

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

Monday, March 13, 2017

Council President Anthony Sgobba called the meeting to order at 7:02 p.m. with the following members present: Maria Cordonnier, William Liess, and Chris Vancheri. Also present were Mayor James Damiano, Township Attorney Joe Wenzel, Township Engineer Dennis Lindsay, Township Administrator Charles Cuccia, and Municipal Clerk Cynthia Kraus.

Absent: DPW Superintendent Philip Simone.

Township Employees present: 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 COMMENT – GENERAL MATTERS- COUNCIL PRESIDENT WILL ALLOW COMMENTS ON ACTION ITEMS AT THIS TIME (RESOLUTIONS A & B AND ORDINANCE NO. 1285)

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

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

The Council President declared the motion passed.

Christine Miller, Director, Little Falls Public Library, requested the Council's attention to address adequate parking for Library staff and patrons, as well as teachers, school visitors, and visitors to the Civic Center. Currently, available spots become occupied prior to Library opening, often utilized by school staff and visitors. She stated the lack of parking has negatively impacted attendance at library programs. Ms. Miller requested the Council consider methods to avail parking spaces for all visitors, suggesting designated parking specific to teachers as a potential solution.

Council President SGOBBA informed Ms. Miller that there will be three designated spots for library staff located in the old Police Station parking lot. He encouraged Ms. Miller to contact Mr. Cuccia to confirm the specific location of those spots. Ms. Miller indicated that there are six to seven library staff members every day. In response Councilmember CORDONNIER, Ms. Miller confirmed that weekend parking is not as scarce. Councilmember VANCHERI questioned whether more spots could be designated to library staff. He believed there may be more possibilities for school personnel to park elsewhere, especially during the winter.

Bonnie Nolan, 31 Prospect Street, President of Board of Trustees, attributed the move of the Police Department and the discontinuation of an informal mutual parking agreement with the bank, as factors that exacerbated the parking issue.

Mayor DAMIANO suggested discussion with the Superintendent of schools to devise alternative solutions. The Mayor will reach out to the Superintendent.

Howard Lipoff, 161 Main Street Apt. F, recalled his concern raised at a previous meeting regarding the expiration of the rent control ordinance. He requested a status report.

Council President SGOBBA thanked Mr. Lipoff for his comments, noting the issue will be presented at a future meeting. Mayor DAMIANO stated he and Mr. Cuccia have reviewed this issue, however, he was uncertain if the ordinance actually expired. Mr. Wenzel commented that Section 178-10 that had some reference to a time frame to which Mr. Lipoff may have referred. Mr. Wenzel maintained that the rent control ordinance is valid and effective, and shall remain valid and effective. Any suggestion to the contrary will be rectified. The Mayor, Mr. Cuccia and Mr. Wenzel have been involved with discussions on the topic is under review.

Louis Hernandez, Harrison Street, reiterated concerns regarding available parking throughout the Township, with particular reference to Harrison Street on the weekends. He believed changing Harrison Street to one side of the street parking was a contributing factor.

Council President SGOBBA suggested Councilmember CORDONNIER invite Mr. Hernandez to the next Transportation Meeting to discuss parking issues.

Mr. Hernandez questioned whether the 40 Warren Street property is currently owned by the Township. If so, he questioned whether it would be sold to the highest bidder at an auction and how the funds would be accounted.

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Mr. Wenzel explained that 40 Warren Street is owned by the Township. The property was too small to be used for development purposes. The Township has determined the property should be sold and made available to adjacent property owner, i.e, those with contiguous property. The property owners, should they desire to proceed with purchase, must submit a bid at fair market value or higher. The highest bid will be granted the sale of the property. Should no one chose to buy the property, then the Township would then decide what to do with the land. Ordinance No. 1285 specifically relates to an offer of the property to adjacent property owners for bid. Mr. Cuccia noted all money received for sale of assets, land, and equipment is placed into the general fund, and ultimately, into the fund balance.

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

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

The Council President declared the motion passed.

SUNSHINE PROCLAMATION - At this time Mayor DAMIANO read the Sunshine Proclamation.

PRESENTATION BY LIBRARY DIRECTOR – Christine Miller, Director of the Library, presented her comments during the Public Comment portion.

ACTION ITEMS:

Council Ad-Hoc Committees:

WILDLIFE MANAGEMENT COMMITTEE

Council President appoints Community Representatives (1) Meghann Trombetta

PASSAIC RIVER COALITION COMMITTEE NAME CHANGE TO PASSAIC RIVER ADVISORY BOARD –
By Council President

C O N S E N T A G E N D A

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.

RESOLUTIONS

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

RESOLUTION [A] 17-03-13 - #1

RESOLUTION OF THE TOWNSHIP OF LITTLE FALLS, COUNTY OF PASSAIC, STATE OF NEW JERSEY, AUTHORIZING THE SUBMITTAL OF THE FISCAL YEAR 2017 PASSAIC COUNTY COMMUNITY DEVELOPMENT BLOCK GRANT APPLICATION

WHEREAS, it is the desire of the Mayor and Township Council to authorize the submittal of a FY 2017 Passaic County Community Development Block Grant application to the Passaic County Department of Economic Development for the Roadway Improvements to Coney Road and Veranda Street;

WHEREAS, at a meeting held March 13, 2017, the Township council of the Township of Little Falls adopted a resolution authorizing the application for and use of funds from the Passaic County Community Development Block Grant Program for activities described in the proposal and, if awarded funds, shall implement the activities in a manner to ensure compliance with all applicable federal, state and local laws and regulations.

NOW, THEREFORE BE IT RESOLVED that Mayor James Damiano and Township Council of the Township of Little Falls, Passaic County, State of New Jersey, support the application of the Passaic County Community Development Block Grant program.

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

The Council President declared the motion passed.

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

RESOLUTION [B] 17-03-13- #2

PASSAIC COUNTY OPEN SPACE AND FARMLAND PRESERVATION TRUST FUND CAPITAL REHABILITATION AND REDEVELOPMENT ENABLING RESOLUTION

WHEREAS, the Mayor and Council of the Township of Little Falls desire to submit an application for funding to the Passaic County Open Space and Farmland Preservation Trust Fund for the reconstruction of the running track at Passaic Valley High School, Block 189, Lots 9,9.01,10 and Block 193, Lots 6,7, 7.01.

WHEREAS, pursuant to the State Shared Services Act, such funds may not be spent in a municipality without authorization by the Governing Body; and

WHEREAS, the Township of Little Falls agrees to enter into a lease agreement with Passaic Valley Regional High School’s property for the next 25 years; and

WHEREAS, the aforementioned project is in the best interest of the Township of Little Falls; and

WHEREAS, the Mayor and Council obtained public comments on the proposed application at their regularly scheduled meeting held on February 27, 2017; and

WHEREAS, all property owners within a 200-foot radius of the proposed project site were notified of the public hearing at least 10 days prior to its implementation.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Township of Little Falls do hereby confirm endorsement of the aforementioned project.

BE IT FURTHER RESOLVED, that the Mayor and Council certify the resolution for the application to be presented to the Passaic County Department of Planning.

BE IT FURTHER RESOLVED, that a copy of this resolution shall be sent to the Department of Planning to be added to the application by the Township for the 2017 Open Space and Farmland Preservation Trust Fund, so that implementation of the aforementioned project may be expedited.

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

The Council President declared the motion passed.

Ordinance No. 1285-It was moved by Councilmember Liess, seconded by Councilmember Cordonnier, that there be introduced and the meeting of March 27, 2017 set as the date for the public hearing of the following:

**ORDINANCE NO. 1285
AN ORDINANCE OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF LITTLE FALLS, IN THE COUNTY OF PASSAIC, STATE OF NEW JERSEY, AUTHORIZING THE PRIVATE SALE OF MUNICIPAL PROPERTY LOCATED AT 40 WARREN STREET, LITTLE FALLS NEW JERSEY AND OTHERWISE KNOWN AS BLOCK 93, LOT 10 IN ACCORDANCE WITH N.J.S.A. 40A:12-13(b)**

WHEREAS, the Township of Little Falls owns property located at Block 93, Lot 10 A/K/A 40 Warren Street, Little Falls New Jersey (the "Property"); and

WHEREAS, the Property is undersized and cannot be developed without the approval of variances; and

WHEREAS, it has been determined by the Township that there is no public purpose for the Township to retain the Property; and

WHEREAS, N.J.S.A. 40A:12-13(b) provides that a parcel such as the Property may be sold by private sale to an adjacent property owner pursuant to an ordinance and without conducting a public auction, provided that (i) the property is undersized; (ii) there are no capital improvements on the property; (iii) the sale of the property is made for at least fair market value; and (iv) the purchaser is both an adjacent property owner and the highest bidder of all other adjacent property owners, and subject to the satisfaction of certain conditions and/or requirements, if any; and

NOW THEREFORE BE IT ORDAINED by the Township Council of the Township of Little Falls, County of Passaic and State of New Jersey that:

Section 1 Conditions of Sale

The sale of the property located at 40 Warren Street, Little Falls New Jersey, also known as Block 93, Lot 10 be subject to the following conditions and restrictions:

1. The Property shall be sold for not less than Forty Thousand Dollars (\$40,000.00), the fair market value thereof, along with the payment of any and all expenses incurred by the Township in connection with the sale and transfer of the title the Property, including but not limited to the payment by purchaser of the Township's legal, survey, title and environmental fees, if any;
2. The purchaser shall take all necessary steps to formally merge the Property with its property and provide the Township with proof thereof;
3. The purchaser or any subsequent owner shall not be permitted to subdivide the Property or any portion thereof and shall not be permitted to construct another principal structure thereon without first seeking the approval of the local land use board;
4. The deed transferring the Property to the purchaser shall incorporate the restrictions set forth in item 2 above;
5. The Property shall be sold "as is" with regard to any and all conditions, including but not limited to environmental and title issues;
6. The purchaser of the Property shall be required to provide ten percent (10%) of the fair market value of the Property with the sealed bid via cash or certified funds, which percentage shall be deemed a non-refundable deposit;
7. The purchaser of the Property shall be required to execute a contract of sale in connection with the payment of the deposit; and
8. The closing shall occur by no later than June 30, 2017 and the Township shall provide a quitclaim deed in connection therewith; an affidavit of title will not be provided.

Section 2 Submission of bids

The Township shall solicit sealed bids from all owners of parcels adjacent to the Property and shall require that such bids be submitted to the Township Clerk by 10 a.m. on April 3, 2017. The Township Clerk shall open all bids received at 10 am on April 3, 2017.

Section 3 Reservation of Rights

The Township reserves the right to reject all bids where the highest bid is not accepted or does not meet the requisite conditions and restrictions.

Section 4. All Ordinances or parts thereof inconsistent with the provisions of this Ordinance are hereby repealed to the extent of such inconsistency.

Section 5. Should any section, paragraph, clause or other portion of this Ordinance be adjudged by a Court of competent jurisdiction to be invalid, such judgment shall not affect or impair the remainder of this Ordinance.

Section 6. This Ordinance shall effect upon its passage and publication according to law.

At this time Council President SGOBBA paused to explain that the Actions Items on the Agenda are for public knowledge and that a vote is not required.

ITEMS TO BE DISCUSSED:

ADMINISTRATOR:

1. BUDGET TRANSFER RESOLUTION – Mr. Cuccia explained the resolution contains standard adjustments in accordance with statutory provisions.
2. LOSAP RESOLUTION(S) – Mr. Cuccia indicated the resolution pertains to the funding of the individual length of service award program for the Fire Department, based upon their activity of the prior year.
3. TAX REFUND RESOLUTIONS – Mr. Cuccia explained the tax fund resolutions are typical in nature.
4. PROPOSED PARKING ORDINANCE – Mr. Cuccia explicated this ordinance allows parking violations to be paid at the violations bureau instead of coming to Court. However, upon review by the professionals, some adjustments are required. Mayor DAMIANO detailed the rationale of the ordinance and issues that must be addressed within the ordinance. A detailed review is being conducted to ensure every appropriate violation is included in the ordinance to maximize efficiency for approvals and implementation. Introduction is anticipated at the next meeting.
5. RESOLUTION ENDORSING 2016 HOUSING ELEMENT – Mr. Cuccia stated this resolution is the cap to the presentation by L. London with regard to the COAH items.
6. PUBLIC HEARING ON 2017 MUNICIPAL BUDGET/RESOLUTION WAIVING READING IN FULL – Mr. Cuccia noted that it is common practice to waive a full reading of the budget.
7. REQUEST FOR USE OF CIVIC CENTER FROM UNICO – Mr. Cuccia requested Council guidance as to whether representatives from UNICO should be present for this request. Council President SGOBBA stated it was not necessary. Mr. Cuccia to draft a resolution for Council consideration.
8. PUBLIC HEARING/ADOPTION OF THE FOLLOWING ORDINANCES:
 - a) Ordinance No. 1277 – Cost of Living Allowance – Mr. Cuccia stated a public hearing and adoption is slated for the March 27, 2017 Regular Meeting. Ordinance No. 1277 encompasses the increase in the budgetary cap for appropriations.
 - b) Ordinance No. 1278- Electronic Smoking Devices -Ordinance No. 1278 was introduced and will be heard at the March 27, 2017 Regular Meeting.
 - c) Ordinance No. 1279- Affordable Housing Development Fees. Mr. Cuccia stated that there is a small correction in the development fee since original presentation of the ordinance. Initially, the ordinance was presented with 1% but has since been corrected to 1.5%. Mr.

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- Cuccia deferred to Mr. Wenzel as to whether an amendment would be required. Mr. Wenzel to confer with Ms. London.
- d) Ordinance No. 1280-Affordable Housing Obligations- Multi-Family/Senior Zone. Mr. Cuccia stated this ordinance is related to COAH. .
 - e) Ordinance No. 1281- Affordable Housing Ordinance – Mr. Cuccia stated this ordinance is related to COAH.
 - f) Ordinance No. 1282- Affordable Housing Obligations – Medium Density Residential Zone – Mr. Cuccia stated this ordinance is related to COAH.
 - g) Ordinance No. 1283-Affordable Housing Obligations – Multi-Family Overlay Zone – Mr. Cuccia stated this ordinance is related to COAH.
 - h) Ordinance No. 1284-Transit Village Zoning Amendment – Mr. Cuccia stated this ordinance relates to the COAH as well.

Councilmember CORDONNIER requested clarification as to whether the dollar penalties for minor violations would be revised. Mayor DAMIANO explained the derivation of the proposed fine amount. Mayor DAMIANO expressed his openness to discussion with the Council with regard to the value of the fines. Councilmember CORDONNIER discussed her personal experience in another municipality where exceeding a time limit on a parking meter incurred about a \$25 fine. Mr. Cuccia stated his discussion with the Court Administrator while drafting the ordinance revealed most fined levied in our Court start at \$50. Mayor DAMIANO recalled previous discussions of introducing parking meters in the municipality. A violation of a meter fine could be adjusted to \$25, however, many of the violations are for parking and loading zones. Very few violations pertain to exceeding a time period; a majority refer to our prior ordinances and the violations that they address.

COUNCIL TOPICS FOR DISCUSSION

Councilmember VANCHERI explained that the reason why the Passaic River Advisory Board changed names was because the Passaic Valley River Coalition name was already being used. The Board met last week to review goals and strategize. He expressed the Board's interest to invite Council to future meetings. The Technology Committee also convened last week and has focused on updating the current Township website, making it user friendly, and adding Facebook. The Committee discussed the possibility of bringing in an outside vendor to redesign the site, using the latest technology. The Wildlife Committee convened last week. Ideas were gleaned from Chief Post and a meeting was scheduled with Mr. Simone to gather all information before presenting recommendations to the Council.

Councilmember CORDONNIER reported the Transportation Committee met last week and exchanged ideas with Chief Post in an effort to make our streets safer. The next meeting will focus on crosswalk safety. The Open Space Committee continues to work on short, medium, and long range plans for the Morris Canal and Peckman River. Mayor Damiano, Mr. Cuccia and Councilmember Cordonnier plan to follow up with a meeting with the County Planning Board to assure coordination of projects. The other focus of the Committee has been to update our playgrounds, particularly, Duva field. The Committee has been searching for grants for this project well as the Morris Canal. Councilmember CORDONNIER announced that the County Block Development Grant (CBDG) to repave two streets in the Singac area was a result of the work of the Grant Committee.

Councilmember LIESS reported the Senior Advisory Board's meeting scheduled tomorrow has been rescheduled to Tuesday, March 21, 2017. The meeting will focus on health issues and advice for seniors.

The Mayor commented on the upcoming snowstorm. The Office of Emergency Management had a meeting earlier today and both of our chiefs were involved. He announced the municipality is prepared for the snowstorm. In the event there is a power loss, the Civic Center will be opened as a warming and power station. He invited residents to reach out to him should there be any issues, or to call the non-emergency line at the municipal building or Police Headquarters.

At this time, Councilmember VANCHERI read a letter from a resident commending the Fire Department's response on an emergency call.

PUBLIC COMMENT – AGENDA ITEMS ONLY

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

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

The Council President declared the motion passed.

Renea Shapiro, Little Falls ABC, expressed gratitude for the parking ordinance. She queried whether other types of miscellaneous minor fines would be included in the ordinance to eliminate court appearances.

Mayor DAMIANO stated that has been discussed. The biggest issue in converting the violation system to online payment is the stipulation that the fine must be the same amount for every violation, whether it is the first or third offense. He stated that while motor vehicle violations are currently being addressed, the Mayor would consider addressing other types of violations.

The Council President declared the motion passed.

Dorothy O'Haire- Turnberry Road, expressed her opinion that priority consideration be given to groups from the Township when requests are made to use the Civic Center.

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Council President SGOBBA explained that an ordinance is being developed for the Civic Center that addresses this issue.

No one further having come forward to be heard, 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, Vancheri, and Council President Sgobba
 Nays: None

The Council President declared the motion passed.

EXECUTIVE SESSION

It was moved by Councilmember Cordonnier, seconded by Councilmember Vancheri, 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) –contract negotiation.

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

The Council President declared the motion passed.

The Council entered Executive Session at 7:50 p.m.

At 8:21 p.m. the Council returned and it was moved by Councilmember Cordonnier, seconded by Councilmember Liess, that the meeting return to Open Session.

PAYMENT OF BILLS

It was moved by Councilmember Cordonnier, seconded by Councilmember Vancheri, 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, Vancheri, 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 Vancheri, seconded by Councilmember Cordonnier, that the meeting be and it was adjourned at 8:23 p.m.

Cynthia Kraus
Municipal Clerk