

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

**Monday, September 12, 2016**

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

Absent: None.

Township Employees present: DPW Superintendent Philip Simone, DPW Laborer Ron Stell, Deputy Registrar Marlene Simone, EMS Coordinator Joe Murray, Fire Official Ed Pomponio, Code Enforcement Officer Ron Cordero, Fire Inspector Tom Fahy, OEM Coordinator Sgt. Dan Gianduso, Sgt. Jason Presing, 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 Porter, seconded by Councilmember Liess, that the meeting be and it was opened to the public.

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

The Council President declared the motion passed.

Michael Muccio, 42 Van Winkle Court, Woodland Park, Assistant Chief Woodland Park, addressed the Council with a lengthy presentation, asserting derogatory remarks were made to him by Chief Jack Sweezy. During his extensive presentation, he requested the Council's take punitive action.

At this time, Council President FONTANA stated he allotted a significant amount of time to Mr. Muccio, and would curtail individuals to the three minute timeframe hereafter.

Antoinette Muccio, 42 Van Winkle Court, Woodland Park, requested action by the Council to remove Chief Sweezy from office.

Paul Salmany, 30 Taylor Lane, Woodland Park, Fire Chief, Woodland Park, spoke on behalf of Mr. Muccio and stated meetings were attempted with the Fire Chief of Totowa, Woodland Park and the Mayor of Woodland Park to address the issue, but did not come to fruition. He stated that this issue should have been mitigated sooner and should not have culminated in this presentation tonight.

Keith Kazmark, 16 Highview Drive, Woodland Park, Mayor of Woodland Park, agreed with Chief Salmany and attributed a lack of communication to preventing a timely resolution. He requested that communications be improved going forward to avoid such situations.

Louis Fernandez, Harrison Street, expressed his appreciation to the residents of Woodland Park for attending and voicing their concerns and his disagreement with Mayor Kasmak's comments. He recommended an investigation occur to determine the facts. Then, if deemed necessary, the Township would take action.

Michael Barr, retired Fire Captain, Paterson Fire Department. Mr. Barr spoke to Mr. Muccio's character and that action should be taken by the Council and Mayor.

Rosemarie Bello-Truland, High Court, presented a petition prepared by residents of High Court requesting an ordinance to overwrite state law allowing rear-in parking perpendicular to the curb on the curbed part of High Court, where room allows. She recounted discussion at a previous meeting and requested a status report.

Lois Wilk, 8 Pasquale Place, Woodland Park, requested the Council's action regarding Mr. Muccio and Chief Sweezy, and to consider the example set for younger generations.

Jack Sweezy, Fire Chief Little Falls, apologized to the Mayor, Council and residents for consuming their time on this issue. He spoke of the mutual aid policy and procedure indicating decisions made by the Coordinator and Deputy Coordinator did not follow directives, and led to conflict. He stated the presentation tonight as well as mailings to Little Falls residents was a result of these underlying issues.

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

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

The Council President declared the motion passed.

Mr. Cuccia stated an ordinance to change parking to address the concerns of High Court residents would require introduction. Councilmember PORTER queried whether this would affect all cul de sacs. Mr. Northgrave indicated it would depend on the size of the cul de sac. As one side of the street parking regulations are reviewed, Councilmember DAMIANO recommended cul de sacs on those streets should be included to determine if the ordinance for perpendicular parking should be incorporated. Mr. Simone, Mr. Lindsay, and Emergency Services to collaborate and report back to Council.

With regard to the concern raised by Mr. Muccio, President FONTANA stated it was a personnel issue and therefore referred the matter to the Mayor. Mayor Conti deferred to Mr. Northgrave as there may be pending litigation. Mr. Northgrave acknowledged the degree of emotion displayed in the presentations tonight, and explained that Labor Counsel has reviewed the issue. The review revealed that the matter is not appropriate for action by the Council or Mayor. It must be brought before the Board of Fire Commissioners. Mr. Northgrave referred to language quoted by Mr. Muccio tracking the Faulkner Act and instructed the citation applies to high level Township employees. Mr. Northgrave explained its purpose and provided an example of its application. He will examine the review findings with the Labor Counsel. He further advised Mr. Fernandez that an investigation could be undertaken, but it would be costly, and emphasized the Council and Mayor do not have the authority to act on this matter.

### ITEMS TO BE DISCUSSED:

#### ADMINISTRATOR:

1. TAX REFUND RESOLUTIONS-Mr. Cuccia noted his availability for questions on these series of routine resolutions for refunds of tax overpayments.
2. PROPERTY TAX APPEAL SETTLEMENT RESOLUTIONS- Mr. Cuccia stated his availability to answer questions related to these resolutions.
3. PUBLIC HEARING OF ORDINANCE NO. 1245, SOLAR ENERGY SYSTEMS- Mr. Cuccia indicated there will be a second hearing at the Regular Meeting. Copies the ordinance were made available.
4. PUBLIC HEARING OF ORDINANCE NO. 1246, SMALL WIND ENERGY SYSTEMS - Mr. Cuccia indicated there will be a second hearing at the Regular Meeting. Copies the ordinance were made available.
5. PUBLIC HEARING OF ORDINANCE NO. 1263, COAH DEVELOPMENT FEES -- Mr. Cuccia indicated there will be a second hearing at the Regular Meeting. Copies the ordinance were made available.
6. PUBLIC HEARING OF BOND ORDINANCE NO. 1264, RECREATION CENTER EMERGENCY GENERATOR- Mr. Cuccia recalled a grant was obtained which will partially fund the generator. A construction meeting is scheduled for tomorrow to move forward with the project.
7. INTRODUCTION OF ORDINANCE NO. 1265, FERAL CATS – Mr. Cuccia explained this ordinance was in response to complaints received. The ordinance identified feral cats and addressed how they should be managed. Several other municipalities’ ordinances were reviewed in the development of the ordinance.
8. INTRODUCTION OF ORDINANCE NO. 1266, TRUCK ROUTES – Mr. Cuccia deferred to Mr. Northgrave who explained the ordinance before the Council was adopted in the late 1990’s. Mr. Northgrave highlighted that as all the roads are County roads except one, County approval is required. He clarified that the State DOT enables the municipality to assure local roads are not utilized as a cut thru. However, the ordinance will not prohibit a truck from traversing the local roads to a residential home and go back to Route 46. The Council may re-adopt it if the list of streets is inclusive, or table it if there are substantial modifications to the list. He added that the weight of restricted vehicles warrants reexamination. Mr. Northgrave recommended additional research be conducted. A lengthy discussion ensued with regard to the implications of moving to adopt the ordinance versus tabling. Councilmember DAMIANO voiced his understanding that the idea was to post signs to enforce the ordinance. Mr. Lindsay relayed his contact with the County Traffic Engineer. He explained the original ordinance had gone before the County with feedback that two issues were to be addressed to enable enforcement: 1) installation of signs Route 46 indicating Browertown Road is not a truck route, which would necessitate DOT coordination; and 2) a truck route signage plan. Mr. Simone had purchased signs, however, they must be in accordance with the Manual of Uniform Traffic Control Devices. Mr. Cuccia suggested introducing the ordinance to begin the process. The Council agreed to introduce the ordinance.
9. INTRODUCTION OF ORDINANCE NO. 1267, MORNINGSIDE CIRCLE BOND ORDINANCE AMENDMENT- Mr. Cuccia recounted the drainage improvements that occurred on Morningside Circle and identified need for new curbing. This ordinance added \$230,000 to complete the project which includes curbs and resurfacing of the entire area of Morningside Circle including a small portion of Jacobus. Council President FONTANA questioned whether the infrastructure work was complete. Mr. Lindsay responded the water work is complete and trenches remain. The funds that would typically be applied to milling and topping the surfaces will be contributed to this roadway project. Council President FONTANA requested a timeline. Mr. Lindsay explained the relevance of weather and temperature to a definitive timeline, however, the project would not be completed by year’s end.

#### TOWNSHIP ENGINEER:

1. DISCUSSION OF NO PARKING REGULATIONS/ABOLITION OF A TOWNSHIP PARKING ORDINANCE –Mr. Simone distributed a list of streets measured and considered along with Township standards to devise parking regulations. He specified two sections of Kingwood Drive where one side of the street parking would be permitted. The remainder of the streets would comply with two-sided street parking. Mr. Simone also presented a letter from Chief Post describing a concern of a Yolanda Drive resident with respect to a 1998 ordinance prohibiting parking during the weekday hours. Chief Post added

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that use by commuters of the train station lot and Houston Drive has greatly diminished. The restrictions prohibit residents from parking in those locations during the day and has presented a hardship. Therefore, the Chief requested abolishing the restrictions. Mr. Simone to consult with Mr. Northgrave and present parking regulations at the next Meeting.

**COUNCIL TOPICS FOR DISCUSSION**

Councilmember PORTER relayed a resident concern regarding the safety when exiting Reiners Road due to a blind spot, particularly when making a left turn. Mr. Simone announced he had contacted Chuck Silverstein, as Reiners Road exits onto a County Road, however, he received no response to date. Mr. Simone also mentioned collaboration with Chief Post has yielded other locations in the Township with blind spots. Discussion and brainstorming ensued as to how to best address the issue. Mr. Northgrave advised consultation with the County Engineer to examine the feasibility of installing a mirror. The Council recommended Mr. Lindsay draft a formal letter to Chuck Silverstein on behalf of the Township, making a formal request for a response to address the safety issue on Reiner’s Road.

Councilmember MACERI raised the issue of traffic blocking cars attempting to turn onto Main Street from Montclair Avenue. Mr. Simone to post signage. Mr. Simone to follow-up with Chuck Silverstein to determine if a “Stop Here on Red” sign and striping can be added to Main Street.

Councilmember DAMIANO raised the question as to why the Township is bonding for such a small amount for the emergency generator. Mr. Cuccia explained the bond covers what the grant does not, and since the generator has a life of more than five years, it is required. In response to Councilmember DAMIANO’s question as to why it is not in a capital budget, Mr. Cuccia elaborated that inclusion in the budget would lead to an increase in taxes. In order to maintain taxes, this method is spread over the life span of the asset.

**PUBLIC COMMENT – AGENDA ITEMS ONLY**

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

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

The Council President declared the motion passed.

Don Radcliffe, Long Hill Road, stated his request was on behalf of Inwood where he is President. He stated his intention to remind the Council that further delays in the Inwood tax appeal will have a serious impact on the Township. He summarized the history and valuation of properties as it relates to Inwood and the Township. He requested a resolution as this has been pending litigation for over three years.

Rosemarie Bello-Truland, High Court, reiterated her request for Council consideration with respect to parking on High Court, noting the hardship placed on residents.

Chris Giamo, 13 High Court, reviewed other cul de sacs and dead ends in the Township and found High Court and Pine Court to have the most properties with limited areas to park. Parking down the hill would be an inconvenience, especially as he is first responder. He spoke of his experience driving a fire truck and believed the emergency vehicle issue is a moot point. He questioned why the ordinance is only now being enforced after decades of no enforcement. He requested Council consideration to allow head on parking.

John Veteri, 133 Prospect Street, expressed concerns regarding the solar ordinance that ground mounted systems are still allowed at a height of ten feet. He did not notice any mention in the ordinance of flush mounting and believed further discussion should be allotted prior to moving forward. He recommended prohibition of wind structures in residential zones. He stated his opinion that the COAH fees may discourage further development in the Township.

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

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

The Council President declared the motion passed.

Council President FONTANA stated the request for head on cul de sac parking will be considered.

Councilmember MACERI requested the presence of the Tax Appeal attorney at the next Executive Session. Mr. Cuccia to follow-up.

Mr. Cuccia referred to Section A2, Residential Zone, of Ordinance No.124 as he responded to Mr. Veteri’s concern regarding flush mounted roof systems. Mr. Cuccia indicated the COAH ordinance has the maximum statutory requirement as there is a relatively large obligation that the municipality will have to fund in order to comply with COAH. Council President FONTANA raised the issue of monopole on page 1 Section 2E and requested referral to Mr. Janota for comment. The Council President further questioned whether Ordinances No. 1245 and No. 1246 should be held as further discussion with Mr. Janota was requested. Mr. Northgrave advised the Council of the option to table for further discussion, or adopt the ordinances with follow-up with Mr. Janota. Councilmembers

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Damiano and Maceri preferred to hold the ordinances. Ordinance No. 1245 and No. 1246 to be held. Mr. Cuccia to refer issues raised with Mr. Janota to address and determine the potential for an appropriate amendment.

There being no further business to come before the meeting, it was moved by Councilmember Damiano seconded by Councilmember Maceri, that the meeting be and it was adjourned at 8:56 p.m.

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Cynthia Kraus  
Municipal Clerk