

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

Monday, November 14, 2016

Council President Louis Fontana called the meeting to order at 7:00 p.m. with the following members present: James Damiano (Mayor-Elect), Joseph Maceri, Pamela Porter, William Liess, Councilmember-elect Anthony Sgobba, and Councilmember-elect Maria Martini-Cordonnier. Also present were Township Attorney William Northgrave, Township Engineer Dennis Lindsay, Township Administrator Charles Cuccia, and Municipal Clerk Cynthia Kraus.

Absent: Mayor Darlene Conti

Township Employees present: DPW Superintendent Philip Simone, Police Chief Steven Post, and Fire Chief Jack Sweezy

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 8, 2016; 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

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

Poll: Ayes: Porter, Maceri, Liess, Damiano, and Council President Fontana
 Nays: None

The Council President declared the motion passed.

Renea Shapiro, Little Falls ABC, requested an update on an issue raised at a previous meeting regarding payment of parking tickets without a court appearance.

Ted Klum, 39 Crestmont Road, requested a progress report with regard to the pedestrian gate at the end of Crestmont Road. He responded to comments made by the condominium association property manager written in the newspaper. He questioned whether any police reports were made with regard to harassment by Crestmont Road residents to substantiate the property manager's assertions. He stated two recent incidents of garbage on his lawn and public urination, and emphasized that the residents' properties and lives have been devalued by the presence of the pedestrian gate.

Rosemarie Bello-Truland, 15 High Court, requested a status update on parking on High Court. She questioned what provisions could be made for times of snow, as parking space availability would be significantly impacted.

Allen DelVecchio, Passaic County Fire Coordinator, stated Little Falls Township is non-compliant with the section of the New Jersey Administrative Code which cites that all municipalities in the State must file a local plan with their County Coordinator. He noted that while both he and the State have received plans, they have been denied. He asserted that liability issues may result should an incident occur to a firefighter during a mutual aid episode. In addition, he explained that N.J.A.C. states that response to a noncontiguous municipality is not permitted unless it goes through the County Coordinator System and is then overseen by the State Fire Coordination System. He declared the Township has five violations with the Attorney General relating to this. He announced his availability to assist in any way possible and urged submittal of an approved plan before his upcoming meeting with the Attorney General to alleviate the situation.

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

Poll: Ayes: Porter, Maceri, Liess, Damiano, and Council President Fontana
 Nays: None

The Council President declared the motion passed.

Mr. Cuccia stated he spoke with the Court Administrator regarding the process. A specific dollar amount must be entered into the system. He is awaiting specific fee information from the court system, such as court costs and specific violations costs, to evaluate revenue from both the current violations approach and proposed approach. Mr. Cuccia to obtain fee information and propose fee schedule to Council at the next Regular Meeting.

Mr. Cuccia announced he visited the site of the pedestrian gate. He forwarded the Planning Board resolution to Ms. London for review of the intent of what type of structure(s) are permitted. The parking issue is under the Council's purview. Mr. Northgrave added that there are a variety of tools available to remedy transient parking.

Mr. Lindsay indicated he submitted a list of cul de sacs with their respective measurements to Mr. Simone for review. He recommended all cul de sacs be addressed simultaneously in the Township. Mr. Simone added that he will confirm measurements contained within the summary and convene with both Mr. Lindsay and Chief Post prior

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to making recommendations to the Council. Council President FONTANA questioned how many cul de sacs are in the Township and how snow impacts them. Mr. Simone estimated 20-25 cul de sacs in the Township, noting High Court may have the tightest parking due to the amount of houses and width apart. Snow in cul de sacs presents a challenge as to where to relocate it without obstructing sidewalks.

Mr. Cuccia announced he has been in ongoing discussions with Mr. DelVecchio and Bill Kramer, Director of Fire Safety. However, as this poses a public safety issue, Mr. Cuccia recommended discussion at a closed session. Council President FONTANA concurred.

ITEMS TO BE DISCUSSED:

ADMINISTRATOR:

1. RESOLUTION AUTHORIZING IN REM TAX FORECLOSURES– Mr. Cuccia explained this resolution pertains to requests for interim tax foreclosures on properties that have tax liens. A list of properties has been attached to the resolution and was certified by the Tax Collector.
2. RESOLUTION(S) REFUNDING TAXES DUE TO OVERPAYMENTS/OVERBILLING – Mr. Cuccia explained that these resolutions have been certified by the Tax Collector for tax overpayments and are considered routine.
3. RESOLUTION CANCELING TAXES DUE TO VETERAN EXEMPTION – Mr. Cuccia informed the Council qualified veterans may receive a tax deduction, which must occur through the resolution process.
4. RESOLUTION APPROVING NEW CERT MEMBERS – Mr. Cuccia announced a request from the Emergency Management Coordinator was received to approve new CERT members. Council President FONTANA questioned why the request is not made in January in conjunction with appointments. Mr. Cuccia instructed the request may be received at any time and is not restricted to January, however, reappointments will occur in January.
5. RESOLUTION APPROVING SHARED SERVICES AGREEMENT WITH PATERSON CITY FOR EMERGENCY MEDICAL AND FIRE SERVICES – Mr. Cuccia explained the Township has mutual aid agreements with Paterson Fire Department for EMS and fire services. This resolution will serve to join the resolutions together into one. Council President FONTANA requested further information, at which time Mr. Cuccia invited Chief Sweezy to address the Council. Since the issue is related to a public safety matter previously assigned to a closed session, Chief Sweezy stated he will defer his discussion until then.
6. CHAPTER 159 RESOLUTION(S) FOR BODY ARMOR AND BULLET PROOF VESTS-Mr. Cuccia announced the Township has received two grants for the Police Department after development of the budget, therefore an amendment to the budget is warranted.
7. BUDGET TRANSFER RESOLUTION – Mr. Cuccia explained the resolution which required budgetary transfers within budgetary line items without an increase in the budget. All appropriations are within the cap.
8. PUBLIC HEARING OF ORDINANCE #1266, TRUCK ROUTES – Mr. Cuccia recalled the ordinance has been introduced at a previous meeting and is slated for public hearing. Council President FONTANA queried whether the ordinance would require re-introduction due to the weight modification, however, Mr. Cuccia indicated amendment will occur at the time of the hearing.
9. PUBLIC HEARING OF ORDINANCE #1269, LAND USE PROCEDURES- Mr. Cuccia instructed the ordinance was referred from the Planning Board and will be heard at the next Regular Meeting.
10. PUBLIC HEARING OF ORDINANCE #1270, TRANSIT VILLAGE REVISION – Mr. Cuccia stated this ordinance incorporates the COAH requirements into the Transit Village Ordinance which was introduced at a previous meeting.
11. INTRODUCTION OF ORDINANCE #1271, TECHNICAL AMENDMENT TO BOND ORDINANCE #1267 – Mr. Cuccia explained the technical amendment pertains to useful life, which will not impact improvements but rather the period of time bonds are sold. A longer term is necessary due to the amount of improvements slated for Morningside Circle.
12. INTRODUCTION OF ORDINANCE #1272, MSU POLE ATTACHMENT APPROVAL – Mr. Cuccia informed the Council the Ordinance concerns fiber optics on the MSU campus portion contained on Clove Road. There is no cost to the Township, however, since work is to be performed on a Township street, Council approval is required. Mr. Lindsay added a memorandum was forwarded to Ms. London regarding technical issues pertaining to engineering. Mr. Northgrave confirmed receipt of said memorandum, which will be reviewed. If satisfactory, the process for approval will move forward.
13. INTRODUCTION OF ORDINANCE #1273, LOSAP ORDINANCE – Mr. Cuccia relayed a request from the Fire Department for an increase from \$1250 to \$1350. Historically, an increase has not been made since 2008. Mr. Cuccia instructed the request is within the statutory authorization and is within the budgetary appropriation, and therefore there is no increase to the budget.
14. INTRODUCTION OF ORDINANCE #1274, RE-APPROPRIATION BOND ORDINANCE- Mr. Cuccia recalled the Township had approved an ordinance for regional contribution agreements for the COAH program. In consideration of new COAH provisions, a request has been made to amend the intent of the ordinance from the regional contribution agreement to the development fee fund for COAH. Therefore, starter funds will be available to administer the rehabilitation programs required for COAH qualified properties. Council President FONTANA questioned where and what amount of funds are currently available. Mr. Cuccia responded that approximately \$119,000 is available under capital.
15. INTRODUCTION OF ORDINANCE #1275, PARKING RESTRICTIONS ON CERTAIN STREETS – AMITY STREET- In response to discussion of a resident's request at the last Meeting, Mr. Simone informed the Council this ordinance prohibits parking on the east side of Amity Street between 8 a.m. and noon on the first Wednesday of the month. This will allow adequate time for street cleaning.

DPW SUPERINTENDENT:

1. DISCUSSION OF ORDINANCE #1268, PARKING RESTRICTIONS ON CERTAIN STREETS- After a comparative review of current ordinances, Mr. Simone determined the presence of conflicts among different aspects of parking restrictions. Mr. Simone reviewed those areas to be addressed, inclusive of

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Browertown Road, Hobson Avenue, Lower Notch Road, Main Street, Montclair Avenue, Paterson Avenue, Stevens Avenue, Warren Street, and Amity Street. Councilmember DAMIANO recommended the hours be amended to 9 a.m. to 4 p.m. on Highland Avenue and Glen Rock Road. Additionally, he requested the language reflect limitations for parking on weekends. Mr. Simone noted that current signage does not reflect restrictions for weekend and public holidays and will need to be considered. Upon examination of measurements, Council recommendations, and compliance with ordinances, Mr. Simone will collaborate with Ms. London to bring final recommendations to the next meeting.

2. **PARKING ORDINANCE AMENDMENT – AMITY STREET** – Mr. Simone indicated this was discussed in the previous agenda item.
3. **STORMWATER REPORT**- Mr. Simone announced the State will issue new permits for stormwater regulations. The regulations were reviewed by Mr. Lindsay to determine what actions are to be taken and what costs are incurred. Mr. Lindsay explained the Township falls under the MS4 program, which is a municipal separate storm sewer system, and is a Tier A community as it is a more densely populated area. Mr. Lindsay instructed that there are minimal measurable activities with which the Township has been in compliance. However, the new requirements involve expanded technical and administrative obligations, some with cost implications. He elaborated on the GIS system, commented that all outfalls, stormwater management facilities, premanufactured vortex separators, underground facilities, etc, will have to be located and maintained. In discussions with the DEP, the timeline for adoption is in mid-2017 with some requirements effective immediately. More time consuming and costly items such as the GIS system will be given a four year deadline, and others a one year deadline. Mr. Lindsay to meet with Mr. Simone to review details of the Stormwater Pollution Plan, to identify what can be implemented at this time, and commence data collection for other areas, especially where DPW and engineering costs are anticipated.
4. **DEMOLITION OF 50 PARKWAY – APPROVED BY CFO – BELOW BID THRESHOLD**- Mr. Simone notified the Council this is one of several properties to be demolished in order to adhere to the December 31, 2016 deadline. Asbestos and lead surveys have been performed, proposals went out, and two bids were received. The lowest bid of \$13,904 for demolition and restoration back to nature was recommended, as attorney review was completed and bonds were in order. Mr. Simone requested the Council's approval to authorize award of contract to Caravella Demolition LLC. In response to Council President FONTANA's inquiry, Mr. Simone stated there are two more properties to be demolished. Asbestos and lead surveys have been completed and will most likely be presented for award of contract in December, 2016.
5. **DISCUSSION OF COLONIAL DRIVE SPEED HUMPS**- Mr. Simone stated conversation regarding the recent installation of speed humps near the Colonial Hill Apartments, resulted in review by and recommendations from Mr. Lindsay. Mr. Lindsay reviewed results of his inspection of the humps in comparison to the Institute of Transportation Engineers (ITE) standards. The humps do not meet the ITE criteria for height and width. Possible implications for snow plowing, street cleaning, and emergency vehicle travel was highlighted. Mr. Lindsay recommended one of the speed humps be lowered to the proper height, and the length adjusted per ITE standards. As the road is private, Mr. Northgrave advised a letter be drafted to the condo association referencing the Municipal Services Act. At this time it was added that the contractor has since lengthened the speed humps to within acceptable range, however, the height remains an issue. Chief Sweezy inserted that the road is traversed by emergency vehicles to access Route 46 incidents, and that speed humps can be a detriment to the apparatus. Mr. Simone to forward copy of Municipal Services agreement to Mr. Northgrave for review prior to drafting letter.

TOWNSHIP ENGINEER

1. **DUVA FIELD UPDATES** – Mr. Lindsay highlighted a number of projects and his estimates at DUVA fields. Field lighting was estimated at \$478,500 and batting cages were estimated at \$190,193.90. Mr. Lindsay announced the County approved a grant for field lighting for \$150,000 and for batting cages for \$50,000, respectively. Surveying work with respect to draining issues and batting cages will bring the total amount for both projects to about \$675,493 without the grants. Mr. Cuccia raised the issue of Chapter 20 expenses, which will add 15% to the total. Mr. Lindsay stated discussions with Mr. Pace and Mr. Simone to determine the most opportune time for project commencement revealed next August. This will enable adequate time to prepare specs, bids and purchase materials. Mr. Cuccia queried the Council as to whether a capital ordinance should be presented at the November meeting such that adoption can take place in December and bid request in January, 2017. Otherwise the timeframe would be extended to the following year.

COUNCIL TOPICS FOR DISCUSSION

Councilmember PORTER queried whether any other solutions have been sought for Reiners Road. Mr. Lindsay suggested attempting to collaborate with the homeowner to modify landscaping. Council President Fontana agreed. Mr. Lindsay stated he will further examine north side to determine potential solutions. Councilmember PORTER requested a status update on parking at Amity Street as per previous Council discussion. Mr. Simone detailed that one telephone pole and one tree require removal and the curb needs to be dropped, generating eight additional spots. Costs will be associated with this project but were not specified.

At this time, Mr. Cuccia introduced Frank Covelli of the Risk Managers Consulting Firm PIA, to address due diligence efforts the Township has undertaken with regard to property and casualty insurance. Mr. Covelli explained the Township has been part of the Statewide Insurance Fund since 2014. Alternate funds have been evaluated including Garden State Joint Insurance Fund (JIF), a statewide pool, and Suburban Essex JIF. Preliminary review of this due diligence exercise has yielded positive results with regard to cost savings and improved coverage. Mr. Covelli announced his request to present a complete analysis, findings, and recommendations at the November 28, 2016 Regular Meeting.

PUBLIC COMMENT – AGENDA ITEMS ONLY

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

Poll: Ayes: Porter, Maceri, Liess, Damiano and Council President Fontana
Nays: None

The Council President declared the motion passed.

Dorothy O’Haire, Turnberry Road, announced: 1) the Passaic Valley Sewerage Commission will clean the river from Verona to the Passaic at no cost; 2) the preliminary plans from the Army Corps. of Engineers to flood proof the Peckman River will include flood walls; and 3) Cedar Grove has joined in and will pay for flood gauges.

Rosemarie Bello-Truland, 15 High Court, expressed her opinion that two-side of the street parking will not deter speeding on Lower Notch Road. Furthermore, she asserted that examining the parking in cul de sacs culminated from a complaint on her street, and may not be problematic Township-wide.

Marie Cordonnier, 648 Long Hill Road, requested more specific information on the grant for the batting cages. She questioned whether it might be prudent to request batting cages without a roof to provide cost savings. She stated that her presence at the Open Space Committee discussion found that 95% of the municipalities requesting funds for batting cages did not request batting cages with a roof.

Jack Sweezy, Fire Chief, requested the Council consider parking on Main Street near Center Avenue. Currently, gridlock traffic has presented emergency response issues. He noted his agreement with Ms. Truland’s comments on Lower Notch Road, adding that response time would be improved with one side of the street parking versus two side of the street parking.

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

Poll: Ayes: Porter, Maceri, Liess, Damiano, and Council President Fontana
Nays: None

The Council President declared the motion passed.

Council President FONTANA thanked Ms. O’Haire for her update. He maintained his opinion that one side of the street parking would open up Lower Notch Road for speeding. Mr. Simone added that Lower Notch Road qualifies for one side and two side of the street parking under the current provisions the Township. Mr. Lindsay inserted that drivers have a natural tendency to drive the perceived speed limit and that visual impact is an important factor in determining perceived speed. Councilmember DAMIANO questioned whether there have been an abnormal amount of accidents on Lower Notch Road. Chief Post stated he would have to research the data and report back to Council.

Mr. Lindsay acknowledged that inclusion of the roof arose in discussions when determining the cost for the batting cages. Approximately \$90,000 of the cost was attributed to the roof structure, the purpose of which is to enable practice out of the sun and rain, therefore providing more opportunity for use. Mr. Lindsay added that it is the Council’s discretion to determine if the expense is not warranted. Councilmember Maceri reported that the LFAC and Open Space Committee were in support of having a roof on the batting cages to provide more opportunities to practice in the rain and in the summer as well. Council President FONTANA posed the question as to whether the roof could be constructed at a later date. Mr. Lindsay stated he would confirm what was outlined within the grant approval with the Open Space Committee and report back.

Mr. Simone stated he discussed Chief Sweezy’s parking concern with Chuck Silverstein and provided street measurements to obtain the County’s position on the matter. Mr. Simone added that the lanes are not the approved width and recommended one side of the street parking between Center Street and Stevens Avenue. Additionally, extending parking beyond Center Street and Main Street was considered. Councilmember DAMIANO questioned whether this would fall under the Streetscape Project. Mr. Cuccia explained that acquisition of a parking lot will be included in the Streetscape Program. Discussion ensued with regard to how parking spots could be added and/or eliminated. Councilmember DAMIANO queried whether the bus stop could be moved. Mr. Simone to reach out to NJ Transit to inquire and report back to Council.

PAYMENT OF BILLS

It was moved by Councilmember Maceri, seconded by Councilmember Porter, 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: Porter, Maceri, Liess, Damiano and Council President Fontana
Nays: None

The Council President declared the motion passed.

EXECUTIVE SESSION

It was moved by Councilmember Damiano, seconded by Councilmember Porter, that the Council approve the following:

RESOLUTION [EX]

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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) – pending litigation- contract negotiation – action may be taken.

Poll: Ayes: Porter, Maceri, Liess, Damiano and Council President Fontana
 Nays: None

The Council President declared the motion passed.

The Council entered Executive Session at 8:27 p.m.

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

There being no further business to come before the meeting, it was moved by Councilmember Porter , seconded by Councilmember Maceri , that the meeting be and it was adjourned at 8:22 p.m.

Municipal Clerk
Cynthia Kraus