

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

Monday, December 6, 2021

Council President Sgobba called the meeting to order at 7:00 p.m. with the following members present: Christine Hablitz, Albert Kahwaty, and Christopher Vancheri. Also present were Mayor James Damiano, Township Engineer Tom Lemanowicz, Township Administrator Charles Cuccia, Deputy Clerk Melissa DePiro and Township Clerk Cynthia Kraus.

Absent: Councilmember Tanya Seber and Township Attorney Joseph Wenzel.

Township Employees present: None.

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 July 22, 2021. 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 link and a telephone number to join the 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.**

PROCLAMATION RECOGNIZING WORLD AIDS DAY – At this time, Mayor Damiano read the Proclamation recognizing December 1, 2021 as World Aids Day in the Township of Little Falls.

RECOGNITION OF STUDENT ATHLETES – Mayor Damiano acknowledged the first team all league accomplishments of Passaic Valley High School students Arthur Bombardelli, Mathew Boscaino, Brianna La Rosa, and Katherine Cottone.

PUBLIC COMMENT – GENERAL MATTERS

Anyone wishing to address the Township Council may do so through the Council President. Please 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 desired 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 raise the Hand icon. Please give your name and address for the record. Once the process is complete, we will return to the regular order of business.

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

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

The Council President declared the motion passed.

Luis Fernandez, 54 Harrison Street, discussed his viewpoint on the upcoming school referendum emphasizing his opposition until the flooding issues in the Township are addressed. Council President SGOBBA reminded Mr. Fernandez the referendum is under the purview of the Board of the Education. Mayor Damiano agreed with Mr. Fernandez's comments regarding the Township's flooding stigma and the importance of the flood tunnel to address flooding issues in the Township. Mayor Damiano added that on December 13, 2021 a meeting with NRCS (Natural Resources Conservation Service) will occur to discuss funding for stabilization of the Peckman River. Mr. Fernandez also made comments regarding a previous meeting pertaining to how Council President SGOBBA was addressed.

Rick Mieses - 79 Cedar Grove Road, thanked the Council, Mayor and DPW for efforts made to stabilize the riverbank near his home and questioned whether an inspection of the riverbanks would occur with the NCRS. Mr. Mieses also queried what preventative actions would be taken to prevent future flooding and requested the Township's assistance to obtain a response from the County regarding a drainpipe on his property that flows into County property. Mayor Damiano did not have specific information regarding an inspection but obtained Mr. Mieses' permission should an inspection occur with NCRS. Mayor Damiano discussed the Regional Flood Board and the use of the trackhoe. The Mayor indicated he will discuss the issue of the drainpipe with both the County and NCRS.

Robert Doeg – 168 Wilmore Road, commented on the successful Tree Lighting, echoed Mr. Mieses' sentiments regarding the riverbank, and thanked the Township for moving forward with flood mitigation with the NCRS. Mr. Doeg questioned the participation of Cedar Grove and Verona regarding the Regional Flood Board. Mayor

Meeting of December 6, 2021

Damiano discussed previous and current positions of Cedar Grove and Verona with regard to flooding, noting both municipalities have had Salamone Brothers address their riverbanks.

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

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

The Council President declared the motion passed.

ITEMS TO BE DISCUSSED:

MAYOR/ADMINISTRATOR:

1. TAX REFUND RESOLUTION – Mayor Damiano explained the routine nature of this Resolution.
2. ISSUANCE OF DUPLICATE TAX SALE CERTIFICATE – Mayor Damiano explained the nature of this Resolution.
3. PURCHASE OF ROCK SALT- Mayor Damiano explained the Township seeks the best purchase price for various items often through Co-Op opportunities.
4. BUDGET TRANSFER RESOLUTION- Mayor Damiano explained the standard nature of this Resolution.
5. CIVIL RIGHTS POLICY RESOLUTION – Mayor Damiano explained the Resolution which indicates the civil rights of all Township employees are to be met at all times.

ACTION ITEMS:

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

Tax Overpayments in 2021 on Several Properties

RESOLUTION [A] 21-12-06 #1

WHEREAS, the following properties in the Township of Little Falls, New Jersey have overpaid real estate taxes in 2021; and **WHEREAS**, the Tax Collector is requesting that the Township Council direct the Treasurer to refund said amounts overpaid listed below;

NOW, THEREFORE BE IT RESOLVED, by the Township Council of the Township of Little Falls, County of Passaic, State of New Jersey that the following listed tax refunds be made by the Township Treasurer:

<u>Tax Year & Qtr.</u>	<u>Block Lot/Q</u>	<u>Taxpayer/ Location</u>	<u>Payee</u>	<u>Reason</u>	<u>Amount</u>
2021/4	88.05/1 C106	Cantor to Fuhro 300 Main St, #106	Prestige Title Agency 130 Pompton Ave Verona NJ 07044	O/P	\$2,111.29
2021/4	89/8	Avalon Real Estate LLC 1 Cardinal Dr	Avalon Real Estate LLC 121 Old Chester Road Essex Fells NJ 07021	O/P	4,180.92
2021/4	89/8.01	Avalon Real Estate LLC Cardinal Dr	Avalon Real Estate LLC 121 Old Chester Road Essex Fells NJ 07021	O/P	<u>308.48</u>
Total Refunds					\$6,600.69

Resolution Authorizing Issuance of Duplicate Tax Sale Certificate

**RESOLUTION [B] 21-12-06 #2
RESOLUTION AUTHORIZING THE ISSUANCE OF A DUPLICATE TAX SALE
CERTIFICATE PURSUANT TO N.J.S.A. 54:5-52.1**

WHEREAS, the Tax Collector of the Township of Little Falls has previously issued a tax sale certificate to Apex Capital Holdings LLC which certificate is dated September 15, 2021 covering premises commonly known and referred to as Block 37 Lot 9, Korek LLC, 198 Nwk Pompton Tpk, Little Falls, NJ 07424 as set out on the municipal tax map then in use which certificate bears number 03-2021.

WHEREAS, the purchaser, John Venutolo, Manager of Apex Capital Holdings LLC of the aforesaid tax sale certificate has indicated to the Tax Collector with an affidavit of lost tax sale certificate that the Passaic County Clerk Register of Deeds office recorded this certificate on October 6, 2021, Book: M17491; Page: 294 and lost and/or misplaced this same Certificate of Sale without returning same to Apex Capital Holdings LLC as no tracking information on their end of mailing and/or returning it to Apex Capital Holdings LLC; and

NOW, THEREFORE BE IT RESOLVED, that the Tax Collector, Mayor and Governing Body waive the charge of \$100.00 for this duplicate Certificate of Sale being that Apex Capital Holdings LLC never received this Certificate returned to him after County recording it and was due to the County’s negligence.

BE IT FURTHER RESOLVED that a copy of this Resolution and the Loss of Affidavit be attached to the duplicate certificate to be issued to said purchaser and that said duplicate certificate shall be stamped or otherwise have imprinted upon it the word “Duplicate” as required by law. Apex Capital Holdings LLC does not need to record this Duplicate Certificate of Sale.

Resolution Authorizing Purchase of Rock Salt

**RESOLUTION [C] 21-12-06 - #3
ACCEPTING BID AND AWARDING CONTRACT
FOR THE VENDORS LISTED BELOW FOR THE 2021 WINTER PRODUCTS
Under County Cooperative Purchasing
Contract Period December 1, 2021 through November 30, 2022**

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

for the Contract period December 1, 2021 to November 30, 2022; and

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

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

Meeting of December 6, 2021

WHEREAS the Township Treasurer has provided a Certification of the Availability of Funds pursuant the Local Finance Board; and the appropriation to be charged for this expenditure is Department of Public Works Other Expenses;

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

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

Morton Salt
Bid: \$66.54 per ton

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

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

Resolution Authorizing Transfers in the 2021 Budget

**RESOLUTION [D] 21-12-06 - #4
TOWNSHIP OF LITTLE FALLS**

WHEREAS, Title 40:4-58 of the New Jersey Statutes provides that should it become necessary, during the last two months of the fiscal year to expend for any of the purposes specified in the budget an amount in excess of the respective sums appropriated therefore and there shall be an excess in any appropriation over and above the amount claimed to be necessary to fulfill the purpose of such appropriation, the Governing Body may by resolution setting forth the facts (adopted by not less than 2/3 vote of the full membership thereof), transfer the amount of such excess of those appropriations deemed to be insufficient.

NOW, THEREFORE, BE IT RESOLVED, by the Governing Body of the Township of Little Falls, not less than 2/3 of the members thereof affirmatively concurring, that the Treasurer be and is authorized to make the attached transfers in the 2021 Budget Appropriations.

RESOLUTION [E] 21-12-06 - #5

A RESOLUTION TO AFFIRM THE TOWNSHIP OF LITTLE FALLS' CIVIL RIGHTS POLICY WITH RESPECT TO ALL OFFICIALS, APPOINTEES, EMPLOYEES, PROSPECTIVE EMPLOYEES, VOLUNTEERS, INDEPENDENT CONTRACTORS, AND MEMBERS OF THE PUBLIC THAT COME INTO CONTACT WITH MUNICIPAL EMPLOYEES, OFFICIALS AND VOLUNTEERS

WHEREAS, it is the policy of the Township of Little Falls to treat the public, employees, prospective employees, appointees, volunteers and contractors in a manner consistent with all applicable civil rights laws and regulations including, but not limited to the Federal Civil Rights Act of 1964 as subsequently amended, the New Jersey Law against Discrimination, the Americans with Disabilities Act and the Conscientious Employee Protection Act, and

WHEREAS, the governing body of the Township of Little Falls has determined that certain procedures need to be established to accomplish this policy

NOW, THEREFORE BE IT ADOPTED by the Township of Little Falls that:

Section 1: No official, employee, appointee or volunteer of the Township of Little Falls by whatever title known, or any entity that is in any way a part of the Township of Little Falls shall engage, either directly or indirectly in any act including the failure to act that constitutes discrimination, harassment or a violation of any person's constitutional rights while such official, employee, appointee volunteer, or entity is engaged in or acting on behalf of the Township of Little Falls' business or using the facilities or property of the Township of Little Falls.

Section 2: The prohibitions and requirements of this resolution shall extend to any person or entity, including but not limited to any volunteer organization or inter-local organization, whether structured as a governmental entity or a private entity, that receives authorization or support in any way from the Township of Little Falls to provide services that otherwise could be performed by the Township of Little Falls.

Section 3: Discrimination, harassment and civil rights shall be defined for purposes of this resolution using the latest definitions contained in the applicable Federal and State laws concerning discrimination, harassment and civil rights.

Section 4: The Mayor or Administrator shall establish written procedures for any person to report alleged discrimination, harassment and violations of civil rights prohibited by this resolution. Such procedures shall include alternate ways to report a complaint so that the person making the complaint need not communicate with the alleged violator in the event the alleged violator would be the normal contact for such complaints.

Section 5: No person shall retaliate against any person who reports any alleged discrimination, harassment or violation of civil rights, provided however, that any person who reports alleged violations in bad faith shall be subject to appropriate discipline.

Section 6: The Mayor or Administrator shall establish written procedures that require all officials, employees, appointees and volunteers of the Township of Little Falls as well as all other entities subject to this resolution to periodically complete training concerning their duties, responsibilities and rights pursuant to this resolution.

Section 7: The Mayor or Administrator shall establish a system to monitor compliance and shall report at least annually to the governing body the results of the monitoring.

Section 8: At least annually, the Mayor or Administrator shall cause a summary of this resolution and the procedures established pursuant to this resolution to be communicated within the Township. This communication shall include a statement from the governing body expressing its unequivocal commitment to enforce this resolution. This summary shall also be posted on the Township's web site.

Section 9: This resolution shall take effect immediately.

Section 10: A copy of this resolution shall be published in the official newspaper of the Township of Little Falls in order for the public to be made aware of this policy and the Township's commitment to the implementation and enforcement of this policy.

Bill List

RESOLUTION [F] 21-12-06 - #6

BE IT RESOLVED by the Township Council of the Township of Little Falls the Council having received the Treasurer's certification of the availability of funds for payment of all bills presented, that payment of all bills approved by the Finance Committee be and is hereby authorized, subject to the availability of funds and subject to the appropriate and available appropriation in the line item.

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

The Council President declared the motion passed.

NEW BUSINESS

Ordinance No. 1426 - -It was moved by Councilmember Vancheri, seconded by Councilmember Hablitz, that the public hearing on Ordinance No. 1426, "**ORDINANCE OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF LITTLE FALLS, IN THE COUNTY OF PASSIAC, STATE OF NEW JERSEY, AMENDING THE TOWNSHIP CODE CHAPTER 280 ENTITLED, "ZONING" TO ELIMINATE FLOOR AREA RATIO REQUIREMENTS FROM THE R1-A, R1-B AND R1-C ZONES**," be and it was opened.

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

The Council President declared the motion passed.

Meeting of December 6, 2021

As no comments from the public were received, it was moved by Councilmember Kahwaty, seconded by Councilmember Hablitz, that the public hearing on Ordinance No. 1426 be and it was closed.

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

The Council President declared the motion passed.

It was moved by Councilmember Vancheri seconded by Councilmember Kahwaty, that the Ordinance No. 1426 be and it was adopted.

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

The Council President declared the motion passed.

COUNCIL TOPICS FOR DISCUSSION

Councilmember KAHWATY expressed his gratitude for everyone’s condolences in memory of his late father. He extended his congratulations to the Super Bowl champions and those athletes recognized tonight. Councilmember KAWATY discussed the success of the Tree Lighting, announced the Little Falls Business Association will host a breakfast with Santa and holiday party at the library, and reminded everyone to shop local this holiday season.

Councilmember HABLITZ highlighted events occurring as part of the Little Falls Biz Holiday Party at the Library this Saturday. Commencing January 5, 2022, the Library is starting a teen advisory board for those in grades 6-12, and from December 1-22, 2021 the Food for Fines program will occur. Lastly, Councilmember HABLITZ detailed the First Annual Light Up Little Falls contest run through the Recreation Center and Farmers Market.

Councilmember VANCHERI discussed efforts of the Flood Board, and collaboration with nearby towns as well as Congresswoman Sherill and Congressman Pascrell to address flooding of the Peckman and Passaic Rivers. Councilmember VANCHERI reviewed installation of the speed humps on Van Pelt Place and Jacobus Avenue. Councilmember VANCHERI then detailed the PBA’s annual Breakfast with Santa at PVHS on December 11, 2021. He provided a follow-up report on issues raised by Mr. Fernandez at a previous Meeting regarding parking and signage as well as compliance issues of a property owner.

Council President SGOBBA announced there will be a Senior Holiday Luncheon on December 8th and the Senior Advisory Board will hold their annual Holiday party on December 17, 2021. Council President SGOBBA announced the Reorganization Meeting will be held on January 4, 2022 and starting in January 2022 meetings will be on YouTube and no longer be presented in a hybrid format. Mayor Damiano explained that in 2022 the Meetings will be streamed in live time to conform with the State’s requirements.

PUBLIC COMMENT – AGENDA ITEMS ONLY

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

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

The Council President declared the motion passed

Luis Fernandez – Thanked Councilmember Vancheri for the prompt response to his concerns raised at a previous Meeting.

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

Poll: Ayes: Hablitz, Kahwaty, 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 Kahwaty, seconded by Councilmember Hablitz, that the meeting be and it was adjourned at 7:47 p.m.

Cynthia Kraus
Municipal Clerk