

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

Monday, April 13, 2020

Council President Sgobba called the meeting to order at 7:00 p.m. with the following members present: Maria Cordonnier, Albert Kahwaty, Tanya Seber, and Christopher Vancheri. Also present were Mayor James Damiano, Township Attorney Joseph Wenzel, Township Administrator Charles Cuccia, and Township Clerk Cynthia Kraus.

Absent: Township Engineer.

Township Employees present: Police Chief Steve Post.

SALUTE TO THE FLAG

Following the salute to the flag, Council President SGOBBA requested everyone remain standing to honor the memory of the 2,443 residents lost to the coronavirus, including Michael Burke, who served our community for over 48 years as a firefighter and active member of Singac Fire Co. No. 3. Council President SGOBBA further elaborated that Michael Burke was current president of Singac Fire Company No. 3 for 26 years and president of the Little Falls Fire Department for 14 years. His level of commitment and dedication was immeasurable to the Township and he will be sorely missed.

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 9, 2020. 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. **This meeting is being conducted under the circumstances surrounding the COVID-19 health situation. No public will be allowed to attend the meeting in person. A Youtube link to view this meeting can be accessed on the Township website at www.lfnj.com. Electronic provisions have been established for the public to participate during the public comment portion of the meeting.**

ROLL CALL – Council President Sgobba, Mayor Damiano and Township Administrator Charles Cuccia were present in person. Councilmember Maria Cordonnier, Councilmember Albert Kahwaty, Councilmember Tanya Seber, Councilmember Christopher Vancheri, Attorney Joseph Wenzel, Municipal Clerk Cynthia Kraus, and Police Chief Steve Post attended the meeting remotely.

MAYOR’S EMERGENCY DECLARATION – Mayor Damiano stated he declared a State of Emergency in the Township of Little Falls retroactive to March 14, 2020. It was done with the intention to ensure that any funding that may become available from state or federal programs could be recaptured by the municipality.

Mayor Damiano then provided a COVID-19 update regarding Little Falls. Mayor Damiano commented on the passing of Michael Burke and extended his condolences to his family.

The Mayor explained the importance of residents who have tested positive for COVID-19 but have not been contacted by the Clifton Health Department, to contact the Clifton Health Department immediately, such that the Township’s database can be accurately updated for first responders to take extra precautions. Mayor Damiano then summarized the Executive Orders the Governor has entered since the last report and Meeting. The Mayor encouraged the public to review the Executive Orders in their entirety, however, should residents need clarity they can reach out to the Mayor.

Mayor Damiano discussed the information provided on COVID-19 case reporting and addressed questions regarding those labeled “under investigation.” He noted the importance for individuals to provide their current address and phone number for accurate reporting. He warned residents, should they receive a call from someone stating they are from the Health Department asking for their social security number, they are to contact the Police Department, as the Health Department does not request that information. He encouraged everyone to visit the Township website for additional updates and links.

In response to Councilmember SGOBBA, none of the Councilmembers had questions or comments regarding the Mayor’s report.

PUBLIC COMMENT – ALL MATTERS

Anyone wishing to address the Township Council may do so by sending an email to CKRAUS@LFNJ.COM. The email must provide your name and address for the record. At this time there will be a ten-minute recess, which will allow the public to send comments and questions via email. At the end of the recess, the Meeting will reconvene and all proper emails will be read into the record. The Council President will determine if a response is needed and if so, shall direct said response. Once the process is complete, we will return to the regular order of business.

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

Poll: Ayes: Cordonnier, Kahwaty, Seber, Vancheri, and Council President Sgobba
 Nays: None

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The Council President declared the motion passed.

At this time, Council President SGOBBA announced there will be a ten-minute recess such that questions from the public can be emailed to the Clerk. The Council recessed at approximately 7:16 PM and returned to session at approximately 7:26pm.

Luis Fernandez – 54 Harrison Street, questioned whether consideration has been given to delay payment of the second quarter tax bill. Mayor Damiano explained Resolution B on the Agenda which establishes the rate for delinquent taxes. He noted there has been precedent for this action, referencing he Local Finance Order WTC 20010T. Mr. Fernandez additionally requested information on the assessment on the green building on Clove Road before and after the tax appeal. Mr. Cuccia advised Mr. Fernandez on how to submit an OPRA request for that information.

Raymond Kostroski – 170 Donato Drive, questioned if the building project is on hold due to the Governor’s Executive order. Mayor Damiano referenced and explained Resolution A on the Agenda which awards a contract for Duva Park storage building. He elaborated that this project can continue as all government funded projects are permitted to continue under the current executive order

Bob Dombrowski – 3 Garden Street, thanked the Mayor and Council for daily updates.

Adam Rake – East Main Street, commented on a noise complaint regarding speeding cars on Long Hill Road. Council President SGOBBA requested Chief Post look into this matter.

The Mayor stated he wanted to address a comment presented to him on several occasions as to whether schools would be reopened for the remainder of this year. The Mayor referenced the Governor’s direction to have a unified approach with surrounding states and noted that waiting for some direction from the State may be the most prudent approach to take for now.

As no further emails were received for comment, it was moved by Councilmember Cordonnier, seconded by Councilmember Vancheri, that the meeting be and it was closed to the public.

Poll: Ayes: Cordonnier, Kahwaty, Seber, Vancheri, and Council President Sgobba
Nays: None

The Council President declared the motion passed.

ITEMS TO BE DISCUSSED:

MAYOR/ADMINISTRATOR:

1. AWARD OF CONTRACT FOR DUVA PARK STORAGE BUILDING- Mayor Damiano reiterated the project can continue and explained the lowest bid came in about \$50,000 lower than originally estimated.
2. ESTABLISHING THE RATE OF INTEREST FOR DELINQUENT TAXES – Mayor Damiano explained the rationale for the resolution. Councilmember CORDONNIER posed a question regarding residents who have a mortgage and have their taxes paid by the bank. Mayor Damiano stated it would be decided by each bank and expressed his hope to collect most if not all of the taxes from the lending institutions where they escrow the homeowner’s taxes as part of their payment. Mr. Cuccia added the Governor’s executive order discussed approximately 50 banks that have arrangements with banks. The resolution as it stands affects mortgage companies as well as private taxpayers. Councilmember VANCHERI requested the Township send out a letter to residents as some residents do not use social media. Mr. Cuccia responded that the Township is required to send out notification. Councilmember SEBER questioned what metrics would be used to reassess this resolution. Mayor Damiano responded that as the restrictions on the pandemic begin to be lifted, the Council should have a discussion to determine what would be taken into consideration. Councilmember KAHWATY commented on his support of the Resolution, expressed his concern that some may try to take advantage of it, and encouraged explicit instructions regarding the interest in the notification to residents. Mr. Cuccia stated the resolution has been incorporated with discussions legislators are currently having and further explained the rationale for the Resolution. In response to Councilmember CORDONNIER, Mr. Cuccia stated the delinquent notices would be sent out as per current procedure. In response to Mayor Damiano’s query, Mr. Cuccia confirmed that when delinquent notices are sent, if a date for a resolution being passed or considered is discussed, that date can be included on the delinquency notice.

ACTION ITEMS:

RESOLUTIONS

It was moved by Councilmember Cordonnier, seconded by Councilmember Kahwaty to approve the following:

Award of Contract for Duva Park

**RESOLUTION [A] 20-04-13 - #1
ACCEPTING BID AND AWARDING CONTRACT FOR DUVA PARK STORAGE BUILDING**

WHEREAS, pursuant to advertising duly made, bids were received by the Township of Little Falls on April 1, 2020 for Duva Park Storage Building, and the bids were opened as follows:

AB Contracting, LLC Bid: \$199,189.00	Premier Bid: \$350,000.00	TNS Construction Bid: \$326,000.00
Frank Semeraro Bid: \$279,950.00	Thomas & Sons Bid: \$216,369.00	APS Contracting Bid: \$398,000.00

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Cypreco
Bid: \$363,963.00

R&D Contractors
Bid: \$322,650.00

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 2020 budget; and
NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Little Falls as follows:

1) That the bid of

AB Contracting, LLC
10 Theodore Street
Wharton, NJ 07885

in the amount of

\$199,189.00

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.

Establishing Rate of Interest for Delinquent Taxes

**RESOLUTION [B] 20-04-13 - #2
RESOLUTION ESTABLISHING THE RATE OF INTEREST FOR DELINQUENT TAXES**

WHEREAS, N.J.S.A. 54:4-67a permits the governing body by resolution to fix the rate of interest to be charged for the nonpayment of taxes, assessments, or other municipal liens or charges, unless otherwise provided by law, on or before the date when they would become delinquent; and

WHEREAS, the statute fixes the rate of interest cannot exceed 8% per annum on the first \$1,500.00 of the delinquency and 18% per annum on any amount in excess of \$1,500.00, to be calculated from the date the tax was payable until the date that actual payment to the tax collector is made; and

WHEREAS, the Township of Little Falls previously adopted a resolution setting the Rate of Interest for Delinquent Taxes 8% per annum on the first \$1,500.00 of the delinquency and 18% per annum on any amount in excess of \$1,500.00, to be calculated from the date the tax was payable until the date that actual payment to the tax collector is made at on January 1, 2020; and

WHEREAS, due to the COVID-19 pandemic the governing body of the Township of Little Falls wishes to change the rate of interest for delinquent taxes in accordance with Local Finance Notice WTC-2001-02;

NOW THEREFORE, BE IT RESOLVED, by the governing body of the Township of Little Falls in the county of Passaic that the rate of interest for taxes unpaid after the ten-day grace period following the quarterly payment is fixed at 0% on the first \$1,500.00 of delinquency and 0% per annum on any amount of taxes in excess of \$1,500.00; and

BE IT FURTHER RESOLVED, this resolution shall be published in accordance with applicable New Jersey Statutes.

Poll: Ayes: Cordonnier, Kahwaty, Seber, Vancheri, and Council President Sgobba
Nays: None

The Council President declared the motion passed.

NEW BUSINESS

Ordinance No. 1381 - It was moved by Councilmember Cordonnier, seconded by Councilmember Vancheri, that the public hearing on Ordinance No. 1381, "**REFUNDING BOND ORDINANCE PROVIDING FOR THE FUNDING OF A \$750,876 EMERGENCY TEMPORARY APPROPRIATION FOR TAX APPEALS IN, BY AND FOR THE TOWNSHIP OF LITTLE FALLS, IN THE COUNTY OF PASSAIC, NEW JERSEY, AND AUTHORIZING THE ISSUANCE OF \$790,000 OF BOND NOTES TO FINANCE SUCH EMERGENCY TEMPORARY APPROPRIATION,**" be and it was opened.

Poll: Ayes: Cordonnier, Kahwaty, Seber, Vancheri, and Council President Sgobba
Nays: None

The Council President declared the motion passed.

Have received no comments via email to be heard, it was moved by Councilmember Cordonnier, seconded by Councilmember Seber, that the public hearing on Ordinance No. 1381 be and it was closed.

Poll: Ayes: Cordonnier, Kahwaty, Seber, Vancheri, and Council President Sgobba
Nays: None

The Council President declared the motion passed.

At this time, Council President SGOBBA requested Mr. Cuccia explain why the Council is not voting to adopt Ordinance No. 1381 at this time. Mr. Cuccia stated the Bond Counsel advised the Township to await the Local Finance Board's review of the Township's application submitted for this process.

COUNCIL TOPICS FOR DISCUSSION

Councilmember KAHWATY thanked the Township employees, Police, Firefighters, EMTs and medical personnel, DPW and teachers. The Domestic Violence Prevention Committee met virtually and is making sure information is available for residents. The Green Fair and Town Clean Up have been postponed indefinitely. He commented on the impact of the passing of Mike Burke as a huge loss and extended his condolences to his family and friends.

Councilmember VANCHERI expressed his sympathy on the passing of Mike Burke and commented on his past collaboration on the Memorial Day parade and memorial ceremonies. He stated the Transportation Committee Town Hall meetings have been postponed. Councilmember VANCHERI discussed possibilities to recognize and honor Memorial Day. He thanked the first responders, the Fire Department, the Police Department, EMS, and our

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schools. He reminded residents to please discard rubber gloves when you arrive home and to please pick up after your dog.

Councilmember SEBER expressed her condolences to Michael Burke's family and to those who have lost their lives to the virus in the State. She urged residents to protect themselves and wear facemasks when going out in public and to retail establishments. The Library Board and Municipal Alliance have not met; however, the Library continues to process all bills.

Councilmember CORDONNIER expressed her condolences to the friends and family of Mike Burke. She stated we are blessed as a community. There were no meetings for the Senior Advisory or Open Space Committee, however, the Little Falls Business Association has been meeting virtually on a weekly basis, to find ways to continue to work, work safely, and survive during this difficult time. She encouraged small business owners to join in on the weekly meetings.

Council President SGOBBA commented the physical presence of the Councilmembers, Mr. Wenzel, Chief Post and Mr. Simone are missed. He thanked them for their efforts.

Mayor Damiano thanked the Township employees for continuing to keep the Township operating, the Police Department, the Fire Department, and EMS. He thanked the Police Department for delivering letters to all the senior residents in the Township and apologized if someone did not receive it. He expressed his gratitude to the volunteers who offered to help residents in the Township.

There being no further business to come before the meeting, it was moved by Councilmember Cordonnier, seconded by Councilmember Vancheri, that the meeting be and it was adjourned at 8:12 p.m.

Cynthia Kraus
Municipal Clerk