

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

Monday, December 7, 2020

Council President Sgobba called the meeting to order at 7:00 p.m. with the following members present: Christine Hablitz, 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: None.

Township Employees present: None

SALUTE TO THE FLAG – Council President SGOBBA requested all remain standing after the Salute to the Flag in a moment of silence for former Councilmember William Leiss and in observance of the 79th anniversary of Pearl Harbor.

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 Christine Hablitz, Councilmember Albert Kahwaty, Councilmember Tanya Seber, Councilmember Christopher Vancheri, Attorney Joseph Wenzel, and Municipal Clerk Cynthia Kraus, and attended the meeting remotely.

PUBLIC COMMENT – ALL MATTERS

Council President SGOBBA announced the Public Comment will include comments on the Ordinances which are on the Agenda for public hearing and adoption this evening.

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

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

The Council President declared the motion passed.

At this time, Council President SGOBBA announced there would be a ten-minute recess such that questions from the public could be emailed to the Clerk. The Council recessed at 7:03 PM and returned to session at 7:13 PM.

John Veteri: 3 University Plaza, Hackensack, on behalf of the Little Falls Historical Society, expressed condolences on the loss of William Leiss, long time Vice President of the Little Falls Historical Society.

Luis Fernandez – 54 Harrison Street, requested a status report on 75 Harrison Street. Mayor Damiano responded an update was not available at this time other than the purchaser and seller continue to exist and the intention is to proceed as initially discussed.

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

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

The Council President declared the motion passed.

ITEMS TO BE DISCUSSED:

MAYOR/ADMINISTRATOR:

1. SHARED SERVICE AGREEMENT WITH WOODLAND PARK FOR EMPLOYEE COVID TRACKING APPLICATION- Mayor Damiano explained the Township is partnering with Woodland Park because many applications require a minimum number of employees to participate. The application will also streamline the process as required by the State.

2. AUTHORIZING PAYMENT TO THE BOROUGH OF HAWTHORNE FOR THE PURCHASE OF A LADDER TRUCK FOR THE FIRE DEPARTMENT – Mayor Damiano elaborated upon the Township’s opportunity to purchase a ladder truck for a reduced rate of \$30,000. Company No. 2 on Wilmore Road will store the truck in one of the bays that will be heightened such that it can be stored indoors.
3. LIQUOR LICENSE RENEWAL RESOLUTION – Mayor Damiano explained the nature of the resolution.
4. RESOLUTION WAIVING LIQUIDATED DAMAGES FOR THE DUVA PARK STORAGE BUILDING PROJECT – Mayor Damiano stated the builder had exceeded the deadlines to complete the project. The Township has opted not to pursue the liquidated damages the Township may have been entitled to against this contractor.
5. RESOLUTION CANCELLING TAXES ON A PROPERTY – Mayor Damiano explained the property in reference has been purchased by the Township to install its new water pump station. Therefore, taxes are to be cancelled as it is Township owned property.
6. BUDGET TRANSFER RESOLUTION – Mayor Damiano explained the nature of the resolution. Councilmember KAHWATY requested Mr. Cuccia forward the names of the accounts to Councilmembers.
7. RESOLUTION AWARDED CONTRACT TO RER SUPPLY FOR VEGETATIVE WASTE – Mayor Damiano stated the contract award is \$5000 less than last year.
8. RESOLUTION RENEWING THE TOWNSHIP’S ELEVATOR SERVICE CONTRACT – Mayor Damiano explained the nature of this recurring resolution.

ACTION ITEMS:

RESOLUTIONS

It was moved by Councilmember Seber, seconded by Councilmember Hablitz to approve the following:

Cancellation of 4th Quarter Taxes

RESOLUTION [A] 20-12-07 - #1

WHEREAS, this is in continuation of adopted Resolution (A) 20-07-13#1 wherein the Township took over property known as Block 82 Lot 6, 110 E Woodcliffe Avenue by condemnation; and
 WHEREAS, the taxes were canceled at that time through the 3rd quarter 2020; and
 WHEREAS, the Council shall authorize the Tax Collector to cancel the 4th quarter taxes
 NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Little Falls, County of Passaic, State of New Jersey, they being the Governing body thereof as follows:

1. 4th qtr. 2020 taxes be canceled as now owned and possessed by the Township.
2. This Resolution shall take effect immediately.

Shared Service Agreement with Woodland Park for COVID-19 Application

RESOLUTION [B] 20-12-07 - #2

RESOLUTION AUTHORIZING A SHARED SERVICE AGREEMENT BETWEEN THE TOWNSHIP OF LITTLE FALLS AND THE BOROUGH OF WOODLAND PARK FOR EMPLOYEE COVID-19 SYMPTOM TRACKING APPLICATION

WHEREAS, the Township of Little Falls (Township) desires to contract with the Borough of Woodland Park (Borough) to provide for the purchase of an employee COVID-19 symptom tracking application; and
 WHEREAS, the Township and the Borough reached an agreement in accordance with N.J.S.A. 40A:65-1, *et seq.* (“Uniform Shared Services and Consolidation Act”); and
 WHEREAS the Township shall charge Woodland Park 50% of the total cost of the application; and
 NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Township of Little Falls, County of Passaic, State of New Jersey, do hereby authorize the Mayor to execute the Shared Services Agreement on behalf of the Township with the Borough of Woodland Park for the purchase of an employee COVID-19 symptom tracking application, for a one-year contract, expiring on December 31, 2021.

Authorization of Payment to Purchase of Ladder Truck

RESOLUTION [C] 20-12-07 - 3

RESOLUTION AUTHORIZING PAYMENT TO BOROUGH OF HAWTHORNE FOR PURCHASE OF LADDER TRUCK FOR LITTLE FALLS FIRE DEPARTMENT

WHEREAS, the Borough of Hawthorne is the owner of a 2003 Spartan Gladiator Tower Ladder, which has a fair market value of approximately \$30,000.00; and
 WHEREAS, the Township of Little Falls would like to purchase the Tower Ladder at the price of \$30,000.00 to be utilized by the Little Falls Fire Department;
 NOW, THEREFORE, BE IT RESOLVED, that the Township Council hereby authorizes the payment of \$30,000.00 to the Borough of Hawthorne for the purchase of a 2003 Spartan Gladiator Tower Ladder and authorizes the Mayor and Clerk to execute such documents as are necessary to effectuate the sale.

Liquor License Renewal

**TOWNSHIP OF LITTLE FALLS
PASSAIC COUNTY NEW JERSEY
RESOLUTION [D] 20-12-07 - #4**

BE IT RESOLVED by the Little Falls Township Council as follows:
 WHEREAS, applications for renewal of PLENARY RETAIL CONSUMPTION, PLENARY RETAIL DISTRIBUTION and CLUB LICENSES have been filed as follows:

<u>License No.</u>	<u>License and/or t/a name</u>	<u>Fee</u>
1605-33-004-001	First Russian Nat'l Home of Singac NJ, Inc. t/a New Russian Hall 4-6 Woodhull Avenue	\$2,200.00

and WHEREAS, it appears that all of the said applications are in satisfactory form; that the applicants have complied with all necessary requirements; that all applications are for renewals by the same persons for the same stands; and that no objections, in writing or otherwise, have been made or filed to any of said applications; and
 WHEREAS, the Township Council is familiar with all of the aforementioned applicants and the places for which they apply and sees no objection to any;
 NOW, THEREFORE, BE IT RESOLVED that the above-listed applications be and the same are hereby granted; and

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BE IT FURTHER RESOLVED that licenses be issued accordingly, to become effective on July 1, 2020 and expire on June 30, 2021.

Waiving Liquidated Damages for Duva Park Storage Building

**TOWNSHIP OF LITTLE FALLS
RESOLUTION [E] 20-12-07 - #5
WAIVER OF LIQUIDATED DAMAGES DUVA PARK STORAGE BUILDING**

WHEREAS, the Township of Little Falls, pursuant to advertising duly made and bids opened and read aloud, accepted bids for the Duva Park Storage Building on April 1, 2020; and

WHEREAS, after review of the documentation, and pursuant to Resolution [A] 20-04-13 - #1 of the Mayor and Council of the Township of Little Falls, the Township awarded the project to:

AB Contracting Inc. LLC
10 Theodore Street
Wharton, NJ 07885

and

WHEREAS, a Notice to Proceed was issued to AB Contracting Inc. LLC on May 21, 2020, with an effective date of May 22, 2020; and
WHEREAS, the time to complete the project was set forth in the contract documents as one hundred four calendar days, computing to a completion date of September 4, 2020; and

WHEREAS, as of the close of business on September 4, 2020, AB Contracting Inc. LLC had not progressed the work to the extent that would have allowed the Township to use the Duva Storage Building for its original intent; and

WHEREAS, on October 21, 2020, AB Contracting Inc. LLC filed for an extension of contract time through October 16, 2020, citing a long lead time for the overhead doors and the lack of access to the site from September 8, 2020 through October 16, 2020; and

WHEREAS, AB Contracting has not submitted sufficient documentation to substantiate the claim of delay due to the long lead time on the doors; and

WHEREAS, AB Contracting did not lose access to the site until after the original completion date had passed; and

WHEREAS, the contract documents indicate that the Township may, without recourse or other legal action, retain from the monies that are or may become due an amount of \$1,500.00 per day in liquidated damages; and

WHEREAS, the additional costs to the Township relating to the inability of AB Contracting Inc. LLC to complete the work within the stipulated timeframe was found to be negligible;

NOW, THEREFORE BE IT RESOLVED, by the Township Council of the Township of Little Falls, County of Passaic, State of New Jersey, that the request for an extension of the contract time for the Duva Storage Building contract with AB Contracting Inc., LLC is hereby denied; and

BE IT FURTHER RESOLVED, by the Township Council of the Township of Little Falls, County of Passaic, State of New Jersey, that the provision in the contract documents allowing for the collection of liquidated damages in the case of the inability of AB Contracting Inc. LLC to complete the Duva Storage Building within the allotted contract time is hereby waived.

Budget Transfer Resolution

RESOLUTION [F] 20-12-07 - #6

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 2020 Budget Appropriations.

Award of Contract for Vegetative Waste

**RESOLUTION [G] 20-12-07 - #7
AUTHORIZING THE AWARD OF A FAIR AND OPEN CONTRACT FOR
TRANSPORTATION AND DISPOSAL OF VEGETATIVE WASTE**

WHEREAS, on November 24, 2020, the Township of Little Falls received bids for transportation and disposal of vegetative waste services as follows:

RER Supply, LLC
Riverdale, NJ
Bid: \$65,186.50 per year

and, WHEREAS, the Township Administrator has reviewed the bids for technical sufficiency and 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 Solid Waste, O/E;

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Little Falls that the firm of:

RER Supply, LLC
20 Cotliss Road, Suite 10
Riverdale, NJ 07457

be awarded a three-year (1/1/2021 to 12/31/2023) contract for recycling services in the amount of:
\$65,186.50 per year

and that the Clerk be and is hereby authorized and directed to advertise the within award of contract; 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 purchase of the within designated services subject to the successful contractor's filing the required New Jersey Employee Information Report (Form AA302) or providing a Certificate of Employee Information to the Township.

Award of Contract for On-Site Elevator Inspection

**RESOLUTION [H] 20-12-07 - #8
RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF LITTLE FALLS, COUNTY OF
PASSAIC, STATE OF NEW JERSEY AUTHORIZING THE AWARD OF A CONTRACT FOR PRIVATE ON-
SITE ELEVATOR INSPECTION SERVICES TO MUNICIPAL INSPECTION, INC.**

WHEREAS, Municipal Inspection, Inc. provides private on-site elevator inspection and plan review agency services for the Township of Little Falls, as authorized by the New Jersey Department of Community Affairs and in accordance with the elevator safety sub-code N.J.A.C 5:23-12 and local requirements; and

WHEREAS, it is necessary to renew the contract with Municipal Inspection, Inc. to continue these services; and

WHEREAS, the Township desires to award a one-year contract to Municipal Inspection, Inc. in accordance with the Fee Schedule provided, which indicates that the Township will collect a 40% administration fee of the fees collected by Municipal Inspection, Inc.; and

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NOW, THEREFORE, BE IT RESOLVED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF LITTLE FALLS, PASSAIC COUNTY, NEW JERSEY, the Council hereby authorizes the award of a one-year contract to Municipal Inspection, Inc. for Private On-Site Elevator Inspection and Plan Review Agency Services.

Bill List

RESOLUTION [I] 20-12-07 - #9

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, Seber, Vancheri, and Council President Sgobba
Nays: None

The Council President declared the motion passed.

NEW BUSINESS

Ordinance No: 1391- It was moved by Councilmember Seber, seconded by Councilmember Hablitz, that the public hearing on Ordinance No. 1391, "AN ORDINANCE AUTHORIZING AN EMERGENCY APPROPRIATION N.J.S. 40A:5-53, COVID-19 SPECIAL EMERGENCY," be and it was opened.

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

The Council President declared the motion passed.

As no emails from the public were received for comment, it was moved by Councilmember Vancheri, seconded by Councilmember Hablitz, that the public hearing on Ordinance No. 1391 be and it was closed.

Poll: Ayes: Cordonnier, Kahwaty, Seber, 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. 1391 be and it was adopted.

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

The Council President declared the motion passed.

Ordinance No: 1393- It was moved by Councilmember Vancheri, seconded by Councilmember Hablitz, that the public hearing on Ordinance No. 1393, "AN ORDINANCE OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF LITTLE FALLS, IN THE COUNTY OF PASSAIC, STATE OF NEW JERSEY, TO AMEND CHAPTER 7 (ON-STREET REGULATIONS), YIELD INTERSECTIONS, OF THE CODE OF THE TOWNSHIP OF LITTLE FALLS," be and it was opened.

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

The Council President declared the motion passed.

As no emails from the public were received for comment, it was moved by Councilmember Vancheri, seconded by Councilmember Kahwaty, that the public hearing on Ordinance No. 1393 be and it was closed.

Poll: Ayes: Cordonnier, Kahwaty, Seber, 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. 1393 be and it was adopted.

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

The Council President declared the motion passed.

Ordinance No: 1394- It was moved by Councilmember Hablitz, seconded by Councilmember Kahwaty, that the public hearing on Ordinance No. 1394, "AN ORDINANCE OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF LITTLE FALLS, IN THE COUNTY OF PASSAIC, STATE OF NEW JERSEY, AMENDING CHAPTER 218, STORMWATER MANAGEMENT, OF THE CODE OF THE TOWNSHIP OF LITTLE FALLS," be and it was opened.

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

The Council President declared the motion passed.

As no emails from the public were received for comment, it was moved by Councilmember Kahwaty, seconded by Councilmember Hablitz, that the public hearing on Ordinance No. 1394 be and it was closed.

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

The Council President declared the motion passed.

It was moved by Councilmember Seber, seconded by Councilmember Kahwaty, that the Ordinance No. 1394 be and it was adopted.

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

The Council President declared the motion passed.

COUNCIL TOPICS FOR DISCUSSION

Council President SGOBBA remembered former Councilmember Leiss and commented he learned a lot from him. Council President SGOBBA also recalled the attack on Pearl Harbor.

Councilmember VANCHERI expressed his condolences on the passing of former Councilmember Leiss. He appreciated his advice and hoped that the Township could properly honor him for his service to the community. Councilmember VANCHERI announced the Little Falls Police Department has coordinated the Toys for Tots program with a donation deadline of December 9, 2020. Councilmember VANCHERI provided a progress report on the addition of stop signs to various streets in the Township.

Councilmember KAHWATY commented former Councilmember Leiss helped everyone and the Township will miss him. He recalled the Christmas Tree lighting and thanked the DPW and Fire Department.

Councilmember HABLITZ expressed her condolences to former Councilmember Leiss' family. She reminded everyone the Little Falls Biz and the Library will have a virtual gingerbread contest and provided details on submission and judging. The Little Falls Biz will have a Children's holiday goody bag give away this Saturday in the Municipal Building parking lot.

Councilmember SEBER expressed her condolences to former Councilmember Leiss' family. She also recognized Pearl Harbor Day. Councilmember SEBER provided background for the raising of the Ukrainian flag on November 28, 2020 at Town Hall in remembrance of the Holodomor.

Council President SGOBBA announced the Council may have a new platform for meetings in 2021. More information will be provided in the future.

Mayor Damiano read a letter provided by the family of former Councilmember Bill Leiss. Bill earned his Bachelor of Arts from Montclair State College, Master of Education from Syracuse University, and studied School Administration at Columbia University. In 1959, Bill began a career with Clifton Public Schools that spanned 43 years. He started as History teacher and advanced through various administration roles before serving his last 17 years a Superintendent of Schools. Bill enjoyed an active retirement that included multiple terms serving the residents of Little Falls as a Councilman. Bill's lifelong commitment to public service included volunteer work with Holy Angels, the New Jersey Performing Arts Center, and memberships on the Passaic Valley Juvenile conference Committee, the Passaic Valley Regional High School Board of Education, the Little Falls Board of Education, and the Passaic County Senior Services Board. Bill was President and Vice President of the Little Falls Jaycees, Vice President of the Little Falls Historical Society, Trustee of the Passaic County Historical Society, and President of the US Air Force Academy Parents Association and the Passaic Valley High School Band Parent Association. His professional associations included Phi Delta Kappa, the New Jersey Association of School Administrators, the New Jersey Council of Education, and service on the American delegation of school administrators during visits to schools in Moscow and Beijing. My thoughts and prayers are with Bill and his family during these trying times for them.

Mayor Damiano stated had it not been for Bill Leiss he would not be sitting here today as Mayor. Bill was persistent in addition to not being easily swayed. He was forever grateful for Bill talking him into running for office in 2012. His thoughts and prayers are with his family. He thanked Bill for everything he has done for helping him find his way to this dais and Council and now as Mayor of this Township.

Mayor Damiano emphasized that everyone must be vigilant as the COVID-19 cases are rising. He then commented on the Tree Lighting. Mayor Damiano announced the Township was awarded \$540,000 for its annual Streetscape application grant for the DOT and detailed the area of the Township involved. The Mayor thanked the Little Falls Biz for encouraging businesses to light up the Township and to encourage residents to shop small. He thanked all the businesses for participating in the Light up the Town campaign. The Mayor invited everyone to join the Menorah lighting on December 16, 2020. He also announced that there is a Santa mailbox at the Recreation complex where letters to Santa can be placed.

There being no further business to come before the meeting, it was moved by Councilmember Seber, seconded by Councilmember Kahwaty, that the meeting be and it was adjourned at approximately 7:49 p.m.