

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

**Monday, August 13, 2018**

Council President Anthony Sgobba called the meeting to order at 7:00 p.m. with the following members present: Maria Cordonnier, William Liess, Tanya Seber, and Chris Vancheri. Also present were Mayor James Damiano, Township Attorney Joe Wenzel, Special Project Engineer Dennis Lindsay, Township Administrator Charles Cuccia, and Municipal Clerk Cynthia Kraus.

Absent: Township Engineer Paul Przybylinski

Township Employees present: James DiMaria, Construction Official, Police Chief Steven Post, DPW Superintendent Phillip Simone, and Fire Chief Jack Sweezy.

**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. 10:4-10 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 2, 2018. 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.

Mayor Damiano announced this past week four Little Falls residents achieved the rank of Eagle Scout, one of whom, Jack McGowan, was in attendance tonight. Mayor Damiano offered his congratulations on this achievement.

**PUBLIC COMMENT – GENERAL MATTERS**

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

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

The Council President declared the motion passed.

Council President SGOBBA explained that due to the circumstances of recent flooding, residents affected by the flooding are invited to the podium first, and once all comments are received, the Mayor and Council will respond.

Luis Fernandez, 54 Harrison Street, voiced his frustration with the recent flooding of the Peckman River, progress on plans to prevent flooding, as well as warning and preventative measures during this recent incident.

Mary Ellen O’Haire – 168 Wilmore Road, posed several questions to the Council regarding the recent flood relating to the flood gauges, Little Falls Flood Board, inspection of a 12 foot retaining wall, the proposed footbridge over Peckman River, and the Jeep dealership. Ms. O’Haire proposed the opening up of a dialogue for a Town and County initiative to remove the debris and shoals from the Peckman River to allow the proper flow.

John Santello, 15 Van Pelt Place, indicated he also owns a home on 60 Cedar Grove Road across from a reinforcing wall. Mr. Santello stated the wall appears to have been damaged and questioned whether anything can be done to reinforce that section to prevent future damage.

Enrique Miesis, 79 Cedar Grove Road, stated he lost about 25% of his property due to the flooding and constructed a temporary fence as a safety measure. He recommended the Township help residents obtain permits quickly to enable repair work. He added his insurance company will not cover land damage and the riverbank has not been cleaned up. He questioned whether the newer construction has contributed to increased water flow.

John Bukalo, 67 Hudson Street, stated Mr. Simone had put in a berm to save his home from further damage after Hurricane Floyd. He identified that Hurricane Floyd dropped fourteen inches of rain whereas this storm dropped four inches. He questioned whether four inches is the new fourteen for the Township, and whether the DPW Department has the resources to take necessary measures to protect the Township from additional flooding moving forward.

Kim Liotti, 131 Donato Drive, stated her development is on a slab, therefore the water came into her living space. She does not have flood insurance and questioned whether anything can be done by the Township to help.

Bob Dombrowski, Garden Street, stated he is leading an outreach program from St. Agnes church to help those in need.

Dorothy O’Haire, Turnberry Road, emphasized the need to keep the river clean and stabilize the banks to prevent future occurrences of flooding. She also discussed Route 46 as a critical structure and that the Flood Board and DEP had previously approached the dealership about the location of the cars on the riverbank.

Timothy King, 5 Elm Court, questioned whether is something needs to be cleaned out, such as the sewers.

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Donna Moline, 45 Donato Drive, stated she talked to the National Flood Insurance and was told that FEMA gives a one-time disaster relief. She queried whether the Township has something coordinated with Cedar Grove and North Caldwell and discussed having drains on Route 23 and Montclair Avenue to redirect water.

Jay Taylor, 18 Ryle Avenue, questioned what the Township can do to help people affected by the flood.

Rosario Pose, 114 Donato Drive, stated about twelve houses on her street were flooded. She questioned what the Township can do to help as they will most likely not get help from the insurance company.

Mayor Damiano expressed his sympathy to all who have been affected, noting it has been a difficult time for him as Mayor. He indicated the Army Corps. of Engineers is scheduled to conduct an assessment on Wednesday, and the Township will do everything it can to facilitate and expedite the process. Regarding notification of the flood, Mayor Damiano stated the warning siren went off, but unfortunately, it seemed residents did not heed the warning. He described the major difference between this flood and Hurricane Floyd to be that the recent storm involved 5 inches of rain over a 50 minute period; much of the infrastructure was not made to handle that. Additionally, the Mayor described the targeted alert to areas along the Peckman River where flooding was imminent. The Code Red message began to go out at 5:21 pm until 5:27 pm. There were 574 phones in the Township who actually did receive the Code Red that flooding was imminent. The flood gauges snapped within minutes of flooding and recorded no data. The Little Falls Flood Board duties have always included the Peckman River and the reorganized Board was slated to meet this month. The Mayor addressed the footbridge over the Peckman River and deferred to the engineers at the County level regarding the proper height and span. The Mayor presumed the cars piling up exacerbated the flooding. He agreed debris and shoals should be removed, noted the challenge of bureaucratic red tape, and expressed the need for less restrictions on the process for removal of dirt. Mr. Simone discussed the wall on Cedar Grove Road, installed by the DPW after Hurricane Floyd, which was examined by Mr. Lindsay and Mr. Simone, and will be re-examined after the water recedes to obtain a better assessment. The DPW has the resources it needs for day to day operations, however, the Mayor explained that resources to protect the Township in the future would come from FEMA, the Army Corps. Of Engineers and federal projects. The Township does not have financial assistance. Any financial assistance would come through the State or FEMA. Mayor Damiano is currently confirming the amount of damages that have been realized after insurance coverage for Little Falls and is awaiting data from other municipalities. The Mayor then explained the purpose of declaring a State of Emergency and requesting the Governor to visit the Jackson area in an effort to expedite assistance and obtain federal funds for assistance in flood recovery. The Mayor emphasized that there are many steps to gain financial assistance. He thanked Mr. Dombrowski for offering the outreach assistance from St. Agnes church. Mayor Damiano addressed Ms. O'Haire's comments, and agreed with the importance of keeping the river clean. He discussed the current status of the track hoe to expand the grant to be able to address the contributories of the Peckman and Passaic Rivers, and the purpose and reason for restrictions of use of the track hoe. Mayor Damiano stated there were 42 vehicles from the Jeep dealership that made their way into the Peckman River. The bridge is not damaged, though he not aware of what type assessments the DOT had done. As recently as April, James DiMaria from the Building Department sent an email to the DEP questioning whether or not the dealership was permitted to park their vehicles there. Mayor stated the dealership was grandfathered in to park there according to the DEP response. Mayor Damiano stated that the Township is in the process of reviewing the Planning Board resolutions and requirements of the dealership to determine if they are in compliance with everything the municipality required them to do. In reference to Elm Court, Mr. Simone explained the water flow and noted efforts taken with regard to a culvert after Hurricane Floyd, however, he highlighted it was a very heavy rain and nothing was going to handle that amount of water. Mayor Damiano responded to Ms. Moline's comments and stated the Township is attempting to get things pushed up to get FEMA assistance to residents.

Council President SGOBBA thanked the Police Chief, Fire Chief, DPW Superintendent, Construction Official, and all of their departments and emergency personnel for all of the assistance during the flood.

Councilmember SEBER questioned whether there were any other recourses regarding the Jeep dealership at this time. Mayor Damiano responded that the Township is awaiting additional information prior to moving forward. Mayor added that there were 45 people that had to be evacuated as well as many pets. He was thankful to receive help from Fairfield and Wayne who sent in three of their water rescue vehicles. He described the severity of the event by recounting a resident's experience of how the water had risen four feet within several minutes. Mayor Damiano commended the work of the Police Chief and his Department.

Councilmember VANCHERI discussed whether a timeframe could be established for additional dump trucks to remove debris. Mayor Damiano stated there are currently six dump trucks in the Township in the most affected areas. Residents have been instructed to discard all debris, with the exception with hazardous wastes, at their curbs. The DPW will then come around to fill up the dumpsters. Since the number of vehicles on the streets is impeding clean up, Mayor Damiano encouraged residents to park in their driveways. Street sweepers and snow plows have also been assisting with clean up. Mayor Damiano asked for everyone's patience as everyone is giving 110%. Councilmember VANCHERI questioned when additional dumpsters will be available. Mr. Simone estimated the dumpsters will be on the roads for about two weeks at which time the situation will be re-evaluated.

Councilmember SEBER questioned whether additional dumpsters are available for other areas of the Township. Mayor Damiano explained the DPW is removing debris from the hardest hit areas, which is why the dumpsters are being placed in certain areas at this time.

Councilmember VANCHERI questioned what amount of homes that have been affected have been assessed. Mayor Damiano added about 75% of homes have been addressed, and by tomorrow, almost every single home that has been affected will be assessed.

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Dorothy O'Haire, Turnberry Road, added that after Floyd the representative of the Jeep dealership told her his insurance company insisted he develop a disaster plan. As a member of the Flood Board, she had called several times for a copy but has not received one to date.

Kim Liotti, 131 Donato Drive, questioned if the homes on Donato Drive would be assessed. Mr. DiMaria stated they will be assessed.

Bob Dombrowski, Garden Street, referred to Ordinance No. 1330 on the Agenda, and indicated his hope that the flooding issues will be considered.

Mary Ellen O'Haire, 168 Wilmore Road, queried whether the assessments include retaining walls and property as well. Mr. DiMaria explained the components of the assessment.

Donna Moline, 45 Donato Drive, questioned who is responsible for water coming from other towns. Mr. Simone stated he and Mr. Lindsay were out reviewing the water flow and drainage systems and explained the natural flow of water downhill and capacity limits. The drainage has been established long ago and he was not sure what the Township can do other than talk to Cedar Grove.

Council President SGOBBA announced there is a representative from public service present at the meeting to address any questions or concerns. A representative from Clifton Gas was also in attendance. Mayor Damiano added there will be a mobile command station located in the tennis court parking lot on Paterson Avenue. Any questions about any gas or electric issues can be answered there.

Renea Shapiro, 48 Walnut Street, stated the ABC is trying to help in any way. Ms. Shapiro asked how people who cannot attend tonight's Meeting or do not have internet be informed about the resources to help people. Mayor Damiano stated an email blast and NIXEL will be sent out and he is hoping neighbors will share information.

Council President SGOBBA responded to Ms. Moline regarding the pipes and water flow. He noted the water flow is on the Council's and Mayor's minds and upgrades have been looked at.

Mayor Damiano stated the Police Chief will advise the officers that are controlling traffic flow in the Jackson area that gas and electric services are available.

Luis Fernandez, Harrison Street, requested the hours of the mobile command station be extended to accommodate those who work past 4 pm. The representatives agreed to look into extended hours. Mr. Fernandez further asked if the Jeep dealership is liable for damages. Mr. Wenzel stated the Township's first role is to address the needs of the residents. As time goes on and reviews are done by professionals, the Township will need to take a review of what causes were done and whether there can be any recompense against anyone who may be responsible. However, it will have to be evaluated after everything is said and done. He stated he knows the administration is very concerned about the damages and he offered his services as counsel as well.

Jay Taylor, 18 Ryle Avenue, requested confirmation that the Township cannot do anything for the people financially. Mayor Damiano confirmed the Township has no financial assistance to provide for individual homeowners. He stated the first recourse is insurance. If insurance is of no help, the Mayor directed residents to the Senator's office, who hopefully can provide State funding. The Township is hoping to secure FEMA funding which requires a lot of assessment and reports, and will provide the help and support needed. Mayor Damiano outlined the steps that need to be taken to obtain FEMA funding, noting the Township is working as quickly as possible. Emergency appropriations are being made tonight to pay expenses for the emergency services that had been out for the past 48-72 hours. In response to Mr. Taylor, Mayor Damiano stated Councilmember Cordonnier will be spearheading a neighbors helping neighbors committee to provide ideas and services to help residents. Emails will be sent out to provide any information on services as they become established. Mayor Damiano encouraged everyone to sign up for Code Red and NIXEL and Township email blasts.

Councilmember VANCHERI requested information on resources be available at the bottom and top of the streets affected.

Mark Hrehovick, 115 Cedar Grove Road, questioned whether the flood map will be updated to reflect the non-flood zone areas that were flooded as well as the flood zone areas that were not flooded. Mr. Lindsay stated he has been working with Mr. Agnoli on the flood map. There is an appeal that is taking place. He explained there is a process of filing for map amendment. Once a determination is made by FEMA there will be a new map issued.

At this time, Council President SGOBBA announced the Council will take comments related to general matters.

Pat Pelonero, 8 Hopson Avenue, voiced a complaint regarding heavy equipment parked on a water main as well as a port-a-john on her street. Mr. Simone responded he was in contact with the contractor this morning and the port-a-john will be removed. The contractor had received permission from North Jersey Water to stage equipment there while doing work. The heavy equipment is not parked on the water main as the water mains are in the wooded area. Council President SGOBBA stated the Council will look into making sure the contractor has received necessary permission and applications have been obtained.

Robert Morris, 159 Donato Drive, questioned whether the water is safe to drink. Mr. Simone stated the stormwater would not have impacted the drinking water because it is a totally sealed system, otherwise Passaic Valley Water Company would have to notify the Township immediately. Council President SGOBBA explained if there were any change the residents would be notified via email blast or door to door immediately.

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Luis Fernandez, Harrison Street, questioned the reason for the Governor’s visit. Council President SGOBBA stated the Governor came to see for himself the impact of the flood and to have face to face dialogue with the Mayor and residents. Mayor Damiano stated the conversation he had with the Governor confirmed the Governor’s indication that he would send whatever support he can, and will do what he can to expedite the process of obtaining FEMA funds. The Mayor stated the Governor came to Little Falls because he invited him to see the damage of the flood first hand with the hopes the Township can get the financial assistant the residents of Little Falls need.

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

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

The Council President declared the motion passed.

***ACTION ITEMS:***

Council President SGOBBA requested Mr. Cuccia explain the source of funds with reference to Resolution D. Mr. Cuccia stated provisions exist in the New Jersey statutes when there is an unforeseen event and it is not planned in the budget. Mr. Cuccia provided a detailed description of the provision, emphasizing that the practice of diligent budgeting and going to the cap without using it over the last few years has enabled funding to come from the Township’s surplus reserves, which will then be replaced in the following year without having to borrow.

**RESOLUTIONS**

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

Amendment to Contract as a Result of Change Order

**RESOLUTION [A] 18-08-13 - #1  
RESOLUTION AUTHORIZING AN AMENDMENT TO THE CONTRACT FOR QUALITY ELECTRIC CONSTRUCTION CO. AS  
A RESULT OF CHANGE ORDER #1**

**WHEREAS**, a contract was awarded by the Township to Quality Electric Construction Co. 290 Laurel Ave. Hazlet New Jersey 07631 in the amount of \$506,000.00 for the Installation of Field Lighting at Duva Field in Little Falls New Jersey and,

**WHEREAS**, it has been determined by the Township that a need exists to replace the lighting at the Duva Field Tennis Courts in order to complete the entire lighting upgrade project that a change order is required and,

**WHEREAS**, It has been determined by the Township Engineer that the cost of the tennis court lighting will be \$111,371.00 which consists of the construction of four (4) new light poles to serve the Tennis Courts at Duva Field, the Paterson Avenue Courts. The new light poles will meet the requirements of the Illuminating Engineering Society (IES) Class IV Parks and Recreation standard light level requirement of 30fc for recreational tennis. and,

**WHEREAS**, the work set forth in Change Order No. 1 was not be separately bid at the time of the initial bid as funding was not known at that time, in order to complete the project with dispatch Change Order No. 1 is provided for herein; and

**WHEREAS**, Change Order No. 1 shall provide for the installation of tennis court lighting at Duva Field and said original contract this change order which reflects a change of work required to complete the project described in the original bid specifications and contract with in the approvals received by the Township; and

**WHEREAS**, this change has been negotiated with the Contractor; and

**WHEREAS**, there are sufficient funds appropriated and available to cover the total cost of this project;

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

1. That Change Order No. 1 in which there is a net increase of the Contract price of \$111,371.00 or a 18% increase representing an amended contract price of \$617,371.00 which this change order is made a part of this resolution.
2. The items set forth in Change Order No. 1 were not be separately bid in advance the existing construction of the project presently in process.
3. Change Order No. 1 is authorized and approved as an Amendment to the Contract of Quality Electric Construction Co.
4. The revised contract of \$671,371.00 set forth in Change Order No. 1 resulting in a net increase change to the original approved contract price shall be paid by the Chief Financial Officer upon presentation of voucher approved and certified by the Township of Little Falls Township Engineer for this project, and satisfaction by all other requirements for receipt of payment.
5. The cost of this change order shall be paid from Ordinance 1272 appropriation for this project as certified by the Chief Financial Officer.

2018 Capital Budget Amendment

**RESOLUTION [B] 18-08-13 - #2  
RESOLUTION TO AMEND THE 2018 CAPITAL BUDGET**

Filmmaking Permit

**RESOLUTION [C] 18-08-13 - #3  
RESOLUTION AUTHORIZING ISSUANCE OF FILMMAKING PERMIT**

**WHEREAS**, Versus has submitted an application for a filmmaking permit in the Township of Little Falls; and

**WHEREAS**, filming will take place at 170 Long Hill Road, Little Falls, NJ 07424 on Tuesday, August 21, 2018; and

**WHEREAS**, Versus submitted a Certificate of Insurance for this purpose, and paid the required application fees;

**NOW, THEREFORE, BE IT RESOLVED**, that the Council does hereby approve the issuance of a filmmaking permit to Versus.

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Special Emergency Resolution

**RESOLUTION [D] 18-08-13 - #4  
EMERGENCY RESOLUTION – NJS 40A:4-48  
(Under 3% limitation)**

**WHEREAS**, an emergency has arisen with respect to *the Flood in the Township of Little Falls of 8/11/2018* and, no adequate provision was made in the 2018 budget for the aforesaid purpose, and NJS 40A:4-46 provides for the creation on an emergency appropriation for the purpose mentioned above, and

**WHEREAS**, the total amount of the emergency appropriations created, including the appropriation to be created by this resolution is \$325,000.00 and three (3) percent of the total operating appropriations in the budget for 2017 is \$ 423,858.00 and

**WHEREAS**, the foregoing appropriation together with prior appropriations does not exceed three (3) percent of the total operating appropriations (including utility operation appropriations) in the budget for 2017,

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**NOW, THEREFORE, BE IT RESOLVED**, (by not less than 2/3 of all governing body members affirmatively concurring) that in accordance with NJS 40A:4-48:

- 1. An emergency appropriation is hereby made for:
 

<i>DPW- Salaries and Wages</i>	\$ 25,000.00
<i>DPW -Other Expenses</i>	\$200,000.00
<i>Fire Department-Other Expenses</i>	\$ 15,000.00
<i>Police Department-Salaries and Wages</i>	\$ 30,000.00
<i>Police Department-Other Expenses</i>	\$ 15,000.00
<i>Construction Code Official-Salaries and Wages</i>	\$ 15,000.00
<i>Emergency Management-Other Expenses</i>	<u>\$ 25,000.00</u>

in the total amount of \$325,000.00

- 2. That said emergency appropriation shall be provided for in full in the 2019 budget, and is requested to be excluded from CAPS, pursuant to NJS 40A:4-53.3c(1)
- 3. That two (2) certified copies of this resolution be filed with the Director of the Division of Local Government Services

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Bill List

**RESOLUTION [E] 18-08-13 #5**

**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.

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

The Council President declared the motion passed.

**NEW BUSINESS**

Ordinance No. 1330-It was moved by Councilmember Cordonnier, seconded by Councilmember Liess, that there be introduced and the meeting of August 27, 2018 set as the date for the public hearing of the following:

**ORDINANCE NO. 1330  
AN ORDINANCE OF THE TOWNSHIP OF LITTLE FALLS ADOPTING  
A REDEVELOPMENT PLAN FOR THE SINGAC INDUSTRIAL ZONE REDEVELOPMENT AREA**

**WHEREAS**, on September 25, 2017, the Township Council of the Township of Little Falls, in the County of Passaic, New Jersey (the “Township”) adopted Resolution No. [F] 17-09-25-#6 (the “Redevelopment Area Designation Resolution”), designating Block No. 77, Lots 1, 2, 2.01, 3, 4, 5, 6, 6.02, 7, 8, 8.01, 9, 17, 18, 20 and 20.01 as an Area in Need of Redevelopment (the “Singac Industrial Zone Redevelopment Area”); and

**WHEREAS**, more than 45 days have passed since the Redevelopment Area Designation Resolution was adopted and no actions have been filed challenging such action; and

**WHEREAS**, on July 23, 2018, the Township Council adopted an amendment to the Redevelopment Area Designation Resolution, by Resolution No. [C] 18-07-23-#3 to, among other things, clarify the block and lot reference of the Redevelopment Area; and

**WHEREAS**, the Local Redevelopment and Housing Law (N.J.S.A. 40A:12-A-1, et seq.) provides for a procedure for the adoption of a redevelopment plan for all or a portion of a duly designated redevelopment area; and

**WHEREAS**, on December 18, 201, the Township Council adopted Resolution No. E17-12-18-#15 directing that a redevelopment plan be created for the Singac Industrial Zone Redevelopment Area and commissioned H2M engineers and architects (the “Professional Planner”) to prepare same; and

**WHEREAS**, on June 25, 2018, the Township Council adopted Resolution No. [E] 18-06-25-#5, referring the proposed redevelopment plan to the Township Planning Board for its preparation of a report containing its recommendations concerning the plan as provided in N.J.S.A. 40A:12-7(e); and

**WHEREAS**, on July 5, 2018, the Township Planning Board held a scheduled meeting to review the proposed redevelopment plan entitled “Singac Redevelopment Plan”, dated June 2018, prepared by H2M Associates (the “Proposed Redevelopment Plan”); and

**WHEREAS**, following a presentation by the Professional Planner and an opportunity for public comments on July 5, 2018, the Planning Board issued a letter report dated July 11, 2018, a copy of which is attached hereto as Exhibit A, with its recommendations concerning the Proposed Redevelopment Plan; and

**WHEREAS**, a copy of the Proposed Redevelopment Plan, as updated, finalized and dated August 2018, as reviewed and recommended by the Planning Board is attached hereto as Exhibit B (the “Redevelopment Plan”); and

**WHEREAS**, the Township Council desires to approve the Redevelopment Plan in the form set forth in Exhibit B attached hereto, and direct the Township’s Zoning Map be amended and superseded to reflect the provision of the Redevelopment Plan.

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

**Section 1.** The Redevelopment Plan, as filed in the Office of the Township Clerk and attached hereto as Exhibit B is hereby approved with consideration given to the recommendations in the Planning Board’s letter report attached hereto as Exhibit A.

**Section 2.** The Zoning Map of the Township of Little Falls is hereby amended to incorporate the provisions of the Redevelopment Plan and delineate the boundaries of the property.

**Section 3.** This ordinance shall take effect 20 days after final passage and publication according to law.

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

The Council President declared the motion passed.

Ordinance No. 1331-It was moved by Councilmember Cordonnier, seconded by Councilmember Liess, that there be introduced and the meeting of August 27, 2018 set as the date for the public hearing of the following:

**BOND ORDINANCE NO. 1331**

**BOND ORDINANCE TO AUTHORIZE THE RECONSTRUCTION OF DONATO DRIVE IN, BY AND FOR THE TOWNSHIP OF LITTLE FALLS, IN THE COUNTY OF PASSAIC, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$750,000 TO PAY THE COST THEREOF, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION AND TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS.**

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**BE IT ORDAINED** by the Township Council of the Township of Little Falls, in the County of Passaic, State of New Jersey, as follows:

Section 1. The Township of Little Falls, in the County of Passaic, State of New Jersey (the "Township"), is hereby authorized to reconstruct Donato Drive in, by and for the Township. Said improvement shall include all work, materials and appurtenances necessary and suitable therefor. It is hereby determined and stated that said road being improved is of "Class B" or equivalent construction as defined in Section 22 of the Local Bond Law (Chapter 2 of Title 40A of the New Jersey Statutes Annotated, as amended; the "Local Bond Law").

Section 2. The sum of \$750,000 is hereby appropriated to the payment of the cost of making the improvement described in Section 1 of this ordinance (hereinafter referred to as "purpose"). Said appropriation shall be met from the proceeds of the sale of the bonds authorized by this ordinance. No down payment is required pursuant to the provisions of N.J.S.A. 40A:2-11(c) because this ordinance involves a project to be funded by a State grant. It is anticipated that a grant in the amount of \$600,000 from the New Jersey Department of Transportation shall be received by the Township to finance the cost of the improvement described in Section 1 hereof. Said grant funds shall be applied as set forth in Section 9 hereof. Said improvement shall be made as a general improvement and no part of the cost thereof shall be assessed against property specially benefited.

Section 3. It is hereby determined and stated that (1) said purpose is not a current expense of the Township, and (2) it is necessary to finance said purpose by the issuance of obligations of the Township pursuant to the Local Bond Law, and (3) the estimated cost of said purpose is \$750,000, and (4) the estimated maximum amount of bonds or notes necessary to be issued for said purpose is \$750,000, and (5) the cost of said purpose, as hereinbefore stated, includes the aggregate amount of \$110,000, which is estimated to be necessary to finance the cost of said purpose, including architect's fees, accounting, engineering and inspection costs, legal expenses and other expenses, including interest on such obligations to the extent permitted by Section 20 of the Local Bond Law.

Section 4. To finance said purpose, bonds of the Township of an aggregate principal amount not exceeding \$750,000 are hereby authorized to be issued pursuant to the Local Bond Law. Said bonds shall bear interest at a rate per annum as may be hereafter determined within the limitations prescribed by law. All matters with respect to said bonds not determined by this ordinance shall be determined by resolutions to be hereafter adopted.

Section 5. To finance said purpose, bond anticipation notes of the Township of an aggregate principal amount not exceeding \$750,000 are hereby authorized to be issued pursuant to the Local Bond Law in anticipation of the issuance of said bonds. In the event that bonds are issued pursuant to this ordinance, the aggregate amount of notes hereby authorized to be issued shall be reduced by an amount equal to the principal amount of the bonds so issued. If the aggregate amount of outstanding bonds and notes issued pursuant to this ordinance shall at any time exceed the sum first mentioned in this section, the moneys raised by the issuance of said bonds shall, to not less than the amount of such excess, be applied to the payment of such notes then outstanding.

Section 6. Each bond anticipation note issued pursuant to this ordinance shall be dated on or about the date of its issuance, shall be payable not more than one year from its date, shall bear interest at a rate per annum as may be hereafter determined within the limitations prescribed by law and may be renewed from time to time pursuant to and within limitations prescribed by the Local Bond Law. Each of said notes shall be signed by the Mayor and by a financial officer and shall be under the seal of the Township and attested by the Township Clerk or Deputy Township Clerk. Said officers are hereby authorized to execute said notes and to issue said notes in such form as they may adopt in conformity with law. The power to determine any matters with respect to said notes not determined by this ordinance, and also the power to sell said notes, is hereby delegated to the Chief Financial Officer who is hereby authorized to sell said notes either at one time or from time to time in the manner provided by law.

Section 7. It is hereby determined and declared that the period of usefulness of said purpose, according to its reasonable life, is a period of ten years computed from the date of said bonds.

Section 8. It is hereby determined and stated that the Supplemental Debt Statement required by the Local Bond Law has been duly made and filed in the office of the Township Clerk of the Township, and that such statement so filed shows that the gross debt of the Township, as defined in Section 43 of the Local Bond Law, is increased by this ordinance by \$750,000 and that the issuance of the bonds and notes authorized by this ordinance will be within all debt limitations prescribed by the Local Bond Law.

Section 9. Any funds received from private parties, the County of Passaic, the State of New Jersey or any of their agencies or any funds received from the United States of America or any of its agencies in aid of said purpose shall be applied to the payment of the cost of said purpose or, if bond anticipation notes have been issued, to the payment of the bond anticipation notes, and the amount of bonds authorized for said purpose shall be reduced accordingly.

Section 10. The capital budget is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency therewith and the resolutions promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director, Division of Local Government Services, is on file with the Township Clerk and is available for public inspection.

Section 11. The Township intends to issue bonds or notes to finance the cost of the improvement described in Section 1 of this bond ordinance. If the Township incurs such costs prior to the issuance of such bonds or notes, the Township hereby states its reasonable expectation to reimburse itself for such expenditures with the proceeds of such bonds or notes in the maximum principal amount of bonds or notes authorized by this bond ordinance.

Section 12. The full faith and credit of the Township are hereby pledged to the punctual payment of the principal of and interest on the obligations authorized by this ordinance. Said obligations shall be direct, unlimited and general obligations of the Township, and the Township shall levy ad valorem taxes upon all the taxable real property within the Township for the payment of the principal of and interest on such bonds and notes, without limitation as to rate or amount.

Section 13. This ordinance shall take effect twenty days after the first publication thereof after final passage.

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

The Council President declared the motion passed.

### ITEMS TO BE DISCUSSED:

#### ADMINISTRATOR:

1. REVIEW OF 2017 AUDIT- Mr. Cuccia stated the 2017 Audit presentation and Corrective Action plan will be available for Council to review next week and will be presented at the August 27, 2018 Regular Meeting.
2. CHAPTER 159 RESOLUTIONS – Mayor Damiano announced the Township has received two grants, one through the Fire Prevention Department and one through the Fire Department, for \$925 and \$1500. The Chapter 159 resolutions will be amended to include those monies into the budget.
3. PROPOSED BUILDING DEPARTMENT FEE ORDINANCE AMENDMENT – Mayor Damiano explained that upon Mr. DiMaria's review of the Building Department's fees, it was revealed the fees are much less than surrounding towns. To offset future burdens of taxpayers, the Township is looking to bring the permit fees in line with those of the surrounding towns to add to the revenues and offset some future expenditures.
4. PROPOSED POLICE TESTING FEE ORDINANCE AMENDMENT – Mayor Damiano stated Police Chief Post has advised him that this year the police testing fee charged to applicants is far less than the cost of the municipality to perform the necessary checks. The amount is currently \$75 and will be increased to \$225 for those applicants choosing to take the test.
5. PROPOSED ORDINANCE AMENDING SETBACK REQUIREMENTS FOR GENERATORS AND AIR CONDITIONING UNITS – Mayor Damiano explained the rationale for the amendment.
6. PROPOSED ORDINANCE TO AMEND THROUGH STREETS TO ADD GLEN ROCK ROAD – Mayor Damiano stated the DPW and Police Departments have performed a necessary review of this area. The

**Meeting of August 13, 2018**

ordinance designates Glen Rock Road as a through street and putting stop signs on all streets that are perpendicular to or meet up with Glen Rock Road.

Councilmember SEBER questioned how often fees are reviewed. Mayor Damiano stated the last amendment was in 2012. The Mayor indicated Mr. DiMaria had brought it to his attention, at which time a list of fees from surrounding towns was compiled. Councilmember SEBER questioned whether there would be a regular review of fees. Mr. DiMaria explained the DCA has changed some of the requirements which requires the Township to update ordinances to be in compliance. Councilmember SEBER recommended fees be reviewed automatically. Councilmember VANCHERI queried what was used as a guide when reviewing surrounding town fees. Mr. DiMaria provided a detailed explanation of the fees, noting a portion goes to DCA and fees are often based on volume.

**COUNCIL TOPICS FOR DISCUSSION**

Councilmember CORDONNIER discussed the Neighbors Helping Neighbors Committee. She stated she met with Superintendent Marinelli, the PBA, LFAC, and the Boy Scouts who will help with a community based outreach. Aide will involve collections of food, home goods, and school supplies. Details will be available and anyone who would like to volunteer can contact her via email on the Township website. She described how wonderful it was to see how well neighbors helped one another.

Councilmember SEBER thanked law enforcement, the DPW and the Council for all their efforts.

Councilmember VANCHERI thanked Vincent Miraglia for his donation that was used to obtain supplies to bring back to the Civic Center to help those affected by the flood.

Councilmember CORDONNIER thanked the OEM workers and Sergeant Gianduso for their preparedness, for finding places for people to go, and making residents feel comfortable.

Councilmember LIESS announced there are many senior events coming up. He also announced the Historical Society has a lot to offer and encouraged residents to participate.

Councilmember VANCHERI expressed his sympathy to everyone affected by the flooding. He was grateful for everyone working together, including the Police Department, Fire Department, OEM members, Councilmembers, and neighbors.

Mayor Damiano stated that although the municipality cannot provide financial relief and assistance by sending money to homeowners, he recommended the Township waive the permit fees for future applications of the homeowners affected by the flood. Council President SGOBBA will discuss the Mayor’s recommendation with each Council member, and if agreed upon, will bring up at the next Regular Meeting.

**PUBLIC COMMENT – AGENDA ITEMS ONLY**

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

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

The Council President declared the motion passed.

Luis Fernandez, Harrison Street, requested the Township regulate the discharge of sump pumps. Council President SGOBBA stated a sump pump ordinance was recently adopted and will be enforced.

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

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

The Council President declared the motion passed.

There being no further business to come before the meeting, it was moved by Councilmember Cordonnier, seconded by Councilmember Seber, that the meeting be and it was adjourned at 9:04 p.m.

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Cynthia Kraus  
Municipal Clerk