

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

Monday, October 17, 2016

Council President Louis Fontana called the meeting to order at 7:01 p.m. with the following members present: James Damiano, Pamela Porter, and William Liess. Also present were Mayor Darlene Conti, Township Attorney Leslie London, Township Engineer Dennis Lindsay, Township Planner Jeff Janota, Township Administrator Charles Cuccia, and Municipal Clerk Cynthia Kraus.

Absent: Councilmember Joseph Maceri

Township Employees present: DPW Superintendent Philip Simone, DPW Secretary Joyce Schwartz, Deputy Registrar Marlene Simone, Police Chief Steven Post, and Library Director Christine Pelchat-Miller

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.

At this time, Council President FONTANA introduced Christine Pelchat-Miller, Director of the Library. Ms. Miller distributed a copy of the autumn newsletter as well as the Library's circulation statistics. She declared the Library's success, evidenced by an increase in circulation as well as programs offered for children and adults. She encouraged all to patronize the Library and its many services. Ms. Miller introduced the concept of the Little Free Library and invited two Little Falls students to appeal to the Council.

Grace Szczawinski, 35 Mickeljohn, and Gillian Swaney, 20 Morningside Circle, requested the Council's support of their community service literacy project, Little Free Library, which has been backed by the Library Board. Council approval was sought to install the box at Memorial Park. The two residents committed to collaborate with the Library to obtain books and be responsible for maintenance. The Council commended the efforts of the girls on their presentation and expressed support of the project. Mayor Conti expressed reluctance to locate the box at Memorial Park for reasons of vandalism. Chief Post reported vandalism in that area has been scant. Ms. Miller indicated installation was offered on behalf of Smitty's Landscaping. Mr. Simone to contact Smitty's Landscaping to coordinate installation.

PUBLIC COMMENT – GENERAL MATTERS

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

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

The Council President declared the motion passed.

Edward T. Klum, 39 Crestmont Road, raised a concern that his dead end street has been used for parking by the nearby condo association. He stated a pedestrian gate has replaced a locked gate and has been used as a thru way for non-residents of Crestmont Road to park. He cited several detriments that have occurred, resulting in a negative change in the neighborhood. He petitioned the Council to mandate the gate be closed except for emergency access and to implement resident only parking.

Rick Kienzlen, Sr., 36 Crestmont Road, reiterated similar concerns as Mr. Klum, recalling the history of the gate in that area and rationale for emergency access only.

Giovanna Ward, 8 Hemlock Road, recounted the past history of residents from Hemlock Road organizing to keep the gate closed and preserve the privacy of the neighborhood.

Kathi Stavrou, 40 Crestmont Road, voiced similar concerns as previous speakers, and contemplated whether the condo association allotted ample parking for their tenants.

Jim Galione, 33 Crestmont Road, repeated the same concerns as previous speakers and noted these issues detract from the quality of life.

Jill Kienzlen, 36 Crestmont Road, stated she has identified up to 12 cars from non-residents parked on Crestmont Road. In some instances, vehicles were left unattended for several weeks. She declared her support of the overnight parking restriction.

Rick Kienzlen, 36 Crestmont Road, added that cars turning around using his driveway have caused damage to the aprons and sealants.

Harriet J. Klum, 39 Crestmont Road, raised the concerns of children's safety and reckless driving associated with the increase in non-resident traffic on her street.

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Roger Franke, 18 Crestmont, announced he is not opposed to pedestrian traffic. However, he expressed that the number of residents speaking tonight, coupled with their reason for residing on a formerly tranquil street, warrants swift and effective action by the Council to recommend closing the gate. He further recommended a solid fence be erected to alleviate the issues presented.

Catherine Galione, 33 Crestmont Road, described her experiences of inconvenience due to the increase in parked cars on her street.

Rick Kienzlen Sr., 36 Crestmont Road, expressed his understanding that the condo tenants pay for parking, possess permits, and should not be parking on Crestmont. He recalled the rigorous steps his parents and neighbors took to petition for the gate years ago and that the installation of a pedestrian gate does not serve the original purpose.

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

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

The Council President declared the motion passed.

Council President FONTANA requested more information regarding the origin of the problem with the gate on Crestmont Road. Mr. Kienzlen recalled the gate was crushed and replaced with a pedestrian gate. Mr. Cuccia inserted he had previous discussion with Mr. Klum on the subject. He consulted the Planning Board, which revealed the condo association owned the gate. He further stated a resolution exists prohibiting vehicular traffic but does not address pedestrian traffic. Council President FONTANA declared parking is being addressed Township-wide, and this issue will be folded into the new plans. He recommended legal counsel review and present recommendations to ameliorate the residents' complaints. In response to Council President FONTANA's query as to whether the condo tenants pay for parking, Mr. Lindsay noted that is standard practice. However, the Township is responsible for regulating parking on Township streets and can review options on Crestmont.

Liz Sachtleben, owner of 18 Crestmont, inserted her understanding that when the condos were built, the Planning Board had to approve what type of fence structure could be erected.

Council President FONTANA assured the Crestmont residents that the Council will examine the information towards developing parking options, and refer legality of the gate versus the present structure to Ms. London.

At this time, Mr. Cuccia announced he would like to add two items to the Agenda. He presented Leonard Carney, grant writer from Capital Alternatives, and Chris Nash, Boswell Engineering, to describe the Streetscape Program opportunity. The strategy and concept was detailed, with the ultimate goal of revitalizing the central business district. Mr. Carney emphasized the substantial opportunity before the Township with a deadline of 11/10/16. He requested the Council approve the opportunity to participate in the program, and the community participate in the approval of the program by signing a petition. Mr. Nash announced approximately 80% of project costs may be covered by a grant, which can be awarded in more than one year. He explained the construction project is broken down into varying amounts, such that, depending on the amount awarded, it could be applied to that particular project. Mr. Nash detailed the beautification recommendations to each of the six designated sections of the Township.

Council President FONTANA requested confirmation all six phases are included in the grant request. Mr. Carney instructed the grant application would include the actual cost of the project, which is divided into areas by priority. While the amount awarded is expected to be below the project cost, Mr. Carney expressed his optimism that funds would be awarded based on the County's support, and because elements with the highest points were segmented where the greatest amount of funds could be awarded. He further stated that once a grant is awarded, the Township is likely to be awarded repeatedly. Council President FONTANA questioned whether the Township was locked into the design ideas presented, as he noted this was the first opportunity to see the plans. Mr. Nash informed the Council the Township is not committed to a particular design at this point.

Louis Fernandez, Harrison Street, expressed his understanding the Township is required to bond for the other 20% of the project. His concern was that while every resident will pay towards the bond, only a portion of the Town is being beautified.

Councilmember DAMIANO explained his understanding of Mr. Fernandez's statement, however, he asserted there is a significant return on reinvestment. The increase in curb appeal from the Streetscape Program will increase home values. Councilmember PORTER queried whether the plans for streetlights would be coordinated with PSE&G. Mr. Nash confirmed regular streetlights will remain, however, the proposed aesthetic lighting would be in collaboration with public works. Mr. Cuccia summarized the request before the Council to authorize Capital Alternatives to proceed and prepare the grant application. Mr. Cuccia confirmed Council President FONTANA's query that Capital Alternatives is compensated only when the Township accepts the grant. Councilmember PORTER requested clarification on the contents of the petition. The petition states the residents' support of the Streetscape Program.

At this time, Mr. Cuccia introduced Jeff Janota, Township Planner, to present material pertaining to the Transit Village application, planned for submission at the end of October. Mr. Janota stated the application is 85% complete. He requested the Council approve the resolution to support Transit Village, a requirement of the application. Mr. Janota further requested the Council adopt the Complete Streets Policy. He explained that the County has a series of design standards and policies to support complete streets, which in essence facilitates sharing the roads. Mr. Janota also described how the resolution authorizing the submission of the housing element and fair

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share plan is essential to the Transit Village application. The final draft is slated to be submitted to the Court Master by the end of the week, after which Planning Board adoption would be sought. Lastly, Mr. Janota discussed several slight additions to the TV medium density residential ordinance. Provisions for affordable housing were included as well as an amendment to include the density. The rationale for establishing affordable housing numbers was also explained.

ITEMS TO BE DISCUSSED:

ADMINISTRATOR: Mr. Cuccia announced several items in his report have been addressed previously tonight. He advised that if the Township moves forward with COAH, a COAH administrator must be appointed. Ms. London stated the company that was recommended is highly qualified and provided this service for many municipalities. Ms. London outlined the responsibilities of the COAH administrator. Mr. Cuccia recalled the Council amended the Development Fee Ordinance at a prior meeting. He instructed that fees collected from development will pay for the COAH administrator contract, not taxpayers. Councilmember DAMIANO indicated the resolution includes a stipulation to submit an annual report to the Transit Village Task Force. Mr. Cuccia responded that Mr. Janota or he would fulfill this role.

1. RESOLUTION CANCELING UNPAID TAXES DUE TO FEMA CLOSINGS – Mr. Cuccia explained the Township purchased several homes, therefore the taxes on them must be cancelled as done in the past. Resolutions pertaining to settlements were based upon the County Board judgements filed against the municipality.
2. PUBLIC HEARING OF ORDINANCE #1245, SOLAR ENERGY SYSTEMS – Mr. Cuccia updated that the proposed change with regard to ground solar systems was contemplated, but ultimately deemed unnecessary.
3. PUBLIC HEARING OF ORDINANCE #1246, SMALL WIND ENERGY SYSTEMS – Mr. Cuccia provided a brief explanation of this ordinance.
4. PUBLIC HEARING OF ORDINANCE #1265, FERAL CATS – Mr. Cuccia announced this ordinance is scheduled for public hearing at the Regular Meeting tonight.
5. PUBLIC HEARING OF ORDINANCE #1266, TRUCK ROUTES – Mr. Simone instructed that the weight limit in this ordinance would prohibit many commercial trucks. He therefore recommended the Council consider a weight limit of 26,000, or 13 tons, as more appropriate. He added that trucks could be vetted by CDL licenses. These modifications would enable enforcement. Ms. London advised that since this is classified as a significant change, the ordinance will require re-advertisement with an additional public hearing at the next meeting.
6. PUBLIC HEARING OF ORDINANCE #1267, MORNINGSIDE CIRCLE BOND ORDINANCE AMENDMENT – Mr. Lindsay instructed that some funds for the project will be received from NJ American Water. The purpose of this ordinance is to fulfill the remainder of the funds required for the project.
7. INTRODUCTION OF ORDINANCE #1269, LAND USE PROCEDURES – Mr. Cuccia stated the Planning Board attorney has revamped the land use procedures to be more specific and has received Planning Board approval.
8. INTRODUCTION OF ORDINANCE #1270, TRANSIT VILLAGE REVISION – This Agenda item was addressed previously during the meeting.
9. RESOLUTION ADOPTING COMPLETE STREETS POLICY- This Agenda item was addressed previously during the meeting.
10. RESOLUTION FOR TRANSIT VILLAGE SUBMISSION – This Agenda item was addressed previously during the meeting.
11. RESOLUTION REVISING LIGHT INDUSTRIAL ZONE REDEVELOPMENT STUDY – This Agenda item was discussed previously during the meeting.
12. RESOLUTION OPPOSING ASSEMBLY BILL 2242, SHADE TREE COMMISSION – Mr. Cuccia explained this resolution will be presented at a future date.
13. RESOLUTION AUTHORIZING SUBMISSION OF 2016 HOUSING ELEMENT AND FAIR SHARE PLAN – This Agenda item was discussed previously during the meeting.
14. RESOLUTION AUTHORIZING CONTRACT WITH COMMUNITY GRANTS, PLANNING & HOUSING, LLC FOR ADMINISTRATIVE AGENT SERVICES RE: AFFORDABLE HOUSING PLAN- This Agenda item was discussed previously during the meeting.

TOWNSHIP CLERK:

1. RESOLUTION APPROVING LIQUOR LICENSE TRANSFER – Mrs. Kraus presented a liquor license transfer from LMC Caterers to Mansion Caterers, Inc. All paperwork was in order and the applicant and attorney were present.

DPW SUPERINTENDENT:

1. PARKING REGULATIONS ON LOWER NOTCH ROAD – Mr. Simone relayed residents' requests to modify Lower Notch Road from both side of the street parking to one side of the street parking. Upon research of current codes, he found three sections of code which apply to the road. Councilmember DAMIANO posited a change to one side of the street parking may promote speeding. Councilmember PORTER concurred. The Council agreed with Mr. Simone's proposal to modify the code accordingly. Mr. Simone to collaborate with Ms. London and Chief Post.
2. DISCUSSION OF PROPOSED FENCE ORDINANCE AMENDMENT- Mr. Simone explained the list of recommendations submitted by Mr. Macones, Construction Official, to be incorporated into the fence regulations to assure proper material, location, and installation. In response to Council President FONTANA, Mr. Simone explained the current and proposed procedures.
3. DISCUSSION OF PROPOSED ANIMAL ORDINANCE AMENDMENT – Mr. Simone announced resident concerns prompted the need for an animal ordinance, as one does not exist currently. Mr. Simone

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distributed material he obtained from the Clifton Health Department and requested Council input. Council President FONTANA questioned the ordinance be scrutinized to assure all potential concerns for animal types are included.

4. DISCUSSION OF PARKING RESTRICTIONS ON AMITY STREET DURING STREET CLEANING- Mr. Simone recommended the Council establish Amity Street on the street cleaning schedule to address resident concerns. Catch basin and street cleaning can occur if no parking is implemented. The Council concurred. Mr. Simone to submit draft for attorney review at the next Meeting.
5. INTRODUCTION OF ORDINANCE #1268, PARKING RESTRICTIONS ON CERTAIN STREETS- Mr. Simone recounted Chief Post recommended parking restrictions be eliminated from a list of streets. Ms. London had reviewed the ordinance with some modification. Councilmember DAMIANO detailed recommendations for each street individually, suggesting consistent duration from one hour to two hours, and timeframes during the day as well. Councilmember PORTER suggested parking on Stevens Avenue near the school be two hour parking to provide visitors ample time to attend events at the school. Councilmember DAMIANO announced his intention to include Route 23 in the ordinance. Mr. Simone stated the State may be making changes to Route 23, therefore it may be prudent to postpone Route 23 recommendations. Councilmember DAMIANO's recommendations to be incorporated into the Ordinance.
6. RESOLUTION AWARDDING CONTRACT TO LEW CORPORATION FOR CDBG-DR ASBESTOS & LEAD PAINT ASSESSMENT – Mr. Simone explained the contract applies to those homes bought under FEMA to determine if remediation is necessary. He requested Council award the contract to proceed.
7. RESOLUTION AWARDDING CONTRACT TO OCEAN CLEAN FOR JANITORIAL SERVICES – Mr. Simone announced he received six bids for cleaning services. He recommended awarding the bid to the lowest bidder. References and credentials were verified. Legal review and technical review were also conducted.

COUNCIL TOPICS FOR DISCUSSION

Councilmember DAMIANO raised an issue related to resident complaints regarding egress at a portion of Glen Rock Road which has a Do Not Enter sign. He relayed the residents are discontent and inconvenienced. Mr. Cuccia suggested the Police Department conduct a traffic study and base recommendations off of findings. Mr. Lindsay recalled when the Reservoir Ridge Community was approved, a Planning Board resolution was made to only allow emergency vehicles. Council President FONTANA expressed concern the issue may escalate to a similar situation as presented by the Crestmont Road residents. Mr. Simone emphasized the road is not public, the use of which is delineated in the code book. Additionally, installation of a gate may hinder response of emergency vehicles. Mr. Lindsay encouraged all perspectives to be considered as he informed the Council he had received a complaint from a Glen Rock Road resident who wanted restricted access. Discussion ensued with regard to potential solutions. Ultimately, the Council recommended further research into potential solutions was warranted prior to making any recommendations for action.

Councilmember PORTER requested an update on previous discussion regarding Reiners Road. Mr. Lindsay reported discussion with Chuck Silverstein revealed the County does not approve mirrors. Other options would need to be explored, possibly including resident cooperation, warning signs, or flashing lights. Mr. Lindsay to forward information to Councilmember Porter.

Councilmember PORTER also raised the issue parking near the basketball courts at Amity Field. Council President FONTANA added that perhaps a barrier could be erected to prevent basketballs from going into the street. Mr. Simone to present depiction of parking alternatives at the next Workshop. Mr. Simone informed the Council installation of a six foot fence is being planned.

PUBLIC COMMENT – AGENDA ITEMS ONLY

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

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

The Council President declared the motion passed.

Silvana Zewinski, volunteer START (Save The Animals Rescue Team), discussed a trap, neuter, and release policy in an effort to control colonies of cats in the community in collaboration with the Little Falls Animal Shelter. Ms. Zewinski requested the Council amend the Feral Cat Ordinance such that residents can feed a feral cat, but that the cat must receive shots, be altered and have its ears trimmed. Ms. Zewinski proposed this method as a safe, low cost, and effective method to respond to the increase in calls this year.

Louis Fernandez, Harrison Street, requested the locations of affordable housing proposed in the Transit Village plan.

John Veteri, 133 Prospect Street, discussed his concerns with the Small Wind Energy Systems Ordinance. He expressed determinations should be the domain of the Planning Board, and wind systems should be a prohibitive use. With regard to the Solar Energy Systems Ordinance, he asserted a lack of guidance with regard to size of ground mounted system exists, and that a larger setback should be allowed. Mr. Veteri referenced the Sign Ordinance and requested the Council move forward with enforcement.

Anthony Sgobba, 6 Greenbriar Road, recommended two hour parking on Warren Street be discussed with the Library Director as to how it may impact library patrons.

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Mr. Cuccia stated the Feral Cat Ordinance as presented provides no additional cost to the municipality. Councilmember DAMIANO and Mr. Cuccia clarified Ms. Zewinski's earlier statement that a resident feeding a feral cat for ten days becomes the owner of the cat as false, as the Township does not allow feral cat colonies.

Mr. Janota addressed Mr. Fernandez's request regarding affordable housing and stated the requirement that affordable housing be disseminated. For every five units developed, at least one must be affordable housing. Mr. Janota specifically listed the sites of the affordable housing components.

Mr. Janota addressed Mr. Veteri's concerns stating the standards put forth in the ordinances are to identify limitations. He expressed that setbacks are appropriate and flush mounting is considered six inches off the roofline. He is comfortable with the ordinances as they stand. Mr. Lindsay added the setbacks limit how many turbines are permissible on commercial properties.

Council President FONTANA noted his agreement with Mr. Sgobba's suggestion. Mr. Simone stated the area currently has a limit of one hour which he believes is not enforced. Council President FONTANA stated the time limit will be addressed and revisited should issues arise.

In response to Mr. Veteri's concern with wind system noise levels, Mr. Janota and Mr. Lindsay referenced the noise level provisions on page 4, and indicated that is the industry standard. To Council President FONTANA's query as to whether this conflicts with the Township noise ordinance, Mr. Lindsay cited the ordinance. Council President FONTANA and Mr. Janota agreed on the need to have standards to which the Planning Board can refer.

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

The Council President declared the motion passed.

There being no further business to come before the meeting, it was moved by Councilmember Damiano seconded by Councilmember Porter, that the meeting be and it was adjourned at 9:34 p.m.

Cynthia Kraus
Municipal Clerk