIL WORKSHOP AGENDA

MONDAY, JUNE 10, 2024

7:00 P.M.

SALUTE TO THE FLAG

STATEMENT OF PUBLIC NOTICE - TAKE NOTICE THAT ADEQUATE NOTICE OF THIS MEETING HAS BEEN PROVIDED IN ACCORDANCE WITH N.J.S.A. 10:4-8 AND N.J.S.A. 10:4-10 AS FOLLOWS: A NOTICE OF THE MEETING WAS PROMINENTLY POSTED ON THE BULLETIN BOARD AT THE MUNICIPAL BUILDING, LOCATED AT 225 MAIN STREET, LITTLE FALLS, N.J. ON JANUARY 4, 2024. A COPY OF THE NOTICE WAS SENT TO THE NORTH JERSEY HERALD & NEWS AND THE RECORD ON THE SAME DATE. ADDITIONALLY, A COPY OF THE NOTICE WAS FILED IN THE OFFICE OF THE TOWNSHIP CLERK ON SAID DATE.

A LINK AND A TELEPHONE NUMBER TO JOIN THE MEETING VIRTUALLY CAN BE ACCESSED ON THE TOWNSHIP WEBSITE AT WWW.LENJ.COM. ELECTRONIC PROVISIONS HAVE BEEN ESTABLISHED FOR THE PUBLIC TO PARTICIPATE DURING THE PUBLIC COMMENT PORTION OF THE MEETING.

ROLL CALL

PROCLAMATION RECOGNIZING PRIDE MONTH

DAMIAN KRIBS - PASSAIC VALLEY REGIONAL HIGH SCHOOL ATHLETE

PUBLIC COMMENT - GENERAL MATTERS AND AGENDA ITEMS

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

MEMBERS OF THE PUBLIC WHO HAVE JOINED THE MEETING VIRTUALLY AND DESIRE TO PROVIDE COMMENT SHALL RAISE THEIR VIRTUAL HAND IN THE ZOOM APPLICATION. THE MEETING MODERATOR WILL QUEUE THE MEMBERS OF THE PUBLIC THAT WISH TO PROVIDE COMMENT AND THE COUNCIL PRESIDENT WILL RECOGNIZE THEM IN ORDER. MEMBERS OF THE PUBLIC WHO HAVE JOINED THE MEETING BY CALLING IN MUST PRESS *6 TO MUTE AND UNMUTE THEMSELVES AND *9 TO RAISE THEIR HAND. MEMBERS OF THE PUBLIC WHO HAVE JOINED THE MEETING VIA THE ZOOM APPLICATION MUST CLICK THE REACTIONS ICON AND THEN THE RAISE HAND ICON. ONCE THE PROCESS IS COMPLETE, WE WILL RETURN TO THE REGULAR ORDER OF BUSINESS.

ITEMS TO BE DISCUSSED:

MAYOR/ADMINISTRATOR:

1. RESOLUTION ACKNOWLEDGING RECEIPT AND REVIEW OF 2023 ANNUAL REPORT OF AUDIT
2. RESOLUTION APPROVING CORRECTIVE ACTION PLAN FOR 2023 ANNUAL AUDIT
3. RESOLUTION AUTHORIZING AFFORDABILITY ASSISTANCE GRANT WITH RENTER OF UNIT LOCATED AT 405 MAIN STREET, UNIT 440

4. RESOLUTION AUTHORIZING AWARD OF TOWNSHIP ISSUED FIREARMS TO A RETIRED POLICE LIEUTENANT AND A RETIRED POLICE SERGEANT
5. RESOLUTION AWARDED CONTRACT FOR STEVENS AVENUE IMPROVEMENT PROJECT
6. CHAPTER 159 RESOLUTION FOR ASSISTANCE TO FIREFIGHTERS (EMS) GRANT
7. ORDINANCE NO. 1493 - NOISE ORDINANCE AMENDMENT
8. ORDINANCE NO. 1495 - ADDING CHAPTER 152 (PEDESTRIAN PLAZAS)

ACTION ITEMS:

RESOLUTION ACKNOWLEDGING RECEIPT AND REVIEW OF THE 2023 ANNUAL REPORT OF AUDIT [A]

RESOLUTION APPROVING THE CORRECTIVE ACTION PLAN FOR THE 2023 ANNUAL AUDIT [B]

RESOLUTION AUTHORIZING AFFORDABILITY ASSISTANCE GRANT WITH THE RENTER OF AN AFFORDABLE HOUSING UNIT LOCATED AT 405 MAIN STREET, UNIT 440, LITTLE FALLS, NJ [C]

RESOLUTION AUTHORIZING THE AWARD OF TOWNSHIP ISSUED FIREARMS TO RETIRED POLICE LIEUTENANT ROBERT PRALL AND RETIRED POLICE SERGEANT MATTHEW ROMAINE [D]

RESOLUTION AWARDED A CONTRACT TO AA BERMS FOR STEVENS AVENUE IMPROVEMENT PROJECT IN THE AMOUNT OF \$583,910.00 [E]

RESOLUTION AUTHORIZING THE INSERTION INTO THE 2024 MUNICIPAL BUDGET OF A SPECIAL ITEM OF REVENUE AND APPROPRIATION EACH TITLED ASSISTANCE TO FIREFIGHTERS (EMS) GRANT: \$22,500.00 [F]

BILL LIST [G]

NEW BUSINESS

PUBLIC HEARING OF ORDINANCE NO. 1493, AN ORDINANCE ENTITLED, "ORDINANCE OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF LITTLE FALLS, IN THE COUNTY OF PASSAIC, STATE OF NEW JERSEY, AMENDING THE TOWNSHIP CODE CHAPTER 136, NOISE.

PUBLIC HEARING OF ORDINANCE NO. 1495, AN ORDINANCE ENTITLED, "AN ORDINANCE OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF LITTLE FALLS, IN THE COUNTY OF PASSAIC, STATE OF NEW JERSEY, TO ADD CHAPTER 152 (PEDESTRIAN PLAZAS) TO THE CODE OF THE TOWNSHIP OF LITTLE FALLS".

COUNCIL TOPICS FOR DISCUSSION

PUBLIC COMMENT - AGENDA ITEMS ONLY

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ADJOURN

RESOLUTION [A] 24-06-10 - # _____

WHEREAS, N.J.S.A. 40A:5-4 requires the governing body of every local unit to have made an annual audit of its books, accounts and financial transactions; and

WHEREAS, The Annual Report of Audit for the year 2023 has been filed by a Registered Municipal Accountant with the Municipal Clerk as per the requirements of N.J.S.A. 40A:5-6, and a copy has been received by each member of the governing body; and

WHEREAS, the Local Finance Board of the State of New Jersey is authorized to prescribe reports pertaining to the local fiscal affairs, as per R.S. 52:27BB-34; and

WHEREAS, the Local Finance Board has promulgated a regulation requiring that the governing body of each municipality shall by resolution certify to the Local Finance Board of the State of New Jersey that all members of the governing body have reviewed, as a minimum, the sections of the annual audit entitled:

General Comments
Recommendations

and, WHEREAS, the members of the governing body have personally reviewed as a minimum the Annual Report of Audit, and specifically the sections of the Annual Audit entitled:

General Comments
Recommendations

as evidenced by the group affidavit form of the governing body; and

WHEREAS, such resolution of certification shall be adopted by the Governing Body no later than forty-five days after the receipt of the annual audit, as per the regulations of the Local Finance Board; and

WHEREAS, all members of the governing body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board; and

WHEREAS, failure to comply with the promulgations of the Local Finance Board of the State of New Jersey may subject the members of the local governing body to the penalty provisions of R.S. 52:27BB-52 – to wit: R.S. 52:27BB-52 – “A local officer or member of a local governing body who, after a date fixed for compliance, fails or refuses to obey an order of the director (Director of Local Government Services), under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than one thousand dollars (\$1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his office.”

NOW, THEREFORE, BE IT RESOLVED, that the Township Council of the Township of Little Falls, hereby states that it has complied with the promulgation of the Local Finance Board of the state of New Jersey dated July 30, 1968 and does hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

APPROVED: _____

I, Cynthia Kraus, Municipal Clerk of the Township of Little Falls, hereby certify that the foregoing is a true and complete copy of a Resolution adopted by the Township Council on June 10, 2024.

Given under my hand and the seal of the Township of Little Falls this 10th day of June, 2024.

Cynthia Kraus, Municipal Clerk

cc: Finance Dept., Auditor, DLGS, File, Dept.

**TOWNSHIP OF LITTLE FALLS
PASSAIC COUNTY, NEW JERSEY**

RESOLUTION [B] 24-06-10 - # _____

WHEREAS, the Director of the Division of Local Government Services has formally directed all municipalities to adopt a Corrective Action Plan as part of their annual audit process; and

WHEREAS, this Corrective Action Plan shall be submitted to the Director of Local Government Services upon adoption of the Governing Body and it shall be kept on file with the Township Clerk; and

WHEREAS, the Plan shall cover all audit findings and recommendations and be prepared in accordance with the Single Audit Act OMB Circular 128 and Local Finance Notice of 92-15; and

NOW, THEREFORE, BE IT RESOLVED that the Township Council hereby approves the attached Corrective Action Plan for the 2023 Annual Audit;

BE IT FURTHER RESOLVED that the Township Clerk is hereby directed to maintain said Plan in Township files, available to the public.

BE IT FURTHER RESOLVED that a certified copy of this Resolution, including the Corrective Action Plan, be forwarded to the Director of the Division of Local Government Services.

APPROVED: _____

ccc: DLGS
cc: Finance Dept.
Auditor
Dept.

RESOLUTION [C] 24-06-10 - #_____

RESOLUTION AUTHORIZING AFFORDABILITY ASSISTANCE GRANT WITH THE RENTER OF AN AFFORDABLE HOUSING UNIT LOCATED 405 MAIN ST, UNIT 440 , LITTLE FALLS, NJ 07424

WHEREAS, NIKAURY POLANCO [will rent/rents] property located at 405 Main St, Unit 440, Little Falls, NJ 07424, which property is governed by the statutes, ordinances, rules and regulations restricting ownership and use of the property as an Affordable Housing unit; and

WHEREAS, the tenant has requested an Affordability Assistance Program grant from the Affordable Housing Trust Fund; and

WHEREAS, the Township is willing to extend a grant to the tenant in the amount of \$1,358.00.

NOW THEREFORE BE IT RESOLVED on this 10th day of June 2024, by the Township Council of Little Falls, County of Passaic, State of New Jersey, that:

1. The Mayor, Administrator, Clerk and attorney are hereby authorized to execute an Affordability Assistance Program grant with the renter of an Affordable Housing unit at 405 Main St, Unit 440, Little Falls, NJ 07424.

CERTIFICATION

I, Cynthia Kraus, Clerk of the Township of Little Falls, certify that the foregoing resolution was adopted by the Township Council of the Township of Little Falls at its meeting held on the 10th day of June, 2024.

Cynthia Kraus, Clerk

RESOLUTION [D] 24-06-10 - #_____

BE IT RESOLVED that the Mayor and Council hereby authorize the award of a Township issued firearm (Sig Sauer P365XL SER# 66B707672) to Robert Prall in recognition of his retirement as Police Lieutenant and for his service with the Little Falls Township Police Department.

BE IT RESOLVED that the Mayor and Council hereby authorize the award of a Township issued firearm (Sig Sauer P320X SER# 58C409530) to Matthew Romaine in recognition of his retirement as Police Sergeant and for his service with the Little Falls Township Police Department.

APPROVED: _____

RESOLUTION [E] 24-06-10 - # _____

ACCEPTING BID AND AWARDING CONTRACT FOR
STEVENS AVENUE IMPROVEMENT PROJECT

WHEREAS, pursuant to advertising duly made, bids were received by the Township of Little Falls on June 4, 2024 for the FY2023 NJDOT MA Program Stevens Avenue Improvements Section 5 project, and the bids were opened and read publicly as follows:

AA Berms, LLC
Bid: \$583,910.00

Diamond Construction
Bid: \$652,754.00

ADP Group, Inc.
Bid: \$897,450.00

Berto Construction
Bid: \$898,948.60

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

WHEREAS, the award is subject to the Availability of Funds and certification of same in the 2024 budget; and

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

1) That the bid of

AA Berms, LLC
P.O. Box 180
Belleville, NJ 07109

in the amount of

\$583,910.00

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.

APPROVED: _____

cc: Finance; DPW Supt.; Alaimo Engineering; AA Berms, LLC; Project File

TOWNSHIP OF LITTLE FALLS
PASSAIC COUNTY NEW JERSEY

RESOLUTION [F] 24-06-10 - # _____

SPECIAL ITEMS OF REVENUE AND APPROPRIATION

WHEREAS, NJS 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount was not determined at the time of the adoption of the budget; and

WHEREAS, the Director may also approve the insertion of an item of appropriation for equal amount;

NOW, THEREFORE, BE IT RESOLVED, that the Township Council of the Township of Little Falls in the County of Passaic, New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2024 in the sum of \$22,500.00, which is now available from Miscellaneous Revenues – Section F – Special Items of General Revenue Anticipated with prior written consent of Director of Local Government Services - Public & Private Revenues Offset with Assistance to Firefighters Grant (EMS)

BE IT FURTHER RESOLVED, that the like sum of \$22,500.00 is hereby appropriated under the caption:

General Appropriations

(A) Operations – Excluded from “CAPS”
Public & Private Programs Offset by Revenues
Assistance to Firefighters (EMS)
Grant EMW 2022 FG 05581
\$22,500.00

APPROVED: _____

ccc: DLGS
cc: Finance
Auditor
Budget File
Dep.

REVISED

ORDINANCE NO. 1493

**ORDINANCE OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF LITTLE FALLS
IN THE COUNTY OF PASSAIC, STATE OF NEW JERSEY, AMENDING THE
TOWNSHIP CODE CHAPTER 136 NOISE**

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

WHEREAS, the Township’s Code of General Ordinances (“Code”) currently provides for noise issues in the Township;

WHEREAS, the municipal council (“Municipal Council”) of the Township has determined to amend Chapter 136 of the Code entitled Noise; and

WHEREAS, the Municipal Council has determined to amend said Chapter of the Code as follows:

Noise Regulations:

136.

Residential and commercial zones.

(1)

In all Residential Zones (R-1A, R-1B, R-1C, R-2, R-3, and R-3A) in the Township of Little Falls: All construction and demolition activity, excluding emergency work, shall not be performed between the hours of 6:00 p.m. and 7:00 a.m. on weekdays, or between the hours of 6:00 p.m. and 9:00 a.m. on weekends and federal holidays. All motorized equipment used in construction and demolition activity shall be operated with a muffler and/or sound reduction device if possible.

(2)

In all Commercial Zones (MDR, B-1, B-2, B-3, B-4, I, LICU, MP, MFS and Transit Village Districts) in the Township of Little Falls: All construction, excavation, erection, alteration, repairing, demolition activity, or landscaping, excluding emergency work as decided by the Township Administrator or Construction Official, shall not be performed between the hours of 6:00 p.m. and 7:00 a.m. on weekdays or between the hours of 6:00 p.m. and 9:00 a.m. on Saturdays and federal holidays, unless such activities can meet the limits set forth in Tables I and II. All motorized equipment used in construction and demolition activity shall be operated with a muffler at all other times, the limits set forth in Tables I and II do not apply to construction and demolition activities. **Sunday work is prohibited, except for the general repair or maintenance of the property by the owner or emergency work. General maintenance shall be defined as sweeping, cleaning or mending of property and its fixtures without the use of mechanized or power tools.** No contractor work is permitted.

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 Chapter 136 Noise Regulations of the Code of the Township of Little Falls.
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 Chapter 136 Noise Regulations of the Code shall remain unchanged and have full force and legal effect. All other ordinances enacted and 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.

PASSED: _____

ATTEST:

APPROVE:

Cynthia Kraus, Municipal Clerk

James Damiano, Mayor

**TOWNSHIP OF LITTLE FALLS
ORDINANCE NO. 1495**

**AN ORDINANCE OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP
OF LITTLE FALLS, IN THE COUNTY OF PASSAIC, STATE OF NEW JERSEY,
TO ADD CHAPTER 152 (PEDESTRIAN PLAZAS)
TO THE CODE OF THE TOWNSHIP OF LITTLE FALLS**

WHEREAS, pursuant to N.J.S.A. 40:56-65 to -89, as amended, the Township Council of the Township of Little Falls is authorized to designate any local improvement designed for the movement, safety, convenience and enjoyment of pedestrians, whether or not a part of a street, as a Pedestrian Plaza; and

WHEREAS, the Township Council finds that traffic congestion constitutes a hazard to the safety of pedestrians; and streets in the Township Center that now accommodate both sidewalks and vehicular rights-of-way cannot be further widened without taking valuable buildings and improvements, thereby substantially impairing the primary function of such streets, that of being primarily pedestrian facilities, and impairing municipal ratables, the primary source of tax revenue; and limitations on the use of such streets by private vehicles is in the public interest of the Township of Little Falls, to be of benefit to adjoining properties and to be essential to the effective use of such streets for street purposes; and

WHEREAS, the Township Council wishes to designate certain streets as a Pedestrian Plaza pursuant to N.J.S.A. 40:56-69.

NOW THEREFORE BE IT ORDAINED by the Township Council of the Township of Little Falls, that Chapter 152, Pedestrian Plaza, of the Code of the Township of Little Falls, is hereby added with the following:

Chapter 152. Pedestrian Plaza

§152-1 Definitions.

As used in this chapter, the following terms shall have the meanings indicated:

PEDESTRIAN PLAZA, PEDESTRIAN PLAZA IMPROVEMENT or MALL

In the context of this chapter means any local improvement designed to be used primarily for the movement, safety, convenience and enjoyment of pedestrians, whether or not a part of a street is set apart for roadway or emergency vehicles, transit vehicles and private vehicles, or any of them, and a Pedestrian Plaza improvement shall include but not be limited to pedestrian thoroughfares, perimeter parking, public seating, park areas, outdoor cafes, shelters, trees, flower plantings, sculpture, newsstands, telephone booths, traffic signs, kiosks, fire hydrants, street lighting, ornamental signs, ornamental lights, trash receptacles, display cases, marquees, awnings, canopies, overhead radiant heating fixtures, underground radiant heating pipes and devices, walls, bollards and chains and all such other fixtures, equipment, facilities and appurtenances which in the judgment of the governing body of a municipality will enhance the movement, safety, convenience and enjoyment of pedestrians and benefit the municipality and adjoining properties.

UTILITY TRANSPORTATION VEHICLES or TRANSIT UTILITY VEHICLES

Public transportation.

§152-2 Findings.

A. That pursuant to the closing of a portion of the streets identified herein for a Pedestrian Plaza will benefit the Township of Little Falls.

B. That the streets identified herein are not a part of any state highway, are located primarily in a business district and are improved to its maximum feasible width with regard to adjoining buildings and improvements.

C. That there are reasonably convenient alternate routes to other parts of the Township, neighboring municipalities, County of Passaic and State of New Jersey which exist for private vehicles.

D. That continued unlimited use of the street or part thereof by private vehicles may constitute a hazard to the health and safety of pedestrians.

E. That abutting properties can reasonably and adequately be provided with emergency vehicular services and receive and deliver merchandise and materials from other streets and alleys or by provisions for limited use of the streets by emergency vehicles and carriers of such merchandise and materials.

F. That it is in the best interests of the Township and the public and of benefit to adjacent properties to use such street primarily for pedestrian purposes, and that pedestrian use is determined to be the highest and best use of such street or part thereof.

G. The proposed Pedestrian Plaza is not served by a transit utility engaged in mass transportation of persons.

§152-3 Limitations.

A. A Pedestrian Plaza shall be created on the following street(s) or portion thereof:

(1) Warren Street, beginning at the intersection with Stevens Avenue and continuing 180 feet in an easterly direction towards Center Avenue (“Warren Street Plaza”), as designated and described in Schedule A attached hereto and made a part hereof.

B. The use of the surface of the above described street(s) or parts thereof shall be limited at all times or during such hours or days as the city shall determine to pedestrians and to such classes of emergency, public works, maintenance and service vehicles.

C. There shall be no limit of vehicular use on any of the roadways that intersect with the above described street(s).

D. The Township acknowledges that there is access to other streets for delivery of or receiving merchandise or materials.

§152-4 Notice to Owners.

At least 10 days prior to the date fixed for a public hearing, a copy of the proposed ordinance and notice of the date, time and place of the hearing shall be mailed to the owners of the lots and parcels of land abutting or directly affected by any proposed Pedestrian Plaza.

§152-5 Financing and Assessment.

Where maintenance of the mall involves annual costs in addition to the initial cost of construction, and distinguished from maintenance services normally provided by the municipality outside of the mall facility, and will provide benefits primarily to adjacent, surrounding or neighboring property, the mall facility shall be operated and maintained pursuant to the provisions of N.J.S.A. 40:56-65 et seq.

§152-6 Specifications for construction.

The Mayor and Township Administrator shall approve the materials or combinations thereof of which the Pedestrian Plaza shall be constructed. The Mayor and Township Administrator may in their discretion narrow any roadway to be kept and maintained in connection with any Pedestrian Plaza, may cause any street vaults to be reconstructed or removed, may construct crosswalks at any point within a block and may cause the roadway to curve and meander within the limits of the street to enhance the usefulness and appearance of the Pedestrian Plaza.

§152-7 Municipal Power Retained.

A. Notwithstanding the improvement of any street as a Pedestrian Plaza, the Township of Little Falls shall retain all its powers relating to the street or part thereof constituting the mall.

B. No such action shall be construed as a vacation in whole or in part; the establishment of a Pedestrian Plaza is a matter of regulation only.

§152-8 Abandonment of Operation.

Nothing shall prevent the Township Council subsequent to this chapter, from abandoning the operation of the Pedestrian Plaza, changing special assessments or taxes for annual costs or changing or repealing any limitation on the use of the mall for a particular purpose by ordinance.

§152-9 Uses of mall, control and regulation.

A. Under the direction of the Mayor and Township Administrator, a Pedestrian Plaza may be used for any purpose or activity which will enhance the movement, safety, convenience or enjoyment of pedestrians.

B. The Mayor and Township Administrator may provide for the control and regulation of:

(1) The distribution and location of movable furniture, sculpture or pedestrian traffic control devices, landscaping and other facilities belonging to the Pedestrian Plaza and not otherwise located or fixed by plans and specifications.

(2) The uses to be permitted on the mall by occupants of abutting property, and transit or telephone utilities, concessionaires, vendors and the like.

(3) The issuance of permits to conduct any special activity consistent with the broad purposes of the mall.

(4) The operation of any heating or other facilities and replacing landscaping and maintaining furniture and facilities in the mall.

NOW, THEREFORE, BE IT FURTHER ORDAINED that:

1. Ordinances, resolutions and regulations or parts of ordinances, resolutions and regulations inconsistent herewith are hereby repealed to the extent of such inconsistency; and

2. If any section, subsection, clause or phrase of this Ordinance is for any reason held to be unconstitutional or invalid by a court of competent jurisdiction, such a decision shall not affect the remaining portion of the Ordinance; and

3. Except as hereby amended, the Code of the Township of Little Falls shall remain in full force and effect.

4. This Ordinance shall take effect twenty days after final passage and publication in accordance with law.

PASSED: _____

ATTEST:

APPROVE:

Cynthia Kraus
Municipal Clerk

James Belford Damiano
Mayor