

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

Monday, June 8, 2020

Council President Sgobba called the meeting to order at 7:00 p.m. with the following members present: Maria Cordonnier, Albert Kahwaty, Tanya Seber, and Christopher Vancheri. Also present were Mayor James Damiano, Township Attorney Joseph Wenzel, Township Administrator Charles Cuccia, and Township Clerk Cynthia Kraus.

Absent: None.

Township Employees present: Police Chief Steve Post.

SALUTE TO THE FLAG

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 9, 2020. 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. **This meeting is being conducted under the circumstances surrounding the COVID-19 health situation. No public will be allowed to attend the meeting in person. A Youtube link to view this meeting 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.**

ROLL CALL – Council President Sgobba, Mayor Damiano and Township Administrator Charles Cuccia were present in person. Councilmember Maria Cordonnier, Councilmember Albert Kahwaty, Councilmember Tanya Seber, Councilmember Christopher Vancheri, Attorney Joseph Wenzel, Municipal Clerk Cynthia Kraus, and Police Chief Steve Post attended the meeting remotely.

At this time, Mayor Damiano made a statement in the connection to the death of George Floyd in Minneapolis.

PUBLIC COMMENT – ALL MATTERS

Anyone wishing to address the Township Council may do so by sending an email to CKRAUS@LFNJ.COM. The email must provide your name and address for the record. At this time there will be a ten-minute recess, which will allow the public to send comments and questions via email. At the end of the recess, the Meeting will reconvene and all proper emails will be read into the record. The Council President will determine if a response is needed and if so, shall direct said response. Once the process is complete, we will return to the regular order of business.

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

Poll: Ayes: Cordonnier, Kahwaty, Seber, Vancheri, and Council President Sgobba
 Nays: None

The Council President declared the motion passed.

At this time, Council President SGOBBA announced there will be a ten-minute recess such that questions from the public can be emailed to the Clerk. The Council recessed at 7:10 PM and returned to session at 7:20 PM.

Kevin Barry, 110 Island Avenue, thanked the Mayor, Council, and Police Chief for their statement regarding Mr. Floyd.

Howard Lipoff, 161 Main Street, Apt. F, expressed his thanks for the statement made regarding Mr. Floyd.

Luis Fernandez – 54 Harrison Street, questioned whether the Township has seen an increase in the second quarter delinquent taxes due to COVID19. Mayor Damiano referenced an analysis provided by the Tax Collector which demonstrated that as of the last date of the grace period of May 10, 2019 and June 1, 2020, the collection rate was higher this year. The Mayor stated there have been voids in the revenues the municipality receives, therefore the Township will have to be prudent with spending. Mr. Fernandez submitted a comment on Resolution E to which Council President SGOBBA explained the presence of this Agenda Item. Mr. Fernandez posed questions regarding Ordinance No. 1388 to which Mayor Damiano explained the rationale for Phases of the Streetscape project. The Mayor added that most of the money spent is through NJ DOT and similar grants. In response to Mr. Fernandez's last question as to when the public can attend a Meeting, Council President SGOBBA responded it is unknown at this time. Council President SGOBBA elaborated upon the Governor's directives and to need to protect the safety of the residents and public officials.

Renea Shapiro, Little Falls ABC, requested updates on the removal of dead wires on Main Street, Civic Center steps, redevelopment starts, the Paterson Avenue and Walgreen's property, Stevens Avenue and Main Street work, Stanley Street construction, a new MSU entranceway, public attendance at Council Meetings, \$700,000 grant project, Recreation Center air conditioning, concerts, and mail in ballots. Ms. Shapiro also queried whether Township marketplace applications, rates, and rules are on the Township website as well as the Township budget. In response, Mayor Damiano explained why there are not many options for the Township to remove the decommissioned wires and reviewed options for the Civic Center steps. The Mayor provided an update on redevelopment projects and

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stated he had no information other than environmental work in progress regarding Stevens Avenue and Main Street. Council President SGOBBA provided a status update on Paterson Avenue. Mayor Damiano indicated the owner of the Walgreen’s property had purchased an adjacent property but had no other information available. The Mayor reiterated previous updates on parking improvements and Stanley Street. Council President SGOBBA and Mayor Damiano discussed the aspects of the Planning Board application regarding the MSU accessway. Discussion regarding public attendance at Council Meetings was previously addressed. Mayor Damiano explained how to access the introduced and adopted budget on the Township website. Mr. Cuccia stated information regarding fees are listed on the Township website. Mrs. Kraus responded to Council President SGOBBA’s query, stating applications and fees continue to be received from vendors and are all up to date. Councilmember SEBER added vendors can reach out to her if they have any questions. Mayor Damiano provided an update on the \$700,000 grant which is part of the Streetscape Plan. Mayor Damiano explained the change order on the Agenda tonight pertaining to the air condition at the Recreation Center and reviewed other considerations such as UV light, which could be sought under the CARES Act. Resumption of concerts will be in line with the Governor’s directives. Councilmember CORDONNIER addressed the issue of mail-in ballots and participation in the 2020 Census.

Shannon Zurbruegg, 58 Hudson Street – Questioned whether Little Falls has considered a community citizen review panel for the Little Falls Police Department. Mayor Damiano responded the Township and Police Chief have taken the lead by going through a rigorous accreditation process that took place over a number of years. He referred to a voice mail he received and recommended residents read the accreditation process and information on the Township website, where he believed a lot of concerns would very well be answered because the standards of the Police Department are held to a much higher standard than other surrounding departments.

As no further emails were received for comment, it was moved by Councilmember Cordonnier, seconded by Councilmember Kahwaty, that the meeting be and it was closed to the public.

Poll: Ayes: Cordonnier, Kahwaty, Seber, Vancheri, and Council President Sgobba
Nays: None

The Council President declared the motion passed.

ITEMS TO BE DISCUSSED:

MAYOR/ADMINISTRATOR:

1. RESOLUTION APPROVING CHANGE ORDER FOR RECREATION CENTER HVAC UPGRADES – Mayor Damiano explained the Resolution.
2. CHAPTER 159 RESOLUTION PASSAIC COUNTY CARES FUNDING – Mayor stated Little Falls received approximately \$842,000 and recommended the Council pass a resolution such that the Township could enter an agreement with the County to receive these funds for COVID expenses.

ACTION ITEMS:

RESOLUTIONS

It was moved by Councilmember Cordonnier, seconded by Councilmember Vancheri to approve the following:

Refund of Tax Overpayments in the Years 2017, 2018, and 2019

RESOLUTION [A]20-06-08 - #1

WHEREAS, the following properties in the Township of Little Falls, New Jersey have overpaid real estate taxes in 2017, 2018, and 2019 due to State Tax Court Judgments; and

WHEREAS, the Judgements were entered on May 15, 2020; and Stipulation of Settlement states no interest is to be paid on the refunds if attorney/taxpayer receive the refunds within **60 days from May 15, 2020 which could be on or before July 15, 2020**; and

WHEREAS, the assessed values per the Freeze Act have been updated in our 2020 Tax Duplicates and will reflect on the August and November tax quarters, however, retroactive to January 1, 2020 for the full year (estimated amount Aug 1st, Nov. 1st reconciled with 2020 tax rate when struck and received); and

WHEREAS, the Tax Collector is requesting that the Township Council direct the Treasurer to refund said amounts overpaid listed below;

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:

<u>Tax Year & Qtr.</u>	<u>Block Lot/</u>	<u>Taxpayer/ Location</u>	<u>Payee</u>	<u>Reason</u>	<u>Amount</u>
2017/4	194/7	Sisco, R & Geyh, Wm (Trustees) Rose St	Irwin Heinze P.A. Atty Trust Acct & FBO Sisco R & GEYH WM Trustees Plaintiff 383 Main St. Suite 101 Chatham, NJ 07928	OP/ STCJ	\$5,775.64
2017/4	200/3	Sisco, R & Geyh, Wm (Trustess) 1455 Rt 46 East	Payee same as above	OP/ STCJ	2,675.90
2017/4	200/4	Sisco, R & Geyh, Wm (Trustees) 1485 Rt 46 East	Payee same as above	OP/ STCJ	13,531.31
2018/4	194/7	Sisco, R & Geyh, Wm. (Trustess) Rose St	Payee same as above	OP/ STCJ	5,770.16
2018/4	200/3	Sisco, R & Geyh, Wm (Trustess) 1455 Rt 46 East	Payee same as above	OP/ STCJ	2,673.36

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2018/4	200/4	Sisco, R & Geyh, Wm (Trustess) 1485 Rt 46 East	Payee same as above	OP/ STCJ	13,518.48
2019/4	194/7	Sisco, R & Geyh, Wm (Trustess) Rose St	Payee same as above	OP/ STCJ	5,808.51
2019/4	200/3	Sisco, R & Geyh, Wm (Trustess) 1455 Rt 46 East	Payee same as above	OP/ STCJ	2,691.31
2019/4	200/4	Sisco, R & Geyh, Wm (Trustess) 1485 Rt 46 East	Payee same as above	OP/ STCJ	<u>13,608.32</u>
				Total Refunds	\$66,052.81

Tax Overpayments in the Year 2020

RESOLUTION [B]20-06-08 - #2

WHEREAS, the following properties in the Township of Little Falls, New Jersey have overpaid real estate taxes in 2020; and
WHEREAS, the Tax Collector is requesting that the Township Council direct the Treasurer to refund said amounts overpaid listed below;

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:

<u>Tax Year & Qtr.</u>	<u>Block Lot/Q</u>	<u>Taxpayer/ Location</u>	<u>Payee</u>	<u>Reason</u>	<u>Amount</u>
2020/2	52/10	Franco Jaime 528 Main St	Olde School Title Serv LLC 247 Franklin Ave Nutley, NJ 07110	O/P	\$2,287.14
2020/2	99/30	A Medina & J Dichoza 94 Center Ave	Solidifi 88 Silva Lane Middletown, RI, 02842	O/P	3,205.65
2020/2	148/23.01	Paul M Holzach 3 Fourth Ave	Paul M Holzach 3 Fourth Ave Little Falls, NJ 07424	O/P	2,215.57
2020/2	157/17	Toni Auerbach 15 Morningside Cir	Corelogic Centralized Refunds PO Box 9202 Coppell, TX 75019-9760	O/P	3,933.11
2020/2	232.03/8	Stephen & Marg. Oess 7 Sigtim Drive	Boston National Title Agency, LLC 400 Rouser Rd, Ste 101 Corapolis, PA 15108	O/P	<u>2,918.57</u>
				Total Refunds	\$14,560.24

Special Item of Revenue and Appropriation Passaic County CARES Funding

**TOWNSHIP OF LITTLE FALLS
 PASSAIC COUNTY NEW JERSEY
 RESOLUTION [C] 20-06-08 - #3
 SPECIAL ITEMS OF REVENUE AND APPROPRIATION**

WHEREAS, NJS 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount was not determined at the time of the adoption of the budget; and

WHEREAS, the Director may also approve the insertion of an item of appropriation for equal amount;

NOW, THEREFORE, BE IT RESOLVED, that the Township Council of the Township of Little Falls in the County of Passaic, New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2020 in the sum of \$842,110.00 which is now available from Miscellaneous Revenues – Section F – Special Items of General Revenue Anticipated with prior written consent of Director of Local Government Services - Public & Private Revenues Offset with Appropriations Division of Passaic County CARES Funding-\$842,110.00

BE IT FURTHER RESOLVED, that the like sum of \$842,110.00 is hereby appropriated under the caption:

- General Appropriations
- (A) Operations – Excluded from “CAPS” Public & Private Programs Offset by Revenues
- Passaic County CARES Funding for COVID 19 Expenses \$842,110.00

Change Order for Recreation Center HVAC Upgrades

**RESOLUTION [D] 20-06-08 - #4
 RESOLUTION AWARDED CHANGE ORDER TO TEO TECHNOLOGIES, INC.
 FOR THE LITTLE FALLS RECREATION CENTER HVAC UPGRADES**

WHEREAS, the Township Council has received a recommendation from the Township Special Project Engineer, Boswell Engineering regarding the Recreation Center HVAC Upgrades contract to change contract items as listed in the original specification; and

WHEREAS, the Township Council has considered this recommendation in accordance with N.J.A.C. 5:30-1 et seq. and the Local Public Contracts Law; and

WHEREAS, the Township Council has a contract with TEO Technologies, Inc. for the Little Falls Recreation Center HVAC Upgrades project, which was awarded by public bidding under the Local Public Contracts Law.

NOW, THEREFORE, BE IT RESOLVED, that the Township Council authorizes a change order to TEO Technologies, Inc. in the amount of \$4,417.61.

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Release of ADPP Enterprises/Valero Route 46 Performance Bond

**RESOLUTION [E] 20-06-08 - #5
RESOLUTION FOR RELEASE OF PERFORMANCE BOND**

The Township Council hereby authorizes the release of the Performance bond for ADPP Enterprises/Valero Route 46 East in accordance with the recommendations of the Township Special Project Engineer as provided in a 2019 correspondence. The Township Council also authorizes, and requires, the submission of a maintenance bond for a period of two (2) years as recommended by the Township Special Project Engineer and in accordance with the Municipal Land Use Law (§40:44D-53.3 & 5).

Bill List

RESOLUTION [F] 20-06-08 - #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: Cordonnier, Kahwaty, Seber, Vancheri, and Council President Sgobba
Nays: None

The Council President declared the motion passed.

CONSENT AGENDA FOR ORDINANCES

AT THIS TIME, EACH ORDINANCE WILL BE READ BY TITLE. THERE WILL THEN BE A FIVE-MINUTE RECESS TO ALLOW FOR COMMENTS TO BE SENT VIA EMAIL ON ANY OF THE ORDINANCES BEING CONSIDERED TO CKRAUS@LFNJ.COM. AT THE END OF THE RECESS, THE MEETING WILL RECONVENE AND ALL PROPER EMAILS WILL BE READ INTO THE RECORD. THE COUNCIL PRESIDENT SHALL DETERMINE IF A RESPONSE IS NEEDED AND IF SO, SHALL DIRECT SAID RESPONSE. ONCE THE PROCESS IS COMPLETE, THERE WILL BE ONE VOTE FOR ALL OF THE ORDINANCES.

A five-minute recess was provided such that questions from the public could be emailed to the Clerk for Ordinances No. 1385, 1386, 1387 and 1388. The Council recessed at 8:00 PM and returned to session at 8:05 PM.

As no emails from the public were received for comment, it was moved by Councilmember Seber, seconded by Councilmember Cordonnier, that the public hearing on Ordinance Nos. 1385, 1386, 1387, and 1388 be and it was closed.

Poll: Ayes: Cordonnier, Kahwaty, Seber, Vancheri, and Council President Sgobba
Nays: None

The Council President declared the motion passed.

Ordinance No. 1385- "BOND ORDINANCE TO AUTHORIZE THE RECONSTRUCTION OF A PORTION OF MICKLEJOHN AVENUE (FROM MAIN STREET TO WOODCLIFFE AVENUE) IN, BY AND FOR THE TOWNSHIP OF LITTLE FALLS, IN THE COUNTY OF PASSAIC, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$150,000 TO PAY THE COST THEREOF, TO APPROPRIATE A FEDERAL GRANT, 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."

Ordinance No. 1386 "BOND ORDINANCE TO AUTHORIZE THE UNDERTAKING OF VARIOUS PUBLIC IMPROVEMENTS AND THE ACQUISITION OF NEW ADDITIONAL OR REPLACEMENT EQUIPMENT AND MACHINERY AND A NEW AUTOMOTIVE VEHICLE, INCLUDING ORIGINAL APPARATUS AND EQUIPMENT, IN, BY AND FOR THE TOWNSHIP OF LITTLE FALLS, IN THE COUNTY OF PASSAIC, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$250,000 TO PAY THE COST THEREOF, TO APPROPRIATE A STATE GRANT, 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."

Ordinance No. 1387- "BOND ORDINANCE TO AUTHORIZE THE UNDERTAKING OF THE 2020 ROAD IMPROVEMENT PROGRAM IN, BY AND FOR THE TOWNSHIP OF LITTLE FALLS, IN THE COUNTY OF PASSAIC, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$675,000 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."

Ordinance No. 1388- "BOND ORDINANCE TO AUTHORIZE THE UNDERTAKING OF STREETSCAPE IMPROVEMENTS AT MAIN STREET (PHASES I AND II), IN, BY AND FOR THE TOWNSHIP OF LITTLE FALLS, IN THE COUNTY OF PASSAIC, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$1,700,000 TO PAY THE COST THEREOF, TO APPROPRIATE A STATE GRANTS, 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 and it was opened.

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It was moved by Councilmember Cordonnier, seconded by Councilmember Vancheri, that Ordinance Nos. 1385, 1386, 1387 and 1388 be and they were adopted.

Poll: Ayes: Cordonnier, Kahwaty, Seber, Vancheri, and Council President Sgobba
Nays: None

The Council President declared the motion passed.

COUNCIL TOPICS FOR DISCUSSION

Councilmember CORDONNIER stated her support of the statement the Mayor read on behalf of the Council, Mayor and Police Department pertaining to Mr. Floyd.

Councilmember VANCHERI thanked the Mayor for reading the statement at the Meeting’s opening. He thanked everyone who helped honor our veterans for Memorial Day through virtual means and highlighted various methods for residents to see the ceremony online. Councilmember VANCHERI discussed means to reach residents for their input on issues being considered by the Transportation Committee as Town Hall Style forums are prohibitive due to COVID19 restrictions.

Councilmember KAHWATY expressed his agreement with the statement read by the Mayor. Councilmember KAHWATY discussed changes at the Recreation Center and provided an update on litter clean up in the Township. He encouraged residents to check on anyone who might be in danger of domestic violence to let them know there is someone to reach out to.

Councilmember SEBER stated the Township has kicked off the Township run market. She thanked the Police Department, OEM, DPW and the Municipal Alliance for their help and encouraged residents to come out to the event.

Mayor Damiano provided a brief COVID19 update. In response to Council President SGOBBA, Mayor Damiano discussed his willingness to consider and work with restaurant owners to maximize outdoor space to provide outdoor dining.

EXECUTIVE SESSION

It was moved by Councilmember Cordonnier, seconded by Councilmember Kahwaty, 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) – discussion of pending litigation.

Poll: Ayes: Cordonnier, Kahwaty, Seber, Vancheri, and Council President Sgobba
Nays: None

The Council President declared the motion passed.

The Council entered Executive Session at 8:31 p.m.

At 8:51 p. m. the Council returned, and it was moved by Councilmember Vancheri, seconded by Councilmember Cordonnier that the meeting return to Open Session.

There being no further business to come before the meeting, it was moved by Councilmember Kahwaty, seconded by Councilmember Cordonnier, that the meeting be and it was adjourned at approximately 8:52 p.m.

Cynthia Kraus
Municipal Clerk