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

Monday, February 22, 2016

Council President Louis Fontana called the meeting to order at 7:00 p.m. with the following members present: Pamela Porter, Joseph Maceri, William Liess, and James Damiano. Also present were Mayor Darlene Conti, Township Attorney William Northgrave, Township Engineer Dennis Lindsay, and Township Administrator Charles Cuccia

Absent: Municipal Clerk Cynthia Kraus

Township Employees present: Lt. Steven Post, DPW Superintendent Philip Simone, Deputy Registrar Marlene Simone, and Recreation Director John Pace.

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 8, 2016; 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.

REMARKS FROM CHAIR

Council President FONTANA announced a Fall Prevention Workshop will be held at the Civic Center on March 14, 2016 at 12:00p.m. On March 24, 2016 from 1pm-4pm a vascular ultrasound screening will be held at the Municipal Building. The DOT has invited everyone to an informal deforestation/reforestation public information meeting regarding the Route 3/46 project on February 25, 2016 at Friendship Hall of St. George Greek Orthodox Church on Valley Road in Clifton from 6 p.m. to 8 p.m. Council President FONTANA also announced Ordinance No. 1243 and Ordinance No. 1244 will be heard tonight, however, the Planning Board has requested more time for review, therefore, approval will be set for another date.

COUNCIL MEMBER REPORTS

Councilmember DAMIANO reported the Technology Committee discussed upgrades to the video and sound equipment to improve the quality of Council meeting recordings. He also reported the Transportation Committee discussed additional crosswalks in the Township. He encouraged residents to attend at the DOT deforestation/reforestation meeting, emphasizing residents may arrive any time during the meeting period. The Grant Committee convened and is planning to procure a grant writer to obtain additional grants for the Township.

Councilmember LIESS reported the Regional Flood Board has found that residents who have flood insurance from FEMA can also get flood insurance privately. A grant to clean out the Peckman River is in progress. Trees from the Cedar Grove section of the river were removed by our Township DPW and the Passaic County Sewage Commission. Updates will continue to be provided as information becomes available.

Councilmember PORTER announced she attended the Fire Department's annual installation dinner. On April 15, 2016 the Municipal Alliance will be sponsoring a dance at the Recreation Center for fifth and sixth graders. On April 20, 2016 at 10:00 a.m., the Senior Advisory Board is sponsoring an exercise program at the Civic Center.

Councilmember MACERI reported the Open Space Committee will convene on February 25, 2016 to discuss an upcoming grant application to the County. He reached out to Mr. Cuccia to email all prior Prevention of Domestic Violence members in an attempt to convene a meeting on March 18, 2016 at 3:30 p.m. at the Municipal Building.

MAYOR'S REPORT

Mayor Conti reported she met with the Mayors of Cedar Grove and Woodland Park and Congressman Frelinghuysen in an effort to reinstate the Army Corps of Engineers Peckman River project. The Congressman will contact the Army Corps of Engineers and the DEP to convene a meeting to discuss this matter. The Mayor attended the Fire Department's installation dinner and thanked all the volunteers for their dedicated service. She convened with the Parade Committee to discuss plans for the Memorial Day parade. She announced the Easter Egg Hunt is scheduled for March 26, 2016 from 10 a.m. to 12 p.m. at the Recreation Center.

ATTORNEY'S REPORT

Mr. Northgrave had nothing to report.

PUBLIC COMMENT

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

Poll: Ayes: Porter, Maceri, Liess, Damiano and Council President Fontana

Nays: None

The Council President declared the motion passed.

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<u>Edward Seugling</u>, 136 East Main Street, announced he received a letter from his mortgage company and his insurance company regarding a significant change in his zoning and cost for flood insurance. He requested clarification and advisement from the Council.

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

Poll: Ayes: Porter, Maceri, Liess, Damiano, and Council President Fontana

Nays: None

The Council President declared the motion passed.

Mr. Cuccia clarified that Mr. Seugling was referring to the FEMA maps with regard to zoning of his property. Mr. Lindsay explained that the FEMA maps were introduced and are in for public review, however, the Township is appealing the maps as they are significantly different than previous maps. Mr. Lindsay provided a detailed explanation of the data that is needed for appeal as well as the appeal process. Mr. Lindsay will speak to Mr. Seugling regarding his specific case.

CONSENT AGENDA

All items on the Consent Agenda were considered to be routine and were enacted with a single motion. Any items under REQUISITIONS carried a Treasurer's certification as to sufficiency of funds.

APPLICATIONS

<u>Little Falls Fire Department Regular Application – Karen D. Garcia, 72 Lake Avenue, Clifton, Eagle Hose Co. #1</u>

<u>Little Falls Fire Department Auxiliary Application –</u> Sarah Ramos, 714B Main Street, Little Falls, Singac Fire Co. #3

<u>Little Falls Fire Department Auxiliary Application</u> – Joseph Murray, 19 Morningside Circle, Little Falls, Singac Fire Co. #3

Raffle - Little Falls School #1 PTA, On-Premise 50/50, 4/24/16, 12-4 p.m., 32 Stevens Avenue, Little Falls

Blue Light Permit - Karen D. Garcia, 72 Lake Avenue, Clifton, Eagle Hose Co. #1

REPORTS

Municipal Clerk's Report - Month of January 2016

MUNICIPAL CLERKS REPORT

Month of January 2016

\$3,380.00

ABC LICENSES
OTHER LICENSES

Business Licenses \$3,380.00

Pre-paid Business Licenses

Raffle Licenses

REGISTRAR OF VITAL STATISTICS
Fees & Permits \$552.00
Marriage Licenses-LF \$

Marriage Licenses-NJ \$

\$552.00

MRNA

Street Maps \$
Zoning Maps \$24.00
Zoning Ordinances

Zoning Ordinances
Document Copies \$6.80

Garage Sales Misc. Fees & Refunds:

TOTAL MRNA \$30.80
TOTAL CURRENT ACCOUNT \$3 962 80

TOTAL CURRENT ACCOUNT \$3,962.80
TOTAL TO TREASURER \$3,962.80

MUNICIPAL CLERK'S DOG/CAT LICENSE REPORT FOR THE MONTH OF JANUARY, 2016

MUNICIPAL CLERK'S DOG/CAT LICENSE REPORT Month of January 2016

Dog Licenses issued 1/01/2016 thru 1/31/2016

Nos. 372 to 381 = 10 Licenses

 Amount due Little Falls
 \$68.00

 Amount due State
 21.00

 Total Cash Received
 \$89.00

Cat Licenses issued 1/01/2016 thru 1/31/2016

Nos. - to -

Licenses Issued 0 Total Cash Received

Total Cash Received \$0.00

Total to Treas. \$89.00

RESOLUTIONS

NJDOT Highway Safety Fund

RESOLUTION [A] 16-02-22 - #1

RESOLUTION APPROVING A GRANT APPLICATION TO NJDOT HIGHWAY SAFETY FUND FISCAL YEAR 2015

Resolution: Approval to submit a grant application and execute a grant contract with the New Jersey Department of Transportation for the NJDOT Highway Safety Fund FY2015

NOW, THEREFORE, BE IT RESOLVED that the Council of the Township of Little Falls, formally approves the grant application for the above stated project.

for the above stated project. **BE IT FURTHER RESOLVED** that the Mayor and Clerk are hereby authorized to submit an electronic grant application identified as HSF – 2015 from NJDOT SAGE to the New Jersey Department of Transportation.

BE IT FURTHER RESOLVED, that the Mayor and Clerk are hereby authorized to sign the grant agreement on behalf of the Township of Little Falls and that their signature constitutes acceptance and the terms and conditions of the grant agreement and approves the execution of the grant agreement.

It was moved by Councilmember Damiano, seconded by Councilmember Porter, that the Consent Agenda be approved as printed.

Poll: Ayes: Porter, Maceri, Liess, Damiano, and Council President Fontana

Nays: None

The Council President declared the motion passed.

REGULAR AGENDA

NEW BUSINESS

Ordinance No. 1243-It was moved by Councilmember Damiano, seconded by Councilmember Maceri, that the public hearing on Ordinance No. 1243, "AMENDING THE ZONING ORDINANCE TO HELP THE TOWNSHIP ADDRESS THE POSITIVE AND NEGATIVE IMPACTS OF DEVELOPMENT OF THE COMMUNITY AS WELL AS PROTECT AND ENHANCE THE CHARACTER, ENVIRONMENT, AND CULTURAL HERITAGE OF THE TOWNSHIP," be and it was opened.

Poll: Ayes: Porter, Maceri, Liess, Damiano, and Council President Fontana

Nays: None

The Council President declared the motion passed.

No one having come forward to be heard, it was moved by Councilmember Damiano, seconded by Councilmember Maceri, that the public hearing on Ordinance No. 1243 be and it was closed.

Poll: Ayes: Porter, Maceri, Liess, Damiano, and Council President Fontana

Nays: None

The Council President declared the motion passed.

Council President FONTANA reiterated Ordinance No. 1243 will be held for approval pending Planning Board review.

Ordinance No. 1244-It was moved by Councilmember Damiano, seconded by Councilmember Maceri, that the public hearing on Ordinance No. 1244, "AMENDING AND SUPPLEMENTING 280-4 ENTITLED 'DEFINITIONS' AND CHAPTER 280, ARTICLE 152 ENTITLED 'SIGNS' OF THE ZONING PROVISIONS OF THE TOWNSHIP CODE TO PROVIDE NEW DEFINITIONS AND REQUIREMENTS FOR SIGNS," be and it was opened.

Poll: Ayes: Porter, Maceri, Liess, Damiano, and Council President Fontana

Nays: None

The Council President declared the motion passed.

No one having come forward to be heard, it was moved by Councilmember Damiano, seconded by Councilmember Liess, that the public hearing on Ordinance No. 1244 be and it was closed.

Poll: Ayes: Porter, Maceri, Liess, Damiano, and Council President Fontana

Nays: None

The Council President declared the motion passed.

Council President FONTANA reiterated Ordinance No. 1244 will be held for approval pending Planning Board review

<u>Ordinance No. 1245</u>-It was moved by Councilmember Damiano, seconded by Councilmember Porter, that the public hearing on Ordinance No. 1245, "AMENDING AND SUPPLEMENTING THE ZONING PROVISIONS OF THE TOWNSHIP CODE TO ESTABLISH A SOLAR ENERGY SYSTEMS ORDINANCE," be and it was opened.

Poll: Ayes: Porter, Maceri, Liess, Damiano, and Council President Fontana

Nays: None

The Council President declared the motion passed.

<u>John Veteri</u>, 133 Prospect Street, requested a requirement be added such that solar panels on the roof be flush mounted for aesthetic reasons.

It was moved by Councilmember Damiano, seconded by Councilmember Maceri, that the public hearing on Ordinance No. 1245 be and it was closed.

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Poll: Ayes: Porter, Maceri, Liess, Damiano, and Council President Fontana

Nays: None

The Council President declared the motion passed.

Mr. Lindsay discussed some of the recommendations from the Planning Board and revisions made to the ordinance. Mr. Lindsay agreed that Mr. Veteri's request was a valid one, and if the Council recommended, he would examine the issue and bring back his recommendation to the Council. Discussion ensued with regard to the definition of flush mounting and solar energy system specifications, and the notation that in the instance of a waiver, visual impact would need to be contemplated. Mr. Northgrave advised tabling the ordinance such that Mr. Lindsay can adequately examine flush mounting as per Council recommendation. Mr. Northgrave to review as well.

It was moved by Councilmember Damiano, seconded by Councilmember Maceri, that Ordinance No. 1245 be tabled.

Poll: Ayes: Porter, Maceri, Liess, Damiano, and Council President Fontana

Nays: None

The Council President declared the motion passed.

Ordinance No. 1246-It was moved by Councilmember Maceri, seconded by Councilmember Damiano, that the public hearing on Ordinance No. 1246, "AMENDING AND SUPPLEMENTING THE ZONING PROVISIONS OF THE TOWNSHIP CODE TO ESTABLISH A SMALL WIND ENERGY SYSTEMS ORDINANCE," be and it was opened.

Poll: Ayes: Porter, Maceri, Liess, Damiano, and Council President Fontana

Nays: None

The Council President declared the motion passed.

Mr. Veteri, 133 Prospect Street, requested clarification of the specifications for the size of the system and noise. He questioned whether the ordinance was appropriate for the Township.

Dorothy O'Haire, Turnberry Road, concurred with Mr. Veteri's concern regarding noise.

It was moved by Councilmember Damiano, seconded by Councilmember Porter, that the public hearing on Ordinance No. 1246 be and it was closed.

Poll: Ayes: Porter, Maceri, Liess, Damiano, and Council President Fontana

Nays: None

The Council President declared the motion passed.

Council President FONTANA explained the ordinance contains a specification for noise level. Mr. Lindsay added that wind systems would not be allowed on lots smaller than five acres, thereby eliminating the number of possible locations throughout the Township. Mr. Veteri stated the five acre restriction applies to non-residential areas, and requested restrictions be considered for residential areas. Councilmember MACERI requested more information regarding restrictions to lot size and lot location.

It was moved by Councilmember Maceri, seconded by Councilmember Damiano, that Ordinance No. 1246 be tabled pending further review.

Poll: Ayes: Porter, Maceri, Liess, Damiano, and Council President Fontana

Nays: None

The Council President declared the motion passed.

Mr. Lindsay requested confirmation from the Council that all the other requirements made by the Planning Board and Council such as additional information on violations, fines for violations, definition and location of front yard, matte finish, were found to be acceptable. Council President FONTANA confirmed. Further information will be obtained by Mr. Lindsay with regard to restrictions for residential usage.

Ordinance No. 1247-It was moved by Councilmember Liess, seconded by Councilmember Maceri, that the public hearing on Ordinance No. 1247, "AN ORDINANCE TO PREVENT THE UNLAWFUL ENROLLMENT OF SCHOOL CHILDREN IN THE TOWNSHIP OF LITTLE FALLS PUBLIC SCHOOL SYSTEM AND PROVIDE PENALTIES THEREFORE," be and it was opened.

Poll: Ayes: Porter, Maceri, Liess, Damiano, and Council President Fontana

Nays: None

The Council President declared the motion passed.

<u>Louis Fernandez</u>, Harrison Street, questioned who is responsible for enforcing the ordinance.

It was moved by Councilmember Damiano, seconded by Councilmember Maceri, that the public hearing on Ordinance No. 1247 be and it was closed.

Poll: Ayes: Porter, Maceri, Liess, Damiano, and Council President Fontana

Nays: None

Meeting of February 22, 2016

The Council President declared the motion passed.

Mr. Cuccia referred to Section D of the ordinance which specified the Board of Education is responsible for enforcement.

It was moved by Councilmember Maceri, seconded by Councilmember Damiano, that the Ordinance No. 1247 be and it was adopted.

Porter, Maceri, Liess, Damiano and Council President Fontana Poll: Ayes:

Nays:

The Council President declared the motion passed.

PAYMENT OF BILLS

It was moved by Councilmember Damiano, seconded by Councilmember Porter, that the Council approve the following:

RESOLUTION [BL]

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: Porter, Maceri, Liess, Damiano and Council President Fontana Ayes:

> Nays: None

The Council President declared the motion passed.

EXECUTIVE SESSION

It was moved by Councilmember Maceri, seconded by Councilmember Damiano, 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) – pending litigation- no action taken.

Porter, Maceri, Liess, Damiano and Council President Fontana Poll: Ayes:

Nays:

The Council President declared the motion passed.

The Council entered Executive Session at 7:52 p.m.

At 8:23 p.m. the Council returned and it was moved by Councilmember Damiano, seconded by Councilmember Porter, that the meeting return to Open Session.

There being no further business to come before the meeting, it was moved by Councilmember Damiano, seconded by Councilmember Porter, that the meeting be and it was adjourned at 8:23 p.m.

Municipal Clerk Cynthia Kraus