



**Meeting of February 22, 2016**

Edward Seugling, 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**

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

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

Little Falls Fire Department Auxiliary Application – 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
ABC LICENSES		
OTHER LICENSES		
Business Licenses	\$3,380.00	
Pre-paid Business Licenses		
Raffle Licenses		\$3,380.00
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		
Document Copies	\$6.80	
Garage Sales		
Misc. Fees & Refunds:		
TOTAL MRNA		<u>\$30.80</u>
TOTAL CURRENT ACCOUNT		<u>\$3,962.80</u>
TOTAL TO TREASURER		<u>\$3,962.80</u>

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

		MUNICIPAL CLERK’S DOG/CAT LICENSE REPORT Month of January 2016
<b>Dog Licenses issued 1/01/2016 thru 1/31/2016</b>		
Nos. 372 to 381 = 10 Licenses		
Amount due Little Falls		\$68.00
Amount due State		21.00
Total Cash Received		\$89.00
<b>Cat Licenses issued 1/01/2016 thru 1/31/2016</b>		
Nos. - to -		
Licenses Issued 0		
Total Cash Received		<u>\$0.00</u>
Total to Treas.		<u>\$89.00</u>

**RESOLUTIONS**

NJDOT Highway Safety Fund

**RESOLUTION [A] 16-02-22 - #1  
 RESOLUTION APPROVING A GRANT APPLICATION TO NJDOT HIGHWAY SAFETY FUND FISCAL YEAR 2015**

**Meeting of February 22, 2016**

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.

**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.

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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.

Ordinance No. 1245-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.

John Veteri, 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.

**Meeting of February 22, 2016**

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.

Louis Fernandez, 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.

Poll:                   Ayes:                   Porter, Maceri, Liess, Damiano and Council President Fontana  
                          Nays:                   None

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.

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

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Poll:                   Ayes:                   Porter, Maceri, Liess, Damiano and Council President Fontana  
                          Nays:                   None

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.

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Municipal Clerk  
Cynthia Kraus