

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

Monday, July 13, 2015

Council President Louis Fontana called the meeting to order at 7:00p.m. with the following members present: James Damiano, William Liess, Joseph Maceri and Pamela Porter. Also present were Mayor Darlene Conti, Township Attorney William Northgrave, Township Administrator Charles Cuccia, and Municipal Clerk Cynthia Kraus.

Absent: None

Township Employees present: DPW Superintendent Phillip Simone, Police Chief John Dmuchowski, Sgt. James Minnella, Deputy Clerk Marlene Simone and Tax Collector Denise Whiteside

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. 10:4-8 and 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 6, 2015; 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.

Before roll call, Councilmember DAMIANO requested having the public comment after the discussion items. Council President FONTANA had no objection. Councilmember PORTER stated some people may not be able to wait until the end to speak, but all were in agreement to move the public portion.

MUNICIPAL CLERK:

Mrs. Kraus explained that there are liquor licenses that must be renewed at this time. Councilmember DAMIANO questioned the difference in fees for different types of liquor licenses. Mrs. Kraus explained these are regulated by the State and our ordinances.

At this time, Mr. Cuccia suggested that a second public comment be on the item agenda items only.

PUBLIC PORTION

It was moved by Councilmember Liess, seconded by Councilmember Maceri, that the meeting be and it was opened to the public for items that are not on the agenda.

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

The Council President declared the motion passed.

Laura Van Winkle, 36 Terrance Ave., Woodland Park, NJ, expressed concern about the dangers of traffic coming out of Passaic Valley and requested an officer be stationed there after school to maintain safety.

Janice Andreano, 12 Morningside Circle, stated she was under the impression she had a stream on her property, which is now referred to as a drainage ditch by the Township. There are plans to install an underground pipe system that will affect her property. She expressed concern the planned work will devalue property and harm wildlife. She requested pictures of the cracked pipe and recommended the stream be rerouted.

Walter Kilpatrick, 6 Oak Tree Lane, requested a status report on the Morningside Circle project.

Ali Aljarrah, 242 Cedar Grove Road, Student Advocates for Safety, stated the group attended a previous Council meeting to address the safety issues on Browertown Road and requested a status report. At the last meeting, the group requested representation on some of the Township's committees and have not received a response. He presented a list of questions to the Council President at this time.

Rocco Corage, 68 Jacobus Avenue, stated speeding has been a reoccurring issue on Jacobus. Methods to address it have had no avail. He proposed another traffic study be performed to demonstrate qualification for speed limit reduction. They currently meet the qualifications. There are 33 children as residents in the neighborhood. He believes it is dangerous for them to walk on the street or to the school bus.

Bill Kohlman, 9 Notch Park Road, lodged a complaint that an address on Route 46 titled 1241 has turned into a total junkyard. Another property with cars, trucks and boats, etc. must be cleaned up. He also recommended making improvements to the old train station in Great Notch as it is a gateway into Little Falls.

Louis Fernandez, Harrison Street, questioned who will pay for the sidewalks on Browertown Road recommended by the Students Advocacy for Safety. He commended Councilmember Damiano for the suggestion of moving the public comment.

Arnold Korotkin, Long Hill Road, stated the Council should be providing updates on various projects that are in progress. He requested status reports on the bus shelters and the Inwood Playground. He announced that on 7/7/15 Governor Christie signed into law a bill that would require snow removal from fire hydrants. It asks the Council to adopt an ordinance in their municipality.

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Bob Zurcher, Oak Tree Lane, discussed the long term effect of student housing. He sent the Council a copy of the student housing zoning authority study done by St. Paul, MN where there are nine colleges and 5,000 kids living in dormitories within the town.

No one further having come forward to be heard, it was moved by Councilmember Liess, seconded by Councilmember Maceri, that the meeting be and it was closed to the public for items that are not on the agenda.

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

The Council President declared the motion passed.

Police Chief Dmuchowski commended the students for their involvement and invited them to collaborate with the Police Department and traffic officers to review all the available information they might find useful. He stated there are mechanisms to mitigate the problem, but further studies must be conducted to make an effective determination. He suggested they discuss ideas and bring them back to the Council. Councilmember DAMIANO questioned why Passaic Valley is considered private land when it is a public entity. The Chief elaborated that usually issues related to parking, etc. are conducted in partnership with the school board as in other instances. Another option presented was to collaborate with the School Board to extend the school resource officer's hours to monitor the traffic situation after school.

Discussion ensued with regard to the situation presented by Ms. Andreano. Mr. Lindsay confirmed through review of the United Geological Survey, the property contained a drainage ditch, not a stream. An evaluation of the pipes revealed inadequate easements, the visible pipe had corrosion on the bottom so water could not flow through, the headwall was undermined, one pipe shifted, and trees were growing out of the headwall. Open drainages are difficult for the DPW to maintain; they have to gain access to the backyards of residents with inadequate easements. The proposed solution was based on the conditions and would reduce future problems. Instead of allowing free drainage, it will be captured in a pipe and run through Morningside Circle, making it accessible to the DPW. There will be run off after it rains, but not in large volumes. In order to only repair the pipe, easements would need to be obtained and this was not a feasible option. Councilmember DAMIANO recommended residents affected should receive notices going forward of the necessary modification to their property. Mr. Lindsay agreed, but said these are not necessarily changes to the property, but what happens on the property.

Mr. Northgrave stated the ordinance for Oak Tree Lane is being drafted by his office and is currently under review. He will review the study submitted by Mr. Zurcher, but is not able to comment on it at this time.

Mayor Conti reported she met with two representatives from MSU to devise a list of homes rented by the college. Another meeting is planned and will also include MSU and Little Falls Police.

Council President FONTANA informed those present that Mr. Cuccia is reviewing the information proposed for the sidewalks on Browertown Road. Mr. Cuccia added the capital program for 2015 has been set. Once his review is complete it will be forwarded to Mr. Lindsay and the Police Chief for consideration in the capital program for 2016.

Council President FONTANA said he forgot to ask Mr. Northgrave and Councilmember Damiano about inviting members of the Student Advocacy for Safety group onto the Township's committees. Mr. Northgrave to examine this proposal and report back. Councilmember DAMIANO related his concern of allowing a special interest group on a committee of the municipality.

With regard to Jacobus Avenue, Chief Dmuchowski responded police presence may be a successful method to deter speeding in the interim. Current data was skewed due to construction in the area and the summer season. He will continue to collect data and explore Bill 2937, which allows a reduction in the speed limit.

Mr. Cuccia indicated the portion of property Mr. Kohlman is referring to is in Woodland Park. Mr. Lindsay confirmed that only a small portion is in Little Falls property, but the section he is referring to is Woodland Park. Mr. Cuccia to reach out to Woodland Park and notify officials of the concern. Mr. Cuccia to contact NJ Transit to address overgrowth at Great Notch train station.

Council President FONTANA agreed with Mr. Fernandez's remarks that the sidewalk projects should be cost shared between the three municipalities. Councilmember DAMIANO advised that to his understanding, the students are investigating grant funding for this project.

On the topic of bus shelters, Mr. Simone stated the County has all the information necessary to proceed. The Public Works Board would approve it and forward for approval by the City Freeholders. Upon County approval, it will be sent to NJ Transit. Councilmember DAMIANO said he received an email from the County indicating that the County was missing certain information, specifically breakaway shelters and advertising. Mr. Cuccia said they already resolved these issues with the County, however, Mr. Simone will contact Chuck Silverstein to assure they have this information.

Mr. Simone indicated due to supply issues the mulch was not delivered as scheduled. However, it is expected tomorrow and will be laid down this week. Mr. Lindsay stated the backstop, interior fencing and dugout shelters are complete. The bleachers are near completion. The remaining items are the stairs, gate, and fencing in the back of the dugout. He will attempt to get a schedule of completion and report back.

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Mr. Korotkin asked if there was going to be a handicapped ramp in addition to the stairs. In response to Mr. Korotkin's question, Mr. Lindsay explained there is no additional ramp, but there is one located at the end. Council President FONTANA suggested a concrete pad be considered.

Council President FONTANA stated he has not read the ordinance referred to by Mr. Korotkin as yet.

Council President FONTANA assured he will review the information supplied by Mr. Zurcher.

Council President FONTANA briefly explained the current grant application process to the Student Advocates for Safety group.

Council President FONTANA stated consideration would be given to installing guardrails on Browertown Road if it was feasible. Mr. Lindsay instructed that Browertown is a county road and coordination with the County would be necessary to partner on a grant.

Council President FONTANA stated any trees lost in the process would most likely be replaced by the Shade Tree Commission.

ITEMS TO BE DISCUSSED:

ADMINISTRATOR:

1. TRANSIT VILLAGE ZONING ORDINANCE

At this time, Mr. Cuccia acknowledged that all necessary preparations have been made and the ordinance is ready to be introduced at the regular meeting and advertised for a public hearing. The ordinance will also be reviewed by the Planning Board. Discussion ensued with regard to what occurs if there are changes recommended by the Council or the public. Mr. Northgrave advised that changes, especially significant modifications, be made prior to forwarding to the Planning Board. Mr. Cuccia instructed that procedure requires the ordinance be introduced and subsequently referred to the Planning Board.

2. PRESENTATION OF 2014 AUDIT

Mr. Cuccia provided a copy of the 2014 audit. He reviewed the audit and recommendations with the Council. Audit comments have reduced from 22 last year to 14, of which many are minor and easily remedied. Mr. Northgrave commented on COAH in relation to Item 11 on the recommendations from the auditor. He explained that municipalities that had plans were invited to file. The Township has filed a declaratory judgment in court. He added a determination that should come out of this process will be what a fair share is.

3. FEMA SRL 15 REPORT

Mr. Cuccia explained the FEMA SRL15 project. Councilmember DAMIANO stated the flood line discussed at the SRL 15 meeting was far closer to Main Street than previous lines have been. He questioned whether the deadline for appealing has passed. Discussion ensued regarding where the flood line should be, what implications an appeal may have on current applications, and if an appeal was won could properties classified as acquisitions be able to elevate if outside the flood line. Councilmember DAMIANO recommended appealing the flood line. Council President FONTANA agreed. Mr. Lindsay was directed to appeal the flood line.

4. RESOLUTION AUTHORIZING EXECUTION OF AGREEMENT RE MOUNTAIN RIDGE DEVELOPMENT

Mountain Ridge is a development at the end of Weaver Street where Little Falls supplies the utilities. Mr. Simone, Mr. Cuccia, and Mr. Lindsay have convened meetings with Cedar Grove. Little Falls will service them with sewers and the Township will be paid the annual fee. Water will be supplied by NJ American Water Co. An agreement has been drafted for Little Falls to pick up garbage and plow, and be reimbursed. In response to Councilmember PORTER, Mr. Simone explained adherence to our ordinances only apply to those portions of the roadway located in Little Falls Township.

5. RESOLUTION AUTHORIZING PARTICIPATION IN LESO BY LFPD

LESO is the federal surplus property program to access equipment we may need on an emergency basis. Chief Dmuchowski elaborated the major change is that this resolution enables Council approval for acquisitions and to be made aware of purchases.

6. INTRODUCTION OF REFUNDING BOND ORDINANCE WITH RESOLUTIONS

Dan Marinello, NW Financial, explained this ordinance is being re-introduced as supplemental debt statements and other statements needed to be completed. Mr. Marinello informed the Council savings are projected to be \$40,000-45,000 a year through 2023. He responded to Councilmember Damiano's question that bonds are being sold before they reach maturity. It is advantageous to the Township. Mr. Marinello supported Mr. Cuccia's statement pertaining to state criteria, which requires that at least a 3% savings on each of the individual bonds issued that is outstanding.

7. RESOLUTION APPROVING PUBLIC ASSISTANCE FUNDING FROM JANUARY THROUGH JUNE 2015

Mr. Cuccia explained this stemmed from audit comment last year that the Council continue to approve the disbursements made by the public assistance program.

8. RESOLUTION FOR TAX REFUND DUE TO 2012 HOMESTEAD BENEFIT CREDITS

Homestead benefits credits are coming after 2012 and that require refunds.

9. RESOLUTIONS FOR TAX REFUNDS DUE TO STATE TAX COURT JUDGMENTS

These refunds pertain to homeowners who appealed at court and judgments have been rendered.

10. ORDINANCE FOR NJ DISTRICT WATER SUPPLY LAND TRANSFER

Mayor Conti announced the North Jersey District Water Supply has requested the Township acquire this property, with the stipulation the Township supplies an easement to their pipes. The transfer will enable expansion of the Township's parking. Council President FONTANA expressed concern regarding liability for maintenance issues. Mr. Cuccia informed the Council the Township already takes care of the

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maintenance on that road. Mr. Lindsay recommended reviewing the language and easement issues in that area. Mr. Northgrave notified the Council his office drafted the ordinance and found the conditions proposed to be acceptable.

11. PUBLIC HEARING OF ORDINANCE NO. 1221- CRANE STREET IMPROVEMENTS

Mr. Lindsay explained that the project cost is a little over \$300,000. The DOT had sent an approval letter for the grant for \$215,000. Survey work was authorized and is in process. Bids will be sought shortly.

12. PUBLIC HEARING OF ORDINANCE NO. 1222 – ACCEPTING A DEED OF EASEMENT

Mr. Lindsay provided a brief update on this project as well. Two more additional easement requests will be given to the Council going forward. Councilmember DAMIANO queried if any of these easements will affect nearby homeowners. Mr. Lindsay responded that the residents affected have been notified.

13. APPOINTMENT TO THE REGIONAL FLOOD BOARD FOR AN UNEXPIRED TERM ENDING 12/31/15

Mr. Cuccia informed the Council the Council President had a consideration for appointment.

DPW SUPERINTENDENT:

1. RESOLUTION AUTHORIZING ADVERTISEMENT FOR BIDS FOR CLEANING SERVICES

Mr. Simone notified the council there will be an advertisement for bids for cleaning services, as the contract has expired.

TOWNSHIP ENGINEER:

1. IMPROVEMENTS TO RAILROAD PARK

Mr. Lindsay announced a grant was successfully obtained and the design has been completed. It was published last week and the Township is receiving bids. A recommendation for award is slated for 8/10/15. The improvements included in this project are similar to those made to other fields. Councilmember DAMIANO questioned whether this project would conflict with the children’s field use. Mr. Lindsay stated the small field is used for practice and will not interfere with baseball, however, there may have to be some spring re-seeding.

COUNCIL TOPICS FOR DISCUSSION:

Councilmember DAMIANO raised the issue that the fee imposed on filming companies by the filming ordinance may be discouraging. He was approached by two companies who had objections on it. He added that filming promotes free advertising and draws business. He recommended the ordinance be examined with respect to the fee at the next Workshop. Mr. Cuccia responded the ordinance is similar to that of other municipalities. The fee is \$250 and provides controls to gauge involvement of municipal workers as well as fund government employees who may need to be called in when filming occurs. Mr. Northgrave emphasized the process is important, as it fosters awareness as to the potential impact a filming episode may have on the Township. Mr. Cuccia to add this topic to the next Workshop agenda.

Councilmember DAMIANO announced the Morristown Hospital case recently had a decision. Mr. Northgrave indicated he reviewed the case and he would like to analyze it in detail with the tax appeal attorney to see how it applies to Little Falls. Councilmember DAMIANO clarified the issue being discussed is whether MSU is tax exempt or not, and the possibility of collecting taxable revenue for consuming property in Little Falls.

Councilmember DAMIANO inquired about power line work done by PSE&G on Sigtim Drive. Residents have reported the flooding there has been worse since the new poles were installed.

Councilmember DAMIANO queried when the property on Louis Street was scheduled for demolition, as he had received complaints it smells of mold.

The residents of 204 Long Hill Road have a flow of water in their backyard that is eroding their property line. They would like to find out who has the responsibility to fix it.

Mr. Simone announced final preparation for the specifications for the Louis Street property have been made. An award is slated at the next meeting for demolitions.

Mr Simone instructed that 204 Long Hill Road has a drainage ditch that comes from the reservoir. NJ District Water Supply has an easement through there.

PUBLIC PORTION

It was moved by Councilmember Maceri, seconded by Councilmember Liess, that the meeting be and it was opened to the public for agenda items only.

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

The Council President declared the motion passed.

John Veteri, 133 Prospect Street, reviewed the proposed Transit Village zoning ordinance and addressed questions and concerns he had with the ordinance. Particularly, he addressed the live/work component, Transit Village office retail and residential zone, and property setbacks. He asked if the prohibited uses would be specifically listed and addressed by the Planning Board Attorney. In response, Mr. Lindsay explained the code says if it is not permitted, it is prohibited.

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

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

The Council President declared the motion passed.

A lengthy discussion ensued with regard to the issues raised by Mr. Veteri on the Transit Village. Specifically, areas of focus were: taking out the live/work area near Rita's, changing the section on Union Avenue to an R1 zone, assigning the area by Meadow Drive as a TV-R2 zone to allow a transition, and that a split lot zone of the Walnut Street property is unacceptable. Mr. Northgrave cautioned the Council about making changes without adequate reflection. The Council recommended taking out the live/work area, and changing the map from a five story zone to a three story zone. Mr. Lindsay suggested the ordinance be referred to the Planning Board for feedback, highlighting the comments and recommendations of the Council. Mr. Cuccia noted that the ordinance will have the opportunity to be reviewed at the Planning Board and at the Council when it is presented for adoption.

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

Executive Session to be moved to the end of the regular meeting

There being no further business to come before the meeting, it was moved by Councilmember Maceri, seconded by Councilmember Porter, that the meeting be and it was adjourned at 9:23 p.m.

Cynthia Kraus
Municipal Clerk