

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

Monday, July 10, 2023

Councilmember Vancheri called the meeting to order at 7:00 p.m. with the following members present: Christine Hablitz, Michael Murphy, Jayna Patel, and Christopher Vancheri. Also present were Mayor James Damiano, Township Attorney Joseph Wenzel, Township Administrator Charles Cuccia, Assistant Administrator Vincent Quatrone, Municipal Clerk Cynthia Kraus and Deputy Clerk Melissa DePiro.

Absent: Council President Anthony Sgobba

Township Employees present: Police Chief Bryan Prall.

SALUTE TO THE FLAG – Councilmember VANCHERI requested all remain standing to honor the memory of Dr. Joseph Farnese along with the four individuals who recently perished in a plane crash.

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 5, 2023. A copy of the notice was mailed 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. **A link and a telephone number to join the meeting virtually 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.**

RECOGNITION OF DETECTIVE LIEUTENANT DAWN GILCHRIST – Mayor Damiano recognized Detective Lieutenant Dawn Gilchrist who completed the Command in Leadership Academy.

RECOGNITION OF OFFICER MATTHEW YANNUZZI – Mayor Damiano then recognized Officer Matthew Yannuzzi who received the 2022 MADD Award and Passaic County Top Cop Award.

RECOGNITION OF MYSTI MUGLESTON – Mayor Damiano also recognized Mysti Mugleston who led the Little Falls Athletic Club for seven years.

RON STELL- CLEAN COMMUNITIES REPORT - Ron Stell highlighted activities of the Clean Communities Program and also noted the 2022-2023 grant received was \$21,765.81 and the 2023 amount is \$24,413.12.

MUNICIPAL ALLIANCE - MAYOR'S APPOINTMENT OF ANTHONY SGOBBA TO A ONE-YEAR TERM AS THE MAYOR'S ALTERNATE The Mayor explained the rationale of the appointment and provided background of the Municipal Alliance which will continue to remain part of the Passaic County Municipal Alliance program.

PUBLIC COMMENT – GENERAL MATTERS AND AGENDA ITEMS

Anyone wishing to address the Township Council may do so through the Council President. It is preferred if you give your name and address for the record. Comments are to be limited to three minutes, however, if appropriate, you may be granted additional time in the sole discretion of the Council President.

Members of the public who have joined the meeting virtually and desire to provide comment shall raise their virtual hand in the Zoom application. The Meeting Moderator will queue the members of the public that wish to provide comment and the Council President will recognize them in order. Members of the public who have joined the meeting by calling in must press *6 to mute and unmute themselves and *9 to raise their hand. Members of the public who have joined the Meeting via the Zoom application must click the Reactions icon and then the Raise Hand icon. Please give your name and address for the record. Once the process is complete, we will return to the regular order of business.

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

Poll: Ayes: Hablitz, Murphy, Patel, and Vancheri
 Nays: None

The Council President declared the motion passed.

Peggy Olivi – commented on the replacement of the Morris Canal plaque.

John Veteri – commented on the receipt of a grant, the planting of new trees and the response of the DPW to a recent concern.

No one further having come forward to be heard, it was moved by Councilmember Patel, seconded by Councilmember Murphy, that the meeting be and it was closed to the public.

Poll: Ayes: Hablitz, Murphy, Patel, and Vancheri
 Nays: None

The Council President declared the motion passed.

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ITEMS TO BE DISCUSSED:

MAYOR/ADMINISTRATOR:

1. RESOLUTION REFUNDING 2022 & 2023 TAXES AND CANCELLING TAXES DUE TO 100% DISABLED VETERAN DEDUCTION – Mayor Damiano addressed items 1-3 at once noting the process of the applications for veteran exemptions as well as the cancellation of taxes.
2. RESOLUTION CANCELLING 1ST & 2ND QUARTER TAXES AND REFUNDING 2023 PRELIMINARY TAXES- Mayor Damiano addressed items 1-3 at once noting the process of the applications for veteran exemptions as well as the cancellation of taxes.
3. RESOLUTION CANCELLING 2023 3RD QUARTER ESTIMATED TAXES DUE TO 100% DISABLED VETERAN EXEMPTION – Mayor Damiano addressed items 1-3 at once noting the process of the applications for veteran exemptions as well as the cancellation of taxes.
4. AUTHORIZING ADOPTION OF THE 2023 EMERGENCY OPERATIONS PLAN – Mayor Damiano explained the plan, prepared by the OEM Coordinator, is updated every several years.
5. RESOLUTION RENEWING LIQUOR LICENSES- The Mayor commented that liquor licenses are renewed annually.
6. BOND ORDINANCE NO. 1465- AUTHORIZING CONSTRUCTION OF A NEW EMS BUILDING – Mayor Damiano discussed the construction of a building to support the EMS full-time program, as the current accommodations do not really suit a 24/7 operation. The Mayor added that there were various iterations of the location of the building on the lot. In response to Councilmember MURPHY’s query as to whether the Council would be able to review any contracts going forth on the property, the Mayor explained that once the funding is approved, administratively, the Mayor negotiates with the individual company but would keep the Council apprised throughout the process.
7. ORDINANCE NO. 1466 – AMENDING CHAPTER 7, PARKING PROHIBITIONS ON MUNICIPAL AND BOARD OF EDUCATION PROPERTY – As previously discussed to address a concern raised by Company No. 2 regarding issues finding parking in front and adjacent to the firehouse, the Mayor explained the accommodation to designate six parking spots in the Morris Canal parking area.
8. RESOLUTION RENEWING LIQUOR LICENSE FOR CHELA’S RESTAURANT AND BAR – The Mayor stated the Council will sit as the ABC Board in reference to Resolution G.

ACTION ITEMS:

It was moved by Councilmember Hablitz, seconded by Councilmember Murphy, to approve Resolutions A through F:

Tax Refund and Cancellation Due of Block 223 Lot 2.01 to 100% Disabled Veteran Deduction

RESOLUTION [A] 23-07-10 - #1

WHEREAS, the following property in the Township of Little Falls, New Jersey has overpaid real estate taxes in 2022 and 2023 due to Tax Assessor approving a 100% Disabled Veteran; and

WHEREAS, the Tax Assessor granted the 100% disabled veteran exemption as of August 18, 2022 but did not reflect exempt in the MOD IV system and/or 2023 Tax Duplicates; and

WHEREAS, the Tax Collector is now requesting that the Township Council direct the Treasurer to refund said amounts overpaid listed below for the pro-ration of 2022 taxes from Aug. 18, 2022 to December 31, 2022 and 2023 1st and 2nd tax qtrs.. totaling \$7,418.00; and

WHEREAS, the Tax Collector shall cancel 3rd qtr estimated taxes due August 1, 2023 @ \$2158.58; and

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Little Falls, County of Passaic, State of New Jersey that the following listed tax refunds be made by the Township Treasurer:

Tax Year & Qtr.	Block Lot	Taxpayer/ Location	Payee	Reason	Amount
2022/3&4	223/2.01	Geni Lynn Adams 294 Paterson Av	Geni Lynn Adams 294 Paterson Av Little Falls NJ 07424	EX	\$3,152.77
2023/1&2	223/2.01	Geni Lynn Adams 294 Paterson Av	Geni Lynn Adams 294 Paterson Av Little Falls NJ 07424	EX	<u>4,265.23</u>
TOTAL REFUNDS=					\$7,418.00

Tax Refund and Cancellation of Block 125 Lot 2.01

RESOLUTION [B] 23-07-10 - #2

WHEREAS, the following property in the Township of Little Falls, New Jersey was removed/deleted from our Tax Assessor’s MOD IV system for tax year 2023; and

WHEREAS, the Council shall authorize the Tax Collector to cancel the 2023 1st and 2nd tax quarters totaling \$1,201.04 due to the above and no longer being billed; and

WHEREAS, North Jersey Dist Water Supply Commission had paid both tax quarters (1st & 2nd 2023) at \$600.52 for each quarter on January 19, 2023 and April 12, 2023; and

WHEREAS, the Tax Collector authorizes our Treasurer to refund the below due to being overbilled and not due and owing; and

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Little Falls, County of Passaic, State of New Jersey that the following listed taxes be canceled by the Tax Collector and refunded by our Treasurer:

Tax Year & Qtr.	Block Lot	Taxpayer/ Location	Payee Cancel/Refund	Reason	Amt Cancel Refund
2023/1	125/2.01	North Jersey Dist Water Supply Commission Smalley St	North Jersey Dist Water Supply Commission 1 F A Orechio Dr Wanaque NJ 07465	OP	\$600.52
2023/2	125/2.01	North Jersey Dist Water Supply Commission Smalley St	North Jersey Dist Water Supply Commission 1 F A Orechio Dr Wanaque NJ 07465	OP	600.52

TOTAL CANCELTION & REFUND= \$1,201.04

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Cancellation of Taxes 3rd Quarter 2023 Due To Disabled Veteran Exemptions on Several Properties

RESOLUTION [C] 23-07-10 - #3

WHEREAS, the following properties in the Township of Little Falls, New Jersey were granted 100% Disabled Veteran Exemptions in the Year 2023 by our Tax Assessor; and

WHEREAS, the Council shall authorize the Tax Collector to cancel the 2023 3rd quarter estimated taxes; and

NOW, THEREFORE BE IT RESOLVED, by the Township Council of the Township of Little Falls, County of Passaic, State of New Jersey that the following listed taxes be canceled by the Tax Collector:

<u>Tax Year & Qtr.</u>	<u>Block Lot</u>	<u>Taxpayer/ Location</u>	<u>Exempt Date</u>	<u>Amount</u>
2023/3	73/3	Chun Ko & Adaya Loveland 153 Island Av	April 28, 2023	\$2,091.22
2023/3	149/1	John & Janet Dubowchik 100 Third Av	February 3, 2023	<u>3,492.16</u>
TOTAL CANCELTION=				\$5,583.38

Adoption of 2023 Emergency Operations Plan

RESOLUTION [D]23-07-10 - #4

RESOLUTION AUTHORIZING THE ADOPTION OF THE 2023 EMERGENCY OPERATIONS PLAN

WHEREAS, the Township of Little Falls is required to adopt a revised Emergency Operations Plan on a quadrennial basis in compliance with the guidelines issued by the New Jersey Office of Emergency Management (“NJ OEM”); and

WHEREAS, pursuant to the recertification requirements of the NJ OEM, the Township of Little Falls must adopt the revised 2023 Emergency Operations Plan; and

WHEREAS, the Township has prepared a revised Emergency Operations Plan and desires to adopt said revised plan in accordance with the requirements of the NJ OEM.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Township of Little Falls, County of Passaic, State of New Jersey, that the Township adopt the revised EOP in compliance with the guidelines issued by the NJOEM.

BE IT FURTHER RESOLVED, that all Township officials including, but not limited to the Mayor, the Township Administrator and the Municipal Clerk, are hereby authorized and directed to take such ministerial actions as are necessary to effectuate the provisions of this resolution.

Approving Renewal of Plenary Retail Consumption/Plenary Retail Distribution/Club Licenses

**TOWNSHIP OF LITTLE FALLS
PASSAIC COUNTY NEW JERSEY
RESOLUTION [E] 23-07-10 - #5**

BE IT RESOLVED by the Little Falls Township Council as follows:

WHEREAS, applications for renewal of PLENARY RETAIL CONSUMPTION has been filed as follows:

<u>License No.</u>	<u>License and/or t/a name</u>	<u>Fee</u>
1605-44-010-005	3C, LLC, Inc. t/a Shoprite Liquors of Little Falls Corner Browertown Road & Rose Street	\$2,200.00

and **WHEREAS**, it appears that said application is in satisfactory form; that the applicant has complied with all necessary requirements; that the application is for renewal by the same person for the same stand; and that no objections, in writing or otherwise, have been made or filed to said application; and

WHEREAS, the Township Council is familiar with the aforementioned applicant and the place for which they apply and sees no objection;

NOW, THEREFORE, BE IT RESOLVED that the above-listed application be and the same is hereby granted; and

BE IT FURTHER RESOLVED that the license be issued accordingly, to become effective on July 1, 2023 and expire on June 30, 2024.

Bill List

RESOLUTION [F]23-07-10 - #6

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, Murphy, Patel, and Vancheri
Nays: None

The Council President declared the motion passed.

CORRESPONDENCE

It was moved by Councilmember Murphy, seconded by Councilmember Patel, to approve the following:

REQUEST FROM DIANE CARRION FOR PERMISSION TO CLOSE STANLEY ROAD FROM VERANDA AVE TO MAIN STREET ON SATURDAY, AUGUST 19, 2023 FROM 12:00 P.M. UNTIL 9:00 P.M. TO HOLD A BLOCK PARTY

Poll: Ayes: Hablitz, Murphy, Patel, and Vancheri
Nays: None

The Council President declared the motion passed.

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NEW BUSINESS

Ordinance No. 1465 - It was moved by Councilmember Hablitz, seconded by Councilmember Patel, that there be introduced and the meeting of July 24, 2023 set as the date for the public hearing of the following:

BOND ORDINANCE NO. 1465

BOND ORDINANCE TO AUTHORIZE THE CONSTRUCTION OF A NEW EMS BUILDING IN, BY AND FOR THE TOWNSHIP OF LITTLE FALLS, IN THE COUNTY OF PASSAIC, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$1,800,000 TO PAY THE COST THEREOF, TO MAKE A DOWN PAYMENT, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION AND TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS.

BE IT ORDAINED by the Township Council of the Township of Little Falls, in the County of Passaic, New Jersey, as follows:

Section 1. The Township of Little Falls, in the County of Passaic, New Jersey (the "Township"), is hereby authorized to construct a new Emergency Medical Services (EMS) Building on Wilmore Road in, by and for the Township. Said improvement shall include acquisition of original furnishings and equipment, site improvements and all work, materials and appurtenances necessary and suitable therefor. It is hereby determined and stated that said public building to be constructed will be of "Class B" or equivalent construction as defined in Section 22 of the Local Bond Law (Chapter 2 of Title 40A of the New Jersey Statutes Annotated, as amended; the "Local Bond Law").

Section 2. The sum of \$1,800,000 is hereby appropriated to the payment of the cost of making the improvement described in Section 1 hereof (hereinafter referred to as "purpose"). Said appropriation shall be met from the proceeds of the sale of the bonds authorized and the down payment appropriated by this ordinance. Said improvement shall be made as a general improvement and no part of the cost thereof shall be assessed against property specially benefited.

Section 3. It is hereby determined and stated that (1) said purpose is not a current expense of said Township, and (2) it is necessary to finance said purpose by the issuance of obligations of said Township pursuant to the Local Bond Law, and (3) the estimated cost of said purpose is \$1,800,000, and (4) \$90,000 of said sum is to be provided by the down payment hereinafter appropriated to finance said purpose, and (5) the estimated maximum amount of bonds or notes necessary to be issued for said purpose is \$1,710,000, and (6) the cost of such purpose, as hereinbefore stated, includes the aggregate amount of \$150,000, which is estimated to be necessary to finance the cost of such purpose, including architect's fees, accounting, engineering and inspection costs, legal expenses and other expenses, including interest on such obligations to the extent permitted by Section 20 of the Local Bond Law.

Section 4. It is hereby determined and stated that moneys exceeding \$90,000, appropriated for down payments on capital improvements or for the capital improvement fund in budgets heretofore adopted for the Township, are now available to finance said purpose. The sum of \$90,000 is hereby appropriated from such moneys to the payment of the cost of said purpose.

Section 5. To finance said purpose, bonds of the Township of an aggregate principal amount not exceeding \$1,710,000 are hereby authorized to be issued pursuant to the Local Bond Law. Said bonds shall bear interest at a rate per annum as may be hereafter determined within the limitations prescribed by law. All matters with respect to said bonds not determined by this ordinance shall be determined by resolutions to be hereafter adopted.

Section 6. To finance said purpose, bond anticipation notes of the Township of an aggregate principal amount not exceeding \$1,710,000 are hereby authorized to be issued pursuant to the Local Bond Law in anticipation of the issuance of said bonds. In the event that bonds are issued pursuant to this ordinance, the aggregate amount of notes hereby authorized to be issued shall be reduced by an amount equal to the principal amount of the bonds so issued. If the aggregate amount of outstanding bonds and notes issued pursuant to this ordinance shall at any time exceed the sum first mentioned in this section, the moneys raised by the issuance of said bonds shall, to not less than the amount of such excess, be applied to the payment of such notes then outstanding.

Section 7. Each bond anticipation note issued pursuant to this ordinance shall be dated on or about the date of its issuance, shall be payable not more than one year from its date, shall bear interest at a rate per annum as may be hereafter determined within the limitations prescribed by law and may be renewed from time to time pursuant to and within limitations prescribed by the Local Bond Law. Each of said bond anticipation notes shall be signed by the Mayor and by a financial officer and shall be under the seal of the Township and attested by the Township Clerk or Deputy Township Clerk. Said officers are hereby authorized to execute said notes in such form as they may adopt in conformity with law. The power to determine any matters with respect to said notes not determined by this ordinance, and also the power to sell said notes, is hereby delegated to the Chief Financial Officer who is hereby authorized to sell said notes either at one time or from time to time in the manner provided by law.

Section 8. It is hereby determined and declared that the period of usefulness of said purpose, according to its reasonable life, is a period of thirty years computed from the date of said bonds.

Section 9. It is hereby determined and stated that the Supplemental Debt Statement required by the Local Bond Law has been duly made and filed in the office of the Township Clerk of the Township, and that such statement so filed shows that the gross debt of the Township, as defined in Section 43 of the Local Bond Law, is increased by this ordinance by \$1,710,000 and that the issuance of the bonds and notes authorized by this ordinance will be within all debt limitations prescribed by the Local Bond Law.

Section 10. Any funds received from private parties, the County of Passaic, the State of New Jersey or any of their agencies or any funds received from the United States of America or any of its agencies in aid of said purpose, shall be applied to the payment of the cost of said purpose, or, if bond anticipation notes have been issued, to the payment of the bond anticipation notes, and the amount of bonds authorized for said purpose shall be reduced accordingly.

Section 11. The Township intends to issue bonds or notes to finance the cost of the improvement described in Section 1 of this bond ordinance. If the Township incurs such costs prior to the issuance of such bonds or notes, the Township hereby states its reasonable expectation to reimburse itself for such expenditures with the proceeds of such bonds or notes in the maximum principal amount of bonds or notes authorized by this bond ordinance.

Section 12. The full faith and credit of the Township are hereby pledged to the punctual payment of the principal of and interest on the obligations authorized by this ordinance. Said obligations shall be direct, unlimited and general obligations of the Township, and the Township shall levy ad valorem taxes upon all the taxable real property within the Township for the payment of the principal of and interest on such bonds and notes, without limitation as to rate or amount.

Section 13. The capital budget is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency therewith and the resolutions promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director, Division of Local Government Services, is on file with the Township Clerk and is available for public inspection.

Section 14. This ordinance shall take effect twenty days after the first publication thereof.

Poll: Ayes: Hablitz, Murphy, Patel, and Vancheri
 Nays: None

The Council President declared the motion passed.

Ordinance No. 1466 - It was moved by Councilmember Murphy, seconded by Councilmember Hablitz, that there be introduced and the meeting of July 24, 2023 set as the date for the public hearing of the following:

ORDINANCE NO. 1466

ORDINANCE OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF LITTLE FALLS, COUNTY OF PASSAIC, STATE OF NEW JERSEY, FURTHER AMENDING THE TOWNSHIP OF LITTLE FALLS CODE CHAPTER 7, ARTICLE I, SECTION 7-40, "PARKING PROHIBITIONS ON MUNICIPAL AND BOARD OF EDUCATION PROPERTY"

WHEREAS, due to concerns regarding the health and safety of motorists and pedestrians in the Township, the municipal council of the Township (the "Municipal Council") seeks to amend the provisions of the current code section; and

WHEREAS, in furtherance of the proposed amendment to the Township Code of General Ordinances (the "Code") concerning the parking vehicles on the Township Roadways; and

WHEREAS, the Municipal Council has determined to amend Chapter 7, Article II, Section 7-40.11 Morris Canal Parking Lot of the Township Code to be amended as follows;

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NOW THEREFORE, BE IT ORDINANED by the Municipal Council of the Township of Little Falls, Passaic County, State of New Jersey, as follows:

1. The aforesaid recitals are incorporated herein as though fully set forth at length.
2. The Municipal Council hereby amends Chapter 7, Article II, Section 7-40 of the Township Code to read as follows:

7-40.11 **Morris Canal Parking Lot**

B. Parking Regulations

(10) Only vehicles displaying a valid Enterprise Fire Company 2 parking decal issued by the Township of Little Falls may be parked in designated Fire Department stalls.

3. If any section, paragraph, subdivision, clause, sentence, phrase or provision of this Ordinance is declared unconstitutional or invalid by a court of competent jurisdiction, such decision shall not affect the remaining portions of this Ordinance.
4. A copy of this Ordinance shall be available for public inspection at the offices of the Township Clerk.
5. This Ordinance shall take effect after twenty (20) days of its final passage by the Municipal Council, upon approval by the Mayor and publication as required by law.

Poll: Ayes: Hablitz, Murphy, Patel, and Vancheri
Nays: None

The Council President declared the motion passed.

COUNCIL TOPICS FOR DISCUSSION

Councilmember MURPHY discussed the ads for the Township Calendar and announced the Domestic Violence Prevention Committee will be at the Farmers Market on July 23rd.

Councilmember HABLITZ highlighted upcoming Library events including a Robotics Workshop on July 12th, a Nature Walk of the Morris Canal Park on July 13th, and a Super Smash Brothers Tournament on July 14th. Lastly, Councilmember HABLITZ encouraged everyone to visit the Farmers Market this weekend for National Ice Cream Day.

Councilmember PATEL reported the Clifton Health Department, in conjunction with Hackensack Meridian Mountainside, is offering free glucose and blood pressure screenings on July 11th. Councilmember PATEL announced the Veggie Mobile truck is at Clifton Town Hall every Wednesday, and the Covid and Infectious Disease Team will be at the Library on August 24th.

Councilmember VANCHERI commented on the moment of silence and expressed his sympathy to the family of Dr. Farnese. He also commented on the recognitions tonight and the July 4th Street Fair sponsored by the PBA. Lastly, he announced the monthly Transportation Committee Meeting will convene later this week.

PUBLIC COMMENT – AGENDA ITEMS ONLY

Anyone wishing to address the Township Council may do so through the Council President. It is preferred if you give your name and address for the record. Comments are to be limited to three minutes, however, if appropriate, you may be granted additional time at the sole discretion of the Council President.

Members of the public who have joined the meeting virtually and desire to provide comment shall raise their virtual hand in the Zoom application. The Meeting moderator will queue the members of the public that wish to provide comment and the Council President will recognize them in order. Members of the public who have joined the meeting by calling in must press *6 to mute and unmute themselves and *9 to raise their hand. Members of the public who have joined the Meeting via the Zoom application must click the Reactions icon and then the Raise Hand icon. Please give your name and address for the record. Once the process is complete, we will return to the regular order of business.

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

Poll: Ayes: Hablitz, Murphy, Patel, and Vancheri
Nays: None

The Council President declared the motion passed.

No one having come forward to be heard, it was moved by Councilmember Patel, seconded by Councilmember Murphy, that the meeting be and it was closed to the public.

Poll: Ayes: Hablitz, Murphy, Patel, and Vancheri
Nays: None

The Council President declared the motion passed.

At this time, Mr. Wenzel explained the Council would sit as the ABC Board as a local authority for liquor licenses issued within the Township. Under Township code, there is no separate ABC Board. Mr. Wenzel further elaborated that this issue has been held out separate because it is a renewal being requested through the Police Department as to special conditions to be placed on the renewal of the license. As a local ABC Board, the Council's only authority is to revoke, suspend or renew, or renew with special conditions. The Council does not have the authority to set penalties or other obligations which falls on the State Division of Alcohol and Beverage Control. Mr. Wenzel indicated the procedure would include Chief Prall's explanation of the rationale for seeking the special conditions as well as the opportunity for Mr. Callegari to make a response on behalf of his client. He clarified, although the Mayor referred to this as a hearing, it is not a hearing per se, this is resolution, a renewal with special conditions that is not being opened up for public comment.

At this time, Chief Prall highlighted incidents and investigations which occurred over the last three years as well as the special conditions be placed on the license. Chief Prall responded to Mr. Wenzel's request for clarification as to

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whether the special conditions would ameliorate or eliminate the issues brought forth as well presence and level of security on the site. Chief Prall further added the special conditions were brought forward because there was no corrective action taken on the part of the establishment. Chief Prall then responded to Councilmember HABLITZ’s inquiry regarding presence of an off-duty officer as well as a private security. In response to Councilmember VANCHERI, Chief Prall confirmed underage patrons dining would have to vacate the premises by 9pm, that the special conditions would be for one year and would be re-evaluated.

Counsel Lawrence Callegari- 685 Broadway, Paterson, spoke on behalf of Chela’s restaurant. He noted he had the opportunity to review the special conditions with his client. Mr. Callegari commented on the special conditions and the ability to maintain the business and address the concerns of the Township.

Sebastian Arboleda – 93 Market Street Paterson, owner, commented that he takes responsibility and is thinking of selling the establishment. Mr. Aboleda stated with these conditions he does not think he would be able to survive or keep the establishment going.

Mr. Caligari then summarized that it is a matter of keeping the establishment open to promote a sale. Councilmember MURPHY questioned if the special conditions would be dropped upon a sale. Mr. Wenzel believed the special conditions remain until there is an action by the ABC Board to remove them. Mr. Wenzel further elaborated on transfers.

Mr. Wenzel stated he prepared a consultation with the Police Chief based upon a review of the matters the Police Chief has raised. Mr. Wenzel then summarized Counsel’s response, on behalf of his client, to the special conditions. Mr. Wenzel further directed that it is up to the Council, as the ABC Board, to determine whether to move or amend the Resolution based upon the colloquy from tonight. Councilmember VANCHERI asked the Chief for his thoughts to which Chief Prall stated that by the current calls and actions, he thinks his actions are still appropriate.

Chief Prall then reviewed the service calls per Councilmember MURPHY’s inquiry and responded to Councilmember HABLITZ’s request for further clarification of the breakdown of calls for service. In response to Councilmember PATEL, Chief Prall indicated the number of bar/tavern checks were a direct result of the calls that arose from calls from Chela’s and some of the problems that the PD has been responding to.

At this time, Mr. Wenzel reiterated that the Council is the ABC Board and it is up to the Board to approve, amend or deny the Resolution.

It was moved by Councilmember Patel, seconded by Councilmember Hablitz to approve Resolution G.

**RESOLUTION [G] 23-07-10 - #7
RESOLUTION TO AUTHORIZE THE RENEWAL OF LIQUOR LICENSE – CHELA’S RESTAURANT & BAR LLC, LICENSE NO. 1605-33-005-011**

WHEREAS, the Township of Little Falls has received applications for renewal of liquor licenses; and
WHEREAS, the below applicant has completed the necessary State of New Jersey Division of Alcoholic Beverage Control (ABC) applications and the correct fees have been paid to the Township Clerk for renewal of liquor license for the year 2023-2024; and

WHEREAS, the Township Police Department has conducted a review of the below applicant to determine whether any special conditions should be placed on the license renewal; and

WHEREAS, the Township Police Department has found numerous areas of concern related directly to the below applicant’s liquor license operations including violations of State ABC regulations as well as general patron safety issues; and

WHEREAS, the Township Police Department has recommended the placement of special conditions on the renewal of the liquor license and the below applicant has been advised of same; and

NOW, THEREFORE BE IT RESOLVED, by the Township Council of the Township of Little Falls, County of Passaic, as follows:

- 1) Approval for the renewal of liquor license for the following establishment for the period of July 1, 2023 to June 30, 2024:
 - a. Chela’s Restaurant & Bar LLC, Liquor License Number 1605-33-005-011

BE IT FURTHER RESOLVED, that the following conditions apply:

- 1) Employment of an off-duty Little Falls Police Officer through Extra Duty Solutions during the following hours of operation:
 - a. 8 PM to 2:30 AM on Thursday, Friday and Saturday.
 - b. Any other day of the week when live entertainment is present.
 - c. During holidays and the evenings preceding holidays.
- 2) Employment of a reputable, licensed, insured, and qualified professional security service for interior security including checking identifications of patrons during all days of operation from 8 PM to 2:30 AM.
- 3) Restriction, after 9 PM during all days of operation, of patrons in the establishment to only those who are at least 21 years of age.

Poll: Ayes: Hablitz, Murphy, Patel, and Vancheri
 Nays: None

The Council President declared the motion passed.

There being no further business to come before the meeting, it was moved by Councilmember Patel, seconded by Councilmember Murphy, that the meeting be and it was adjourned at 8:01 p.m.

Cynthia Kraus
Municipal Clerk