

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

**Monday, April 12, 2021**

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

Absent: None.

Township Employees present: Police Chief Steve Post.

**SALUTE TO THE FLAG** – Following the Salute to the Flag, Council President SGOBBA requested a moment of silence to honor the passing of Margaret DeYoung, former Little Falls Mayor, and the passing of Judge Corradino.

**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 February 17, 2021. 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 link and a telephone number to join the meeting can be accessed on the Township website at [www.lfnj.com](http://www.lfnj.com). Electronic provisions have been established for the public to participate during the public comment portion of the meeting.**

**DONATE LIFE AWARENESS MONTH** – Mayor Damiano read a Proclamation recognizing April 2021 as National Donate Life Month in the Township. Mayor Damiano invited resident recipient, Nick Sauter, to speak on the need to support organ donation. Donna Tissot then recounted her search for a donor for her brother-in-law, Nick Sauter, and how she continues to advocate for Donate Life. She announced details of a radio broadcast on 101.5 FM to advocate for another individual in need of organ donation.

**AUSTISM AWARENESS MONTH**- Mayor Damiano read the Proclamation recognizing April 2021 as Autism Awareness Month in the Township of Little Falls. Residents Melissa and Rob Hanna were then invited to speak on the subject.

**PROCLAMATION RECOGNIZING EARTH DAY** – Mayor Damiano read the Proclamation to recognize April 22, 2021 as Earth Day in the Township of Little Falls.

**PUBLIC COMMENT – GENERAL MATTERS**

Members of the public who desired 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 raise the 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 Vancheri, seconded by Councilmember Kahwaty, that the meeting be and it was opened to the public.

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

The Council President declared the motion passed.

Anne Kahwaty – 45 Morningside Circle, on behalf of the Library, expressed thanks to Mayor Damiano, Council President Sgobba, Mr. Pace, DPW and the MSU volunteers who assisted in the removal of an old flag post stand and wood chips on the front lawn such that outdoor programs can be conducted.

Luis Fernandez, 54 Harrison Street, requested information on the school and county portions of the budget. Mayor Damiano reviewed the tax increase noting the Township had estimates of the school and county portions. Updated information will be made available once it has been obtained. Mr. Fernandez commented on the timelines of COVID-19 reports. Mayor Damiano indicated updates from the Health Department are communicated as they are received, and that the Health Department has been focusing on getting residents vaccinated. Mr. Fernandez commented on FEMA reimbursement denial from flooding in the Jackson Park area. Mayor Damiano discussed FEMA reimbursement in reference to the storm and agreed with Mr. Fernandez’s comments on the FEMA reimbursement denial.

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

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

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The Council President declared the motion passed.

**ITEMS TO BE DISCUSSED:**

**MAYOR/ADMINISTRATOR:**

1. ORDINANCE ESTABLISHING MEMORIAL TREE PROGRAM - Mayor Damiano discussed the rationale for the Ordinance which is slated for introduction tonight. Councilmembers SEBER, VANCHERI, KAHWATY and HABLITZ expressed their support of the program.
2. RESOLUTION AUTHORIZING EJIF TO REPRESENT TOWNSHIP IN MATTER INVOLVING OCCIDENTAL CHEMICAL CORPORATION - Mayor Damiano provided background on an environmental issue involving the Newark Bay in the 1980s. Mr. Cuccia provided further detail of the pending litigation and the Township’s membership in the NJ Environmental Joint Insurance Fund which would provide a joint defense regarding this suit. Mr. Wenzel clarified that the nature of the suit is against Occidental Chemical Corporation which is the current owner and responsible party for a chemical plant site in Newark that was producer of agent orange. That company had deposited tons of the material into the Passaic River and that is the source of the litigation. Occidental has sought out other parties that may have some other connection to this potential chemical deposit in the Passaic River. As Occidental is hooked into the Passaic Valley Sewerage Commission pipes, the PVSC is the first party they sought to come after, and, because Little Falls like many other municipalities utilize the pipes it comes back to the Township. Mr. Wenzel emphasized that there is no connotation that Little Falls had anything to do with it, other than Occidental is looking for other parties. Mr. Wenzel elaborated the Township has insurance and a joint insurance fund for this purpose, noting past experience has revealed favorable results. Mr. Wenzel indicated that information from the JIF will be shared with the Council.

***ACTION ITEMS:***

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

Bill List

**RESOLUTION [A] 21-04-12 - #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.

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

The Council President declared the motion passed.

**CORRESPONDENCE**

It was moved by Councilmember VANCHERI, seconded by Councilmember SEBER, to approve the following:

REQUEST FROM GREAT NOTCH FIRE COMPANY #4 FOR PERMISSION TO CONDUCT A BOOT DRIVE ON FRIDAY, JUNE 4, 2021, AND SATURDAY, JUNE 5, 2021 AT THE INTERSECTION OF LONG HILL ROAD AND NOTCH ROAD BETWEEN THE HOURS OF 7:00 A.M. AND 8:00 A.M.

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

The Council President declared the motion passed.

**NEW BUSINESS**

Ordinance No. 1400 - It was moved by Councilmember Vancheri, seconded by Councilmember Seber, that the public hearing on Ordinance No. 1400, “**ORDINANCE OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF LITTLE FALLS, IN THE COUNTY OF PASSAIC, STATE OF NEW JERSEY, AMENDING THE TOWNSHIP CODE CHAPTER 71, FEES,**” be and it was opened.

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

The Council President declared the motion passed.

As no comments from the public were received, it was moved by Councilmember Hablitz, seconded by Councilmember Vancheri that the public hearing on Ordinance No. 1400 be and it was closed.

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

The Council President declared the motion passed.

It was moved by Councilmember Vancheri, seconded by Councilmember Seber, that the Ordinance No. 1400 be and it was adopted.

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

The Council President declared the motion passed.

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Ordinance No. 1401 - -It was moved by Councilmember Seber, seconded by Councilmember Kahwaty, that the public hearing on Ordinance No. 1401, “**AN ORDINANCE OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF LITTLE FALLS, IN THE COUNTY OF PASSAIC, STATE OF NEW JERSEY, TO AMEND CHAPTER 126 (LITTERING) OF THE CODE OF THE TOWNSHIP OF LITTLE FALLS,**” be and it was opened.

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

The Council President declared the motion passed.

As no comments from the public were received, it was moved by Councilmember Vancheri, seconded by Councilmember Hablitz, that the public hearing on Ordinance No. 1401 be and it was closed.

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

The Council President declared the motion passed.

It was moved by Councilmember Kahwaty, seconded by Councilmember Vancheri, that the Ordinance No. 1401 be and it was adopted.

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

The Council President declared the motion passed.

Ordinance No.1404 - It was moved by Councilmember Kahwaty, seconded by Councilmember Hablitz, that there be introduced and the meeting of May 10, 2021 set as the date for the public hearing of the following:

**ORDINANCE NO. 1404**

**AN ORDINANCE OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF LITTLE FALLS, IN THE COUNTY OF PASSAIC, STATE OF NEW JERSEY, TO ADD CHAPTER 132 (MEMORIAL TREE PROGRAM) OF THE CODE OF THE TOWNSHIP OF LITTLE FALLS**

**WHEREAS**, there has been a desire expressed by the citizens of the Township of Little Falls to have the opportunity to plant a tree in dedication of someone who has passed as well as to have a plaque in remembrance of them,

**WHEREAS**, the Township of Little Falls has property available for such plantings and dedications along the Passaic River as a result of a flood buyback program; and

**WHEREAS**, the Township Council believes that it is appropriate to have this area available for this specific use and that same does not interfere with any use of the property or violate any known law or regulation on such properties; and

**WHEREAS**, the Township Council desires to place reasonable controls on the manner and means of the purchase, placement and imagery of such memorial tree and plaques; and

**WHEREAS**, the Township Council has found it proper to add the language of the Code accordance therewith;

**NOW THEREFORE BE IT RESOLVED** by the Township Council of the Township of Little Falls, that Chapter 132, Memorial Tree Program, of the Code of the Township of Little Falls, is hereby added as follows:

§132-1 Memorial Tree Program

The Township of Little Falls shall permit memorials to remember individuals and families through a tree/memorial plaque dedication program. Memorial trees/plaques shall be placed according to the following regulations.

§132-2 Application and Fee

- A. Applications shall be obtained from, and after completion, returned to the Office of the Township Clerk. Applications for specific locations shall be considered on a first-come, first-served basis. The fee for a tree and plaque for a dedication shall be \$750.
- B. Upon receipt of application and correct fee, the Township Clerk, or such other personnel as assigned by the Mayor, shall coordinate preparation and installation of each tree/plaque, and keep a record of the location of each tree/plaque and date of installation.

§132-3 Tree and Plaque Standards

- A. Trees/Plaques shall be of a size, type, style and material as solely determined by the Township of Little Falls.
- B. Plaques will be limited to the inclusion of the name of the party for whom the memorial is dedicated (“In Memory of...”) which shall not exceed more than 20 total characters. The Township retains the exclusive right to reject memorial dedications for any reason including but not limited to those which include any defamatory, racist, obscene, or such other verbiage which is offensive to the general public.
- C. The placement, type, size and age of trees shall not be subject to the control or review by the Little Falls Shade Tree Commission.

§132-3 Maintenance

- A. The Township of Little Falls shall not be responsible for the replacement of trees/plaques that have been damaged or destroyed for any reason including but not limited to vandalism or natural occurrences such as fire or hurricane. Applicants shall be responsible for replacement of damaged or destroyed trees/plaques at their own expense.
- B. Nothing herein shall be construed to grant any applicant the right to access, decorate, plant, disturb or otherwise interfere with the property that the memorial tree/plaque is located other than as may be allowed by the Township.

§132-3 Location

The memorial tree/plaque program will be primarily located at locations adjacent to the Passaic River. The Township reserves the unrestricted right to place the memorial tree/plaque at such other location it deems appropriate. Notice will be provided to the applicant of the final placement of the memorial tree/plaque.

**NOW, THEREFORE, BE IT FURTHER ORDAINED** that:

- 1. Ordinances, resolutions and regulations or parts of ordinances, resolutions and regulations inconsistent herewith are hereby repealed to the extent of such inconsistency; and
- 2. If any section, subsection, clause or phrase of this Ordinance is for any reason held to be unconstitutional or invalid by a court of competent jurisdiction, such a decision shall not affect the remaining portion of the Ordinance; and
- 3. Except as hereby amended, the Code of the Township of Little Falls shall remain in full force and effect.
- 4. This Ordinance shall take effect twenty days after final passage and publication in accordance with law.

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**COUNCIL TOPICS FOR DISCUSSION**

Councilmember HABLITZ commented on COVID-19 memorials in response to a previous discussion. She then reiterated the Library continues to have ongoing virtual activities and provided contact information. Councilmember HABLITZ encouraged residents to keep up with the Township’s Earth Day initiative. She announced the first

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spring Shred-it and electronic event will be held at the Municipal Building parking lot on April 24, 2021 from 10am to 1pm at no cost to residents. Lastly, in collaboration with Senior Advisory Board, the Girl Scouts will hold a “give a seedling- plant a seedling event.”

Councilmember VANCHERI commented on the Proclamations made tonight. He thanked Mr. Pace and Mr. Passero for their coordination of the spring baseball and softball kickoff. Councilmember VANCHERI announced the Township track and field program kickoff will occur on Sunday. With regard to Memorial Day events, no decision has been made on whether the parade will occur at this time, however the concert will occur on May 28, 2021, and a memorial service will occur if the parade is cancelled. Councilmember VANCHERI thanked Chief Post for providing traffic data to a resident who made a query at a previous Meeting. Councilmember VANCHERI also reached out to the County as to what actions could be taken at the area of the resident’s concern.

Councilmember KAHWATY announced April is also Child Abuse Prevention Month and discussed resources available. Councilmember KAHWATY commented the Domestic Violence Prevention Committee will be more available to do outreach in the future. He reported on a recent visit from Mikie Sherill to visit local businesses and discuss the impact of COVID-19. Councilmember KAHWATY expressed his appreciation for her support of the Peckman River project.

Council President SGOBBA addressed a request by Mr. Korotkin regarding writing a letter regarding the Peckman River, and stated a letter writing campaign was not necessary when the Township has an acting congresswoman working for the Township in Washington DC on that very issue. Mayor Damiano added that Congresswoman Sherill is well aware of the issues surrounding the Peckman River. However, he would not discourage any resident from writing the President or the Congresswoman about a particular issue.

Councilmember SEBER outlined questions regarding Ordinance No. 1404 with regard to timelines and capping the amount of trees allowed. Mr. Wenzel stated the Ordinance can be modified to indicate that those areas will be addressed internally, and that he will review the Ordinance. Councilmember VANCHERI suggested creating an FAQ on the website may address some of the issues raised. Councilmember SEBER reported the Farmer’s Market is almost full, though sponsorships are still available for a free bag giveaway. She discussed the importance of the Proclamations and discussed the importance of suicide awareness and reaching out.

Council President SGOBBA reported the Council will be reviewing prohibiting occupancies of spaces owners rent out and will give comments to the Mayor. He also stated he and Councilmember SEBER will examine a Loan and Improve program to determine if it is a viable option for the Township.

Mayor Damiano reported the American Legions of Little Falls and Woodland Park are looking to visit retired homebound service members on May 15, 2021 with a culmination at Memorial Park. More information will be communicated as it becomes available.

There being no further business to come before the meeting, it was moved by Councilmember Kahwaty, seconded by Councilmember Seber, that the meeting be and it was adjourned at 8:00 p.m.

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Cynthia Kraus  
Municipal Clerk