

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

Monday, August 18, 2014

Council President Louis Fontana called the meeting to order at 7:32 p.m. with the following members present: John Vantuno, William Organisciak, and Pamela Porter. Also present were Mayor Darlene Post, Township Attorney William Northgrave, Township Administrator Charles Cuccia, and Municipal Clerk Cynthia Kraus.

Absent: Councilmember Joseph Maceri

Township Employees present: DPW Superintendent Phillip 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 28, 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.

PUBLIC PORTION

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

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

The Council President declared the motion passed.

George Stafford, Highland Coalition, summoned the Township to consider a resolution for the Highlands Act. He expressed his concern that certain parties would like to adjust the Master Plan, which would change the Highland Act. Mr. Stafford detailed the Act and the purpose thereof. He came before the Council as Little Falls residents receive water from the Highlands. He distributed the Resolution to the Clerk and asked for Council's endorsement. Councilmember VANTUNO asked who wanted to change the Act. Mr. Stafford replied developers would like to change the tracts of land to develop and would have to address run off. The Highlands Coalition seeks to preserve the infrastructure. Councilmember VANTUNO requested an abbreviated version of the Act. Mr. Stafford provided the Council President with the web address, where a more reader friendly version could be found.

Mark Simolaris, 111 First^t Avenue, requested the Mayor's viewpoint on the Green Acres Act, and a status report on the park benches around the 9/11 Memorial. He invited Mayor Post to participate in the ALS Ice Bucket Challenge. He expressed reluctance to having PV drivers practicing driving and parking in the neighborhood as there are many children in the area.

Louis Fernandez, Harrison Street, urged the Council's support to challenge the 2% allowed for the Board of Education budget. He expressed his disagreement with the Mayor's Message he received via email that Little Falls does not have a problem because the Township spends more money than it brings in.

Dung Do-Tran – 128 Woodcliff Avenue, expressed his interest in purchasing land adjacent to his property which is Township property. If the Township would not sell the land, he would request a fence be put up. His interest is related to unsafe situations he cited. He believed purchase of the land would create comfort and safety for his family.

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

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

Council President Fontana stated the Council will review the information provided by Mr. Stafford.

Council President FONTANA and Mayor Post clarified that Mr. Simolaris was referring to Blue Acres land, not Green Acres. Mayor Post stated she was in support of Blue Acres. She accepted Mr. Simolaris' invitation to take the ALS Ice Bucket Challenge, and asked the Council to participate as well. Mayor Post elaborated on the difference between the Blue Acres and Green Acres program. She responded to Mr. Fernandez regarding her Mayor's Message, indicating that her statement was not intended to be misleading, but to respond specifically to the three million dollar deficit. The explanation was to clarify that the deficit will be offset by revenues coming in, therefore, the three million dollar deficit would not impact the taxpayers. She declared Little Falls does not have a spending problem. The monies the Township bonds for are for infrastructure improvements and tax appeals. The Township does a lot with the monies brought in and is seeking ways to increase ratables.

Mr. Simone stated the park benches at Memorial Park are to be installed after the contractor installs the paver stones. Mr. Cuccia to relay drivers education concern to the Police Chief.

Council President FONTANA addressed Mr. Fernandez's request about the Board of Education, noting the subject has been discussed previously. He agreed with Mr. Fernandez, and stated his perspective was one of frustration, as

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he is of the opinion that the Council should be able to vote on the Board of Education budget. He will work on discussing with the school.

Council President FONTANA requested more information about unsafe conditions near his home, which Mr. Do-Tran provided. Mr. Dombrowski added that similar issues occur near his home as well. Properties will be discussed at the Executive Session where this will be further addressed.

Natural Gas Compressor Station - It was moved by Councilmember Vantuno, seconded by Councilmember Organisciak, that the Council approve the following:

RESOLUTION [A] 14-08-18 - #1 NATURAL GAS COMPRESSOR STATION

WHEREAS, Agencies of the Federal Government approved the construction of a natural gas compressor station in the Borough of Roseland that is owned and operated by Williams Partners Company and their subsidiary known as The Transcontinental Gas Pipeline Company "Transco"; and

WHEREAS, natural gas compressor stations can pose many potential hazards to people, to property and to the environment; and

WHEREAS, the Little Falls Governing Body believe that improvements to our utilities infrastructure are needed in order to maintain the services utilized by our residents and taxpayers each and every day; and

WHEREAS, it is the responsibility of the Governing Body of the Township of Little Falls along with Mayor to preserve the health, safety, and welfare of Little Falls citizens and the community at large from any potential harm that may affect people, property, and the environment due to the expanded operation of the federally approved natural gas compressor station; and

WHEREAS, the Township of Little Falls now calls upon many Federal and State Agencies that grant approval for the construction of, and who regulate and have oversight over the ongoing operations of natural gas compressor stations including Federal Energy Regulatory Commission (FERC), United States Department of Transportation (USDOT) and the departments within the DOT including Pipeline and Hazardous Materials Safety Administration (PHMSA), the US Department of Homeland Security, and the (New Jersey Department of Environmental Protection) NJDEP; and

WHEREAS, various concerned parties have enlisted the assistance of our Federal and State representatives to help protect the residents from any potentially disastrous event at the subject natural gas compressor station as is evident in the letter from Congressman Rodney Frelinghuysen dated April 8, 2014 wherein he suggests "an independent review of possible safety concerns; and

WHEREAS, it is the Governing Body's belief that these concerns are serious and genuine and we are passionate about protecting our residents from potentially harmful and devastating consequences resulting from any event at the subject federally approved facility situated in New Jersey. We support Congressman Frelinghuysen's advocacy for an independent study which we believe should be funded by the operator of the compressor station and or the federal agencies that approved of and who have oversight of the subject compressor station.

NOW, THEREFORE BE IT RESOLVED that the Little Falls Governing Body calls upon the Federal and State Agencies that have approved of and who have oversight over the operation of the subject facility and associated natural gas transportation pipeline take immediate and ongoing action to protect all communities in New Jersey from any type of potential adverse effects to people and property that could be imposed upon us as a result of the subject facility operating at an increased capacity and to furnish to us materials and information at regular intervals evidencing the actions that these agencies have taken to protect us from harm.

BE IT FURTHER RESOLVED, as per the recommendation of Congressman Frelinghuysen in his letter dated April 8, 2014 addressed to Acting Director Cheryl A. Lafleur, of FERC, that the owner/operator of the aforementioned compressor station and/or the Federal agencies fund an independent safety study relative to this project.

BE IT FURTHER RESOLVED that upon passage, a copy of this resolution shall be forwarded to the following recipients: The FERC, USDOT, PHMSA, US Department of Homeland Security, NJDEP, Honorable Chris Christie, Governor, State of New Jersey; Hon. Robert Menendez, U.S. Senator; Hon. Cory Booker, U.S. Senator; Hon. Rodney P. Frelinghuysen, Congressman.

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

The Council President declared the motion passed.

ITEMS TO BE DISCUSSED:

1. PROFESSIONAL RFQ'S - Mr. Cuccia requested the Council's approval to go out for a Request for Qualifications for Professionals. He further suggested policy development to streamline the process such that RFQs are done every three years. The professionals would include the COAH Planner, Labor Counsel, Bond Counsel, Financial Advisor, Engineer, Attorney, Risk Manager and Planner. Council President FONTANA concurred with a three year cycle. Councilmember ORGANISCIK expressed reluctance that if the individual does not perform their duty sufficiently, the Township is bound for two more years. Mr. Cuccia clarified that the professionals are appointed for a one year term, but the RFQ is every three years. Mr. Cuccia to initiate process for the 2015 budget, with implementation slated for September.
2. VEHICLE REPLACEMENT SCHEDULE-Mr. Cuccia distributed the Vehicle Replacement Schedule to Council for the Fire, Police and the DPW Departments. The list itemized the current stock of vehicle, when the vehicle was purchased, vehicle status, and cost when purchased. The replacement policy would be dependent on vehicle type. For example, the proposed replacement policy would have fire engines replaced on a continuing cycle over 20 years, from the year which the fire engine was placed in service. A ladder truck would be replaced on a continuing cycle over 15 years from the date it was placed in service. Specialty trucks would be replaced every 20 years based on when it was placed in service. The purpose of policy establishment is to facilitate budgeting. Council President FONTANA questioned whether refurbishing might be an option. Mr. Cuccia explained refurbishment is based on half-life, and could lengthen the total life of the vehicle. Council President FONTANA expressed his interest developing a schedule that promotes optimization. Mr. Cuccia explained he will convene with Department Heads and develop a three year plan, with updates to occur every year. Council President FONTANA agreed. Councilmember ORGANISCIK raised the issue of rotating the cars such that the Township would use them first, then the Police Department, then be auctioned. Mr. Cuccia countered that approach stating that the Township would be overbuying a vehicle for another Department, and it may be more costly to do so. Council President FONTANA requested longitudinal costs be provided in order to accurately evaluate different approaches to replacement. Mr. Cuccia added that he did not provide information for construction or the Fire Officer, but he will follow-up. Councilmember ORGANISCIK questioned whether the big dump truck is still in use. Mr. Simone replied the truck was pushed to its limit last year and will be off the road at the end of the year.

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3. ROAD PAVING SCHEDULE – Mr. Cuccia recounted the Council had previously approved the Ordinance to continue the road paving program. Mr. Simone and Mr. Lindsay distributed a prioritized list and discussed how many linear feet can be addressed with available funds. Mr. Simone noted there are more streets than available funding. He emphasized the information provided is an estimate; measurements must be confirmed. Streets are listed in clusters, where possible, in an effort to be more efficient. Mr. Simone reviewed the list, identifying funding sources. Streets that do not require ADA compliant ramps will go out to bid through Morris County Co-Op. Streets that require ADA compliant handicap ramps will require going out to bid, however, funding may be possible from the Safe Route to School program. Mr. Simone responded to Councilmember ORGANISCIAK with respect to the amount bonded, clarifying that \$300,000 was for the roads with the remainder was related to soft costs. Councilmember ORGANISCIAK requested a timeline. Mr. Simone stated once funding is in place, this project is expected to commence this year. Council President FONTANA queried whether any roads on the cut line are in dire need of repair but are not prioritized in a cluster. Mr. Simone identified First Avenue and Elm Street. First Avenue requires handicap ramps, the cost of which would cut into funds, but may be able to be addressed through the Safe Route to School program. Councilmember PORTER whether curbing would be done as well. Mr. Simone stated milling and paving are to be done only. Drainage on Lower Notch Road and all the other streets will be evaluated for catch basins and drainage repair. New storm water drainage requirements will be met according to DEP regulations.
4. BLUE ACRES MEETING DATES – Mr. Simone reported he spoke with Martha Sapp and she would prefer the Council set several dates to meet, however, the Council's presence is not necessarily required. The meeting will convene at the Civic Center. Council President FONTANA suggested a Monday date be selected at 7:00PM. Mr. Simone to proceed with letter distribution.
5. MORNINGSIDE CIRCLE DRAINAGE – Mr. Lindsay distributed two methods to address drainage on Morningside Circle. He described the circumstances related to road drainage which has discharged into a neighbor yard. The corrugated metal pipe has corroded, leading to displacement inside and pipe collapse, presenting no clear pathway for the storm water to flow. Mr. Lindsay highlighted several points complicating the matter, including lack of adequate easements, trees, and resident improvements such as fencing, that impact the ability to maintain and inspect pipes. Mr. Lindsay presented options to repair, logistics to consider, and costs associated with the project. He emphasized that this project needs to be addressed. The cost to replace in kind would be \$198,000 and would include all costs including soft costs. The other alternative incorporating pipe interception would cost \$285,000, would not require getting in backyards, nor require easements, and could be done easily. Councilmember ORGANISCIAK questioned which alternative would last longer. Mr. Lindsay stated either method should last at least ten years. Mr. Lindsay provided further detail to Councilmember ORGANISCIAK's query as to how to prevent water from flowing into the corrupted pipe and how to remove water that flows from the rain center. Council President FONTANA questioned what actions can be taken regarding the easements. Mr. Lindsay stated temporary and permanent easements would have to be requested. Mr. Simone detailed the origin and path of water flow to the area of concern on Morningside Circle. He added that changing the pipe size will have impacts on maintenance. Councilmember ORGANISCIAK questioned whether the location of the pipes effects maintenance. Mr. Simone explained pipes located in a backyard present a problem and are difficult to maintain. Councilmember PORTER asked if the two new built in pools would be impacted. Mr. Lindsay explained any infrastructures built in the back yards might at some time be affected if stormwater continues to flow through the backyards. Councilmember ORGANISCIAK raised the issue that perhaps the costs to perform the work in backyards is actually more than estimated. Mr. Lindsay stated although he estimated the costs, he did include a contingency, such that he believes the estimate will hold.

Mr. Cuccia requested Council guidance as to whether an ordinance should be prepared for Council review. Council President FONTANA recommended ordinances be prepared representing the different approaches and corresponding costs and be presented at the next meeting.

6. SHADE TREE COMMISSION - Mr. Simone reported on an issue raised at a Shade Tree Meetings regarding trees and shrubs being planted in the Township's right of way. The concern is that the trees being planted are not shade trees and become the Township's responsibility to maintain. Shade Tree Commission has requested the Council amend the Shade Tree Ordinance to require individuals to come before the Shade Tree Commission for approval prior to planting in the right of way. This will assure the tree or shrub is in the right place. Councilmember VANTUNO questioned how many trees are planted in the right away. Mr. Simone responded that on the average people plant between 20 and 30 trees a year in the public right of way. Shade Tree is attempting to be proactive such that plantings do not become a detriment. Mr. Simone further explained that upon ordinance amendment, public education could occur through recycling mailings. Councilmember VATUNO recommended the list of acceptable trees be placed on the website. Councilmember ORGANISCIAK added that depiction or generic definition of right of way could be included as well as the process of receiving Shade Tree approval. Mr. Northgrave inserted that he would like to review the information prior to being placed on the website for liability reasons. Councilmember ORGANISCIAK questioned whether Shade Tree has been able to address any of the Blue Acres lots. Mr. Simone stated John Veteri had been successful in obtaining grants from Anheiser Busch to plant trees on Woodcliffe Ave. However, Shade Tree will review their budget at year end to determine if more trees could be added. Mr. Simone also announced that Shade Tree would be happy to accept donated trees. Councilmember VANTUNO queried whether local business could donate a tree and have a plaque indicating such. Mr. Simone to confer with Shade Tree and Mr. Cuccia to develop procedure for donations and information to be placed on website. Mr. Simone to forward material to Mr. Northgrave for review.

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7. SALE OF TOWNSHIP LAND - Mr. Cuccia informed the Council two inquiries have been made thus far for a parcel on Paterson Ave, and one on Woodcliffe Ave. Information was distributed to Council. Further discussion will occur in Executive Session as there are contractual matters involved.
8. BUS STOPS - Mr. Simone distributed a copy of bus stops compiled by Joan Skal, who was the Clerk at that time. Based on review and observation, Mr. Simone has made additions, corrections, and provided a map for visual aide. Mr. Simone noted he was unable to locate one bus stop near Schumacher. If the Council is agreeable, Mr. Simone will send the list to NJ Transit for confirmation. Originally, the list was approved by resolution and is valid for one year. Mr. Simone stated an ordinance is necessary to approve the bus stops in order to obtain County approval for the bus shelters. At this time, only one bus shelter is in the code book. Mr. Simone explained the modifications to the bus stop list and locations. Mr. Simone to send list to NJ Transit to obtain feedback. Mr. Simone to present ordinance for introduction at the next meeting.

EXECUTIVE SESSION

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

RESOLUTION [EX]

WHEREAS, N.J.S.A. 10:4-12 allows for a Public Body to go into executive session during a Public Meeting; and
WHEREAS, the Governing Body of the Township of Little Falls has deemed it necessary to go into executive session to discuss certain matters which are exempted for the Public; and
WHEREAS, the regular meeting of this Governing Body with reconvene;
NOW, THEREOFRE, BE IT RESOLVED that the Township Council of the Township of Little Falls will go into executive session for the following reason(s) – contract negotiations and personnel matters leading to litigation and appointment, potential litigation, and potential contract issues for property.

Mr. Northgrave stated he would like to discuss an item of potential litigation.

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

The Council President declared the motion passed.

The Council entered Executive Session at 8:58 p.m.

At 9:42 p.m. the Council returned and it was moved by Councilmember Porter, seconded by Councilmember Organisciak, that the meeting return to Open Session.

ADJOURN

There being no further business to come before the meeting, it was moved by Councilmember Porter, seconded by Councilmember Vantuno, that the meeting be and it was adjourned at 9:42 p.m.

Cynthia Kraus
Municipal Clerk