

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

Monday, January 11, 2016

Council President Louis Fontana called the meeting to order at 7:01 p.m. with the following members present: James Damiano, Joseph Maceri and William Liess. Also present were Mayor Darlene Conti, Township Attorney Leslie London, Township Engineer Dennis Lindsay, and Township Administrator Charles Cuccia.

Absent: Councilmember Pamela Porter and Municipal Clerk Cynthia Kraus

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. 10:4-10 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.

PUBLIC PORTION – GENERAL MATTERS

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

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

The Council President declared the motion passed.

Dorothy O’Haire, Turnberry Road, announced a Flood Board meeting will be held this Thursday in Woodland Park. She expressed concern regarding denial of the Flood Board’s request to review an application for a development in Cedar Grove, involving a drainage basin at the edge of the Peckman River. She requested the Council’s guidance.

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

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

The Council President declared the motion passed.

In response to Ms. O’Haire’s request, Mr. Cuccia to contact Cedar Grove administration to obtain preliminary information.

ITEMS TO BE DISCUSSED:

ADMINISTRATOR:

1. COMMUNITY IMPACT STATEMENT –

Mr. Cuccia announced this is the first of four ordinances distributed for review. In an effort to continue to amend the code of the Township of Little Falls, Jeff Janota has developed several ordinance amendments related to zoning. Mr. Janota will be in attendance at the next meeting to provide more detailed explanations. Mr. Cuccia stated the Community Impact Statement ordinance requires all applicants to any of the boards to submit documentation that describes the effect of the project on the community. The Board will be given the discretion to waive that requirement upon request, depending on the subject matter of the application.

Council President FONTANA noted the utility of this ordinance and requested clarification regarding the definition of major subdivision. Mr. Cuccia will follow-up with Mr. Lindsay to obtain definitions of major versus minor subdivision and report back.

2. SIGN ORDINANCE – Mr. Cuccia stated this ordinance is a comprehensive replacement for the existing ordinance. It was created with the intent to provide consistency in signs throughout the Township, and to allow enforcement and updates to existing signs, as changes of use occur on buildings. Mr. Simone added that this new ordinance will need to complement or include the ordinance related to signage on telephone poles and trees.

Council President FONTANA suggested Mr. Janota, Mr. Cuccia, and Mr. Simone attend the Planning Board meeting when these ordinances are introduced enabling the opportunity for more detailed explanations.

3. SOLAR ENERGY- Mr. Cuccia explained this ordinance sets parameters for solar energy use in small systems.

4. WIND ENERGY – Mr. Cuccia highlighted that this ordinance sets parameters for small wind energy systems that shall be permitted as conditional uses in all zones in the Township of Little Falls. Although Little Falls may not be an appropriate location for commercial wind systems, small residential properties have the capability to produce energy based on wind systems.

Councilmember DAMIANO questioned what actions would be taken to existing solar or wind systems that are found to be nonconforming once new ordinances are adopted. Mr. Cuccia responded existing structures would be grandfathered. Mr. Cuccia provided Councilmember DAMIANO with the rationale for the blank portions on the prohibited section on page 11.

Meeting of January 11, 2016

- 5. AN ORDINANCE TO PREVENT THE UNLAWFUL ENROLLMENT OF SCHOOL CHILDREN IN THE TOWNSHIP OF LITTLE FALLS PUBLIC SCHOOL SYSTEM AND TO PROVIDE FOR PENALTIES THEREFORE – Mr. Cuccia announced he met with the Passaic Valley High School Superintendent to address students attending the high school who do not live in the district. The ordinance presented to the Council handles the manner in municipal court. He stated Woodland Park has adopted this ordinance, and Totowa is considering adoption as well.
 In response to Council President FONTANA’s queries, Mr. Cuccia elucidated the ordinance covers the elementary schools and the high school, and jurisdiction applies to wherever the incident occurs. Consistency of enforcement is reinforced through adoption of the same ordinance by all three municipalities. Councilmember LEISS added his past experience has given him exposure to such issues and he will follow-up with Mr. Cuccia regarding his suggestions. Mr. Cuccia replied to Councilmember DAMIANO’s question, confirming that the municipality is only involved with the adjudication. Councilmember DAMIANO also recommended contemplation of the ordinance such that there is no conflict with the per diem fee charged by the individual district. Mr. Cuccia to discuss with the Attorney for the school. Mr. Cuccia will circulate responses to questions raised as information becomes available.

DPW SUPERINTENDENT:

- 1. DEMOLITION OF ACQUIRED HOUSES CONTRACT AWARDS
 Mr. Simone reported the Township went out for bids on the last demolition project. Four of the houses are under the FEMA flood buyout. The fifth house, 154 Woodcliffe Ave, was obtained under foreclosure. The original discussion was that funds were to be acquired from Open Space land, however, a lead issue has been revealed and will include additional costs.

Councilmember DAMIANO stated a potential option for funding might be the Brownfield Commission where funds are available for towns that have acquired homes. Mr. Cuccia to reach out to Deb Hoffman to explore possible funding options. Councilmember MACERI queried whether the Township’s insurance would cover costs, to which Mr. Cuccia stated he will review the policy with regard to acquired properties.

ENGINEER:

Mr. Lindsay brought forth a recommendation resulting from drainage work on Morningside Circle. As a result of necessary improvements, NJ American Water installed new water lines, thereby disturbing the road surface. Mr. Lindsay noted the NJ American Water will contribute funds to the municipality. However, in review of the condition of the road, he has recommended consideration in the capital budget to include curbs. Mr. Lindsay will apprise the Council of cost estimation as more information becomes available.

COUNCIL TOPICS FOR DISCUSSION

Councilmember DAMIANO informed the Council, longtime resident and respected member of the community, Victor Nowak, passed away, and to keep his family in their thoughts.

PUBLIC COMMENT – AGENDA ITEMS ONLY

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

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

The Council President declared the motion passed.

Renee Shapiro, questioned if details if the sign ordinance will address blinking signs and lighting used by businesses. She also queried if some of the parks could be utilized for wind systems to alleviate costs for residents.

Arnold Korotkin- Long Hill Road, requested that pdf files of the ordinances be made available online. He questioned whether court fees are considered within the proposed ordinance for unlawful enrollment at the high school. He recommended availability and use of public transportation be added to the questions answered within the Community Impact Statement.

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

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

The Council President declared the motion passed.

Mr. Cuccia explained Council procedure provides that the ordinance is not posted on line until the Council has reviewed it. Therefore, the ordinance will be posted after tonight’s meeting.

Mr. Cuccia informed the Council there are provisions to prohibit blinking signs. Council President FONTANA noted Mrs. Shapiro’s concerns may be more specific.

Council President FONTANA queried whether the ordinance should be broadened to include commercial use. Mr. Cuccia stated this ordinance applies only to residential. Mr. Cuccia is to refer issue to Jeff Janota regarding other types of property.

Mr. Cuccia to forward question regarding court fees to the school Attorney to address.

Meeting of January 11, 2016

Mr. Cuccia stated the Community Impact Ordinance contains language pertaining to traffic in general. Mr. Cuccia to refer to Jeff Janota to determine if more specific language is necessary.

PAYMENT OF BILLS

It was moved by Councilmember Liess, seconded by Councilmember Maceri, 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: Ayes: Damiano, Liess, Maceri, and Council President Fontana
 Nays: None

The Council President declared the motion passed

EXECUTIVE SESSION

It was moved by Councilmember Damiano, seconded by Councilmember Maceri, 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 will be taken.

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

The Council President declared the motion passed.

The Council entered Executive Session at 7:40 p.m.

At 7:53 p.m. the Council returned and it was moved by Councilmember Damiano, seconded by Councilmember Maceri, 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 Liess, that the meeting be and it was adjourned at 7:53 p.m.

Cynthia Kraus
Municipal Clerk