

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

Monday, May 6, 2019

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

Absent: Township Engineer.

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

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. 10:4-10 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 2, 2019. 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.

WOMEN'S HEALTH WEEK PROCLAMATION – At this time, Mayor Damiano read a Proclamation declaring May 12, 2019 through May 18, 2019 Women's Health Week in the Township of Little Falls.

PUBLIC COMMENT – GENERAL MATTERS

It was moved by Councilmember Seber, seconded by Councilmember Vancheri, 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.

Luis Fernandez, 54 Harrison Street, requested a resolution regarding ongoing issues he has had with a neighbor. Mr. Wenzel explained the Building Inspector cannot enter a premise without the consent of the owner. Secondly, there is a process similar to a warrant process. Mr. Wenzel also noted Mr. DiMaria has consulted Counsel regarding this matter. Mr. Fernandez further stated the owner may not have been obtaining proper permits. Council President SGOBBA requested Mr. Fernandez provide specific information to the Building Department or Mr. Cuccia for follow-up. Mr. Fernandez then queried why letters and signature lists from residents are not accepted at Planning Board meetings. Mr. Wenzel stated Mr. Fernandez's question would be best answered by the Planning Board Attorney and elaborated upon the quasi-judicial aspect of the Planning Board.

Dorothy O'Haire – Turnberry Road, discussed the Peckman project and highlighted topics brought forth at the first three town Flood Board Meeting. She expressed her points of concern regarding the Peckman River, discussions at the Flood Board meeting, and the Army Corps of Engineers Plan. Mayor Damiano provided an explanation of his disagreement with several of Ms. O'Haires statements. The Mayor reviewed the two step plan proposed by the Army Corps of Engineers which included the diversion culvert and bank stabilization, which will eliminate trees being undermined. To address the Army Corp. response, he indicated at the Meeting and in an email to Ms. O'Haire that he was going to meet with Mr. Lindsay to answer the survey. The Mayor discussed why the Flood Board is comprised of Little Falls, Woodland Park and Totowa. Lastly, the Mayor clarified that the Township purchased no homes in the redevelopment zone in the area specified by Ms. O'Haire.

No one further having come forward to be heard, it was moved by Councilmember Cordonnier, seconded by Councilmember Vancheri, 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. 2019 ESTIMATED TAX RATE RESOLUTION – Mayor Damiano explained this resolution is brought forth every year to memorialize by resolution the annual tax rate which is 3.204 this year. The Mayor clarified that this is the estimated tax rate.
2. PROPOSED AMENDMENT TO FERAL CAT ORDINANCE – Mayor Damiano indicated the purpose of the original Feral Ordinance was to prohibit feral cat colonies from multiplying. The Township has been approached by a not-for-profit organization whose purpose in feeding feral cats was a trap, neuter and release. Therefore, the Mayor proposed to amend the ordinance to specifically allow the organization to feed, trap and release feral cats, as this will assist in ameliorating feral cat issues in the Township. Councilmember VANCHERI questioned whether certain parts of the Township have been highlighted and whether collaboration has to occur with the Clifton Health Department. Mayor Damiano stated the feeding would occur where the non-profit organization is located. The Clifton Health Department's ordinance is slightly more permissive regarding feeding than Little Falls. Councilmember CORDONNIER recalled the organization was previously located on Walnut and Center streets where some issues occurred. Mayor Damiano elaborated upon Feral Cat Ordinance which prohibits the feeding of feral cats by homeowners.

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- 3. PROPOSED AMENDMENT TO FILM PERMIT ORDINANCE – Mayor Damiano provided detail as to why the ordinance requires amendment. The amendment would allow permit approval by the Administrator. Council President SGOBBA requested the ordinance be reviewed by Councilmember Kahwaty.

DPW SUPERINTENDENT:

- 1. DEMOLITION OF 15 PROPERTIES – Mr. Simone stated the last phase of the FEMA buyouts has been started. Bids will be received by May 16, 2019 with an award to be presented by the next Meeting, pending legal review. In response to Councilmember CORDONNIER, Mr. Simone estimated most work will be completed by August, with reseeding in the Fall. Councilmember CORDONNIER questioned whether a map of FEMA properties could be developed for purposes of the Open Space and Garden Sub-Committees to further enhance those areas. Mayor Damiano stated Mr. Cuccia has a largely completed map with the exception of the most recent rounds of buyouts. At the request of Council President SGOBBA, Mr. Simone then explained the buyout process. Councilmember KAHWATY clarified that Mrs. Kahwaty does master gardening on a volunteer basis. In response to Councilmember KAHWATY, Mr. Simone stated the contractor is responsible for grading and provided details on the requirements and oversight of the grading process. In response to Council President SGOBBA, Mr. Simone responded he does not get reimbursed by the federal government for any of his time he spends on the project.

ACTION ITEMS:

RESOLUTIONS

It was moved by Councilmember Seber, seconded by Councilmember Vancheri, that the following be approved:

Bill List

RESOLUTION [A] 19-05-06 - #1

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.

COUNCIL TOPICS FOR DISCUSSION

Councilmember KAHWATY stated he co-chairs the Passaic County Film Commission and looked forward to reviewing the proposed amendments to the Film Ordinance. He announced the Spring Clean Up was a terrific success with about thirty volunteers. Councilmember KAHWATY reminded residents the Township is still looking for members for the DVRT team. The Domestic Violence Prevention Committee members will be marching in the Memorial Day Parade.

Councilmember SEBER announced the Municipal Alliance held their 5th and 6th grade dance at the Recreation Center on May 3, 2019 at the Recreation Center. She was happy to announce three new signs were installed for patron parking for the Library. At the last Library Board meeting, smoking and vaping were discussed. It was discovered municipal properties are not currently covered under the ordinance. Councilmember SEBER discussed recommendations to have municipal properties included in the ordinance. A meeting was held today to discuss upgrades at the Recreation Center, such as the addition of pickleball courts, as well as additional striping and draining in the parking lot. Initial response to the indoor pickleball program has been well received. Council President SGOBBA requested clarification on the smoking restrictions.

Councilmember VANCHERI reported on the progress of the Memorial Day weekend events. Four bands and three food trucks have been confirmed for the concert in the park on May 24, 2019. Additional activities will be added and the event caters to all ages. Groups from the Township have been invited to participate to make it a community event. The parade will have about 34 groups participating. A meeting is planned for next two Tuesdays to finalize details. The Transportation Committee will convene next Tuesday to discuss signage and parking issues.

Councilmember CORDONNIER announced this Friday is the first dinner dance sponsored by the Senior Advisory Committee. She commended those involved for their hard work and dedication. She invited all seniors to come. The cost is free to senior residents and \$10 for seniors from out of town. The Open Space Committee has toured newly updated parks in Essex County. A grant request from the County will be sought next year to expand the Wilmore Road Park.

In response to Council President SGOBBA’s request, Mayor Damiano provided an update on the flooring and air conditioning the Recreation Center. Mayor Damiano reported the LFAC was presented with different options for flooring in the Recreation Center, and chose a rubber based composite flooring. Engineering will need to prepare a bid. Engineers are looking into the electricity and other upgrades that are needed to cool the entire building. Mr. Cuccia will meet with the Engineers on Wednesday to discuss next steps.

PUBLIC COMMENT – AGENDA ITEMS ONLY

It was moved by Councilmember Kahwaty, seconded by Councilmember Cordonnier, 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.

No one further having come forward to be heard, it was moved by Councilmember Cordonnier, seconded by Councilmember Vancheri, 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.

EXECUTIVE SESSION

It was moved by Councilmember Kahwaty, 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) – items of contract negotiation and anticipated litigation – action will be taken.

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 8:03 p.m.

At 8:38 p.m. the Council returned and it was moved by Councilmember Vancheri seconded by Councilmember Cordonnier, that the meeting return to Open Session.

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

RESOLUTION [B] 19-05-06 - #2

RESOLUTION AUTHORIZING THE REJECTION OF BIDS SUBMITTED IN RESPONSE TO REQUEST FOR EMS THIRD PARTY BILLING

WHEREAS, The Township of Little Falls issued a request for bids for EMS third party billing, and on April 30, 2019 received one bid in response to the solicitation; and

WHEREAS due to an error in the specifications, certain bids were inadvertently sent to a different location; and

WHEREAS, in light of this determination, the Township desires to reject all bids received; and

WHEREAS, the Township desires to re-advertise for the receipt of bids for this purpose.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Little Falls, Passaic County, New Jersey hereby authorizes the rejection of the bids submitted and authorizes the Township Clerk and/or QPA to re-advertise for the receipt of bids in accordance with the Local Public Contracts Law.

Poll: Ayes: Cordonnier, Kahwaty, Seber, 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 Cordonnier, seconded by Councilmember Seber, that the meeting be and it was adjourned at 8:40 p.m.

Cynthia Kraus
Municipal Clerk