

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

Monday, January 9, 2017

Council President Anthony Sgobba called the meeting to order at 7:00 p.m. with the following members present: Maria Cordonnier, William Liess, and Joseph Maceri. Also present were Mayor James Damiano, Township Attorney Joe Wenzel, Township Engineer Dennis Lindsay, Township Administrator Charles Cuccia, and Municipal Clerk Cynthia Kraus.

Absent: None.

Township Employees present: DPW Superintendent Phillip Simone, Police Chief Steve Post.

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 3, 2017; 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 Cordonnier, seconded by Councilmember Maceri, that the meeting be and it was opened to the public.

Poll: Ayes: Cordonnier, Liess, Maceri, and Council President Sgobba
 Nays: None

The Council President declared the motion passed.

Renea Shapiro, Little Falls ABC, congratulated the newly elected officials. She also requested a status report on the ability to pay taxes via credit card.

Mr. Cuccia instructed the process was near completion last year, until concerns regarding financial stability of the collaborating financial institution became evident. Mr. Cuccia expected the process to continue with a more suitable financial institution in 2017. In response to Councilmember MACERI, Mr. Cuccia instructed the Township may incur a technological fee to establish the credit card system, however, the merchant fee falls upon the individual using the credit card.

John Herman, 122 Ridge Avenue, requested a report delineating the costs to taxpayers for FEMA properties, and when equipment or services are acquired by the Township. Furthermore, he requested a cost/revenue analysis of the EMS.

Councilmember CORDONNIER clarified that when a proposed project involves a grant, the total cost of the project, the grant amount, and the amount to potentially be absorbed by the Township is defined prior to Council approval. Mr. Cuccia anticipated a breakdown of FEMA projects will be included in the budget presentation. He elaborated on the two types of grants: operating grants and capital grants. Operating grants appear in the budget and are full grants. Capital grants calling for a bond ordinance specify the amount of the grant and the amount of the bond within the ordinance. The amount of the bond is the Township's responsibility. Mr. Cuccia confirmed this procedure is standard practice. In reference to an EMS report, Mr. Cuccia stated that a reporting system has been established such that status reporting may commence next month. Councilmember CORDONNIER requested Mr. Cuccia prepare a report on FEMA projects demonstrating the cost to the Township, the assessment loss, the number of additional houses slated to be demolished, the number of houses elevated, and the tax impact of elevations on the Township.

Louis Fernandez, Harrison Street, stated he was under the impression it was illegal to pay taxes with a credit card. He also commented on his perspective of the Browertown Road sidewalk/bike path project. He further questioned why Little Falls pays more than Woodland Park and Totowa with regard to school taxes.

Council President SGOBBA stated the Township would not pursue any illegal activity. Credit card payments have been successfully implemented in other municipalities. With regard to school taxes, Council President SGOBBA informed Mr. Hernandez the State uses a complex formula to derive the amount assigned to each town. Little Falls does not pay more than Woodland Park or Totowa due to the state of the Township's ratables.

Lou Fontana, Third Avenue, requested a status report on recent litigation that transpired during his term as Council President.

Mayor DAMIANO stated the litigation was resolved with a jury finding no liability or monetary damages to the Township. Mr. Wenzel further added that as a former Councilmember, Mr. Fontana could seek further information from Mr. Cuccia.

Tomasz Alexander, 155 Lower Notch Road, questioned when the 6% penalty on taxes of more than \$10,000 owed at year's end was approved. He also requested clarification on the ordinance pertaining to removal of vehicles from the street when snow covered, questioning the rationale for no specific time limit. He recounted his recent

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experience and questioned the logic of the ordinance. Finally, he requested a copy of the 2016 budget and expenditures.

Mr. Simone clarified that the ordinance states vehicles must be removed when the road is snow covered. There is no timeline. He described the steps taken to raise resident awareness, including a reverse 911 call initiated by the Police Department, a Nixel advisory, and then physical follow-up by officers to attempt to get remaining vehicles moved.

Mr. Cuccia explained the 6% provision is included in the NJ statutes, and is approved by the Council annually. He added that the premise of the penalty is to aid the Township in the event the Township experienced a high frequency of tax delinquency, and would otherwise have to borrow funds.

Mayor DAMIANO instructed Mr. Alexander to the feature on the Township website that enables residents to add their cell phone to Township notifications. Additionally, he advised signing up for Nixel to provide further notifications via email.

Mr. Cuccia notified Mr. Alexander the 2016 Budget is available on the Township website. Expenditures for 2016 will be included in the 2017 forthcoming budget presentation and will be posted upon approval.

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

Poll: Ayes: Cordonnier, Liess, Maceri, and Council President Sgobba
Nays: None

The Council President declared the motion passed.

ACTION ITEMS:

APPOINTMENT OF INTERIM MUNICIPAL COURT JUDGE for a One-Year Term – MAYOR appoints with ADVICE and CONSENT of COUNCIL – JUDGE ERNEST P. FRONZUTO

It was moved by Councilmember Liess, seconded by Councilmember Cordonnier, to approve the appointment.

Poll: Ayes: Cordonnier, Liess, Maceri, and Council President Sgobba
Nays: None

The Council President declared the motion passed.

Councilmember MACERI questioned whether the appointment was to fill an unexpired term, to which Mayor Damiano confirmed.

MAYOR’S APPOINTMENTS TO BOARDS AND COMMISSIONS

Shade Tree Commission -Five-Year term
Alternates – MAYOR appoints: Paul Holzach and Vincent Miraglia

COUNCIL AD HOC COMMITTEES:

Senior Citizen Advisory Committee
Community Representatives (6) Rosemarie Ryglicki, Evelyn Tosi, Joan Imandt, Marcella Kelleher, Lucille Clifford, Lynn Deluccia

Open Space Committee
Community Representatives (1) Rosemary Kluth

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:

Raffle – On-Premise 50/50, Passaic Valley High School Operation Graduation, 2/4/17, 7PM-11PM, 4-6 Woodhill Avenue, Little Falls

Raffle – Tricky Tray, Passaic Valley High School Operation Graduation, 2/4/17, 7PM-11PM, 4-6 Woodhull Avenue, Little Falls

Raffle – On-Premise 50/50, Grover Cleveland Middle School, 2/25/17, 6PM-10PM, 4-6 Woodhull Avenue, Little Falls

Raffle – Tricky Tray, Grover Cleveland Middle School, 2/25/17, 6PM-10PM, 4-6 Woodhull Avenue, Little Falls

RESOLUTIONS

Licensure of Companies Providing Rotational Towing Services

**RESOLUTION [A] 17-01-09 - #1
RESOLUTION AUTHORIZING THE LICENSURE OF COMPANIES PROVIDING ROTATIONAL
HEAVY TOWING SERVICES IN THE TOWNSHIP OF LITTLE FALLS**

WHEREAS, pursuant to Chapter 250 of the Code of the Township of Little Falls, for Heavy Towing, the Township was required to obtain applications for heavy towing services for the year 2017-2018 cycle, in accordance with the adopted Code; and

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WHEREAS, the Township received four (4) applications and the Township Attorney has reviewed the applications for legal sufficiency; and

WHEREAS, the Township Attorney has determined that each of the applications have what appear to be minor immaterial defects, that if corrected, can be waived in accordance with Chapter 250, Section 250-5 of the Code, to render the applications complete for licensure; and

WHEREAS, Section 250-5 of the Code provides that the Township and its employees, officials and agents, in connection with the review, processing and approval of any application for licensure, shall have the discretion to waive any immaterial defect with respect to any such application, in a manner on par with and consistent with applicable statutory and common procurement law governing a contracting unit's discretion to waive immaterial defects in connection with the public bidding and procurement process; and

WHEREAS, the Council desires to issue licenses to all four (4) applicants for heavy towing services, provided the applicants immediately submit the missing documentation and such documentation is deemed satisfactory by the Township Attorney, to warrant waiver under Section 250-5 of the Code.

NOW, THEREFORE, BE IT RESOLVED, that the following heavy towers shall be issued a license for heavy towing services, subject to the conditions set forth herein:

HEAVY TOWING SERVICES

- Camp Auto and Truck Parts
- Raven Towing & Recovery
- JML, Inc.
- J&M Heavy Tow, LLC

Extending Time for Action to Approve Licensure of Companies for Light Towing

RESOLUTION [B] 17-01-09 - #2

RESOLUTION EXTENDING THE TIME FOR ACTION TO APPROVE THE LICENSURE OF COMPANIES FOR LIGHT TOWING SERVICES IN THE TOWNSHIP OF LITTLE FALLS

WHEREAS, pursuant to Chapter 249 of the Code of the Township of Little Falls for Light Towing, the Township was required to obtain applications for light towing services for the year 2017-2018 cycle, in accordance with the adopted Code; and

WHEREAS, the Township received six (6) applications and the Township Attorney has reviewed the applications for legal sufficiency; and

WHEREAS, based on that review, the Township Attorney has determined that several of the applications contain what appear to be minor immaterial defects that if corrected, can be waived in accordance with Chapter 249, Section 249-5 of the Code, to render the applications complete; and

WHEREAS, Section 249-5 of the Code provides that the Township and its employees, officials and agents, in connection with the review, processing and approval of any application for licensure, shall have the discretion to waive any immaterial defect with respect to any such application, in a manner on par with and consistent with applicable statutory and common procurement law governing a contracting unit's discretion to waive immaterial defects in connection with the public bidding and procurement process; and

WHEREAS, the Township requires additional time for its review and to obtain the missing documentation from the applicants, in order to determine whether the missing documentation is satisfactory to warrant waiver under Section 249-5 of the Code.

NOW, THEREFORE, BE IT RESOLVED, the timeframe for completion of the Township's review and action regarding the issuance of licenses for light towing services is hereby extended.

It was moved by Councilmember Cordonnier, seconded by Councilmember Liess, to approve the Consent Agenda as printed.

Poll: Ayes: Cordonnier, Liess, Maceri, and Council President Sgobba
Nays: None

The Council President declared the motion passed.

ITEMS TO BE DISCUSSED:

ADMINISTRATOR:

1. REPORT ON TEAMSTERS CONTRACT – Mr. Cuccia reported a meeting with the teamsters had convened today. Continuation of discussions to finalize terms of collective bargaining are slated for January 25, 2017.
2. TAX REFUND RESOLUTIONS – Mr. Cuccia briefly explained the resolutions pertain to standard year end refunds as a result of court judgements and the like. These resolutions will be presented at the next Regular Meeting for Council approval.

COUNCIL TOPICS FOR DISCUSSION

Councilmember Liess had nothing to report.

Councilmember Maceri had nothing to report.

Councilmember CORDONNIER recounted Council President Sgobba, Mayor Damiano, and herself attended the opening day of the LFAC basketball. She added that she had convened with the President and Vice President of the LFAC to discuss their needs and plans for the future. Councilmember CORDONNIER also announced the Township had received a \$24,000 Recycling Tonnage Grant.

Council President SGOBBA thanked Chief Sweezy for the Fire Department's annual report, stating it was well done. He also encouraged everyone to visit the Township Library's website to explore the many activities offered.

MAYOR'S REPORT

Mayor Damiano had nothing to report.

PUBLIC COMMENT – AGENDA ITEMS ONLY

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

Poll: Ayes: Cordonnier, Liess, Maceri, and Council President Sgobba
Nays: None

The Council President declared the motion passed.

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Louis Fernandez, Harrison Street, requested further elaboration regarding Resolutions for towing. He also requested which personnel were designated as teamsters.

Mr. Cuccia explained that Little Falls has two ordinances for light and heavy towing, depending on the weight of the vehicle. The resolution enables more time for the towing companies to provide the necessary licensure documentation. Mr. Cuccia indicated the DPW workers are teamsters.

Arnold Korotkin- Long Hill Road, questioned whether the Council could account for the reduction in calls in Township alarms and MSU alarms in 2016 relative to previous time periods. He also posed whether the Council was in a position to re-negotiate the fee MSU receives for each MSU call.

Mr. Cuccia explained the perceived reduction is due to a modification in how calls are handled. A one room call is referred to the MSU Police Department; the Little Falls Fire Department is summoned when there are two or more rooms involved. Previous procedure initiated Little Falls Fire Department involvement on all calls.

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

Poll: Ayes: Cordonnier, Liess, Maceri, and Council President Sgobba
 Nays: None

The Council President declared the motion passed.

PAYMENT OF BILLS

It was moved by Councilmember Cordonnier, 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: Cordonnier, Liess, Maceri, 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 Liess, seconded by Councilmember Cordonnier, that the meeting be and it was adjourned at 7:50 p.m.

Cynthia Kraus
Municipal Clerk