

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

Monday, June 15, 2015

Council President Louis Fontana called the meeting to order at 7:01 p.m. with the following members present: Councilmember Joseph Maceri, and Councilmember 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: Councilmember James Damiano and Councilmember Pamela Porter

Township Employees present: DPW Superintendent Phillip Simone, Fire Chief Jack Sweezy, and Marlene Simone

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 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.

PUBLIC PORTION

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

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

The Council President declared the motion passed.

Bob Zurcher, 15 Oak Tree Lane, urged the Council take action with regard to a house on his street occupied by college students, where large parties have been held. Complaints have been presented in person at a previous Council meeting, in writing to the Council, and lodged with the Police, without a satisfactory outcome. Mr. Zurcher added Mayor Conti observed the situation in May when a party was held and many cars were parked on the street. He proposed the Council consider zoning changes to remedy the situation.

Karen Worster, Oak Tree Lane, thanked the Mayor for coming on Cinco de Mayo to witness the parties at the house referred to by Mr. Zurcher, and requested a status report.

Maryann Kilpatrick, 6 Oak Tree Lane, reiterated the complaint as the last two speakers, and expressed her concern regarding the expansion at MSU and the impact on the community of Little Falls. She suggested a member of the Council act as liaison to resolve this issue and requested it be placed on the next agenda.

Donald Worster, Oak Tree Lane, stated this situation will decrease property values if it is not addressed.

Walter Kilpatrick, 6 Oak Tree Lane, referenced his membership on the Planning Board for many years to emphasize Oak Tree Lane is in an R1A zone. This matter is a direct violation of the code in reference to single and multi-family homes. Zoning and speeding enforcement are necessary.

Al Attianese, 27 Dewey Avenue, referred to a request from the family of Mr. James Nash to the Council for the planting of a small tree with a plaque in his honor.

Mrs. Prell, 119 William Street, asked when her house will be completed.

Tom O'Haire, 168 Wilmore Road, asked for permission to remove the shoal and build a retaining wall, as his property is eroding from the Peckman River. He distributed material to the Council. He has been dealing the Regional Flood Board on this issue since 2013, and assistance from the County is not forthcoming.

Maria Cordonnier, 648 Upper Mountain Avenue, applauded the resolution to establish a Grant Committee. She empathized with the situation of student housing and related her experience in dealing with a house next to hers that was rented to MSU students. She had contacted the Police on several occasions. On one particular occasion, the Fire Department was called and she commended their quick response. She suggested relevant ordinances be brought to the attention of President Cole to strengthen reinforcement. Ms. Cordonnier expressed a need to convene more Council meetings to address the many issues at hand throughout the community.

Louis Fernandez, Harrison Street, responded to a complaint presented at a previous meeting pertaining to the incomplete state of his home reconstruction. He identified paying contractors prior to job completion as a root cause. He commended the collaboration of neighbors on Oak Tree Lane to present their issue and encouraged them to attend meetings more often to address other issues as well. He referred to some comments he made previously regarding Township employees and ethnic diversity, noting there are no minority police officers.

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John Veteri, 133 Prospect Street, offered some methods to deal with the concerns of college students including enforcing the zoning codes, investigating if there are illegal apartments, resurrecting the overnight parking ordinance, and imposing maintenance issues.

Arnold Korotkin, Long Hill Road, suggested the Council and MSU residence assistance may be able to address these issues, and that ordinance enforcement may offer a solution. He expressed gratitude for the equipment installation at the Great Notch Playground and questioned when the project will be completed. He requested a status report on the maintenance agreement for the bus shelters and the on Route 46/Route3 project. He reminded the Council the Council Minutes were last posted to the website on May 5, 2014 and the Health Department reports have not yet been reported. He raised the issue of the need for public access to agendas and minutes to maintain transparency.

Bob Dombrowski, 49 Parkway, thanked the Mayor and Council President Fontana for visiting his street. The installation of lighting and fencing at Surkorsky Park has remediated his previous complaints about drug use. However, he informed the Council drug issues have shifted to another field without lighting. He has notified the Police. He also noted there is also speeding on his street.

Rosemarie Bello-Truland, High Court, has an objection to people raising items that are not on the agenda to solve one problem when they are not aware of what other problems it might cause. She specifically referred to overnight parking.

Ron Bucholz, 17 Ridge Road, stated the recent heavy rain proved a good way to observe the run off at the sub development, noting he sent an email with pictures to Mr. Lindsay, the Construction Official, and the Mayor. The problems on Oak Tree Lane are minor compared to the truck traffic and lack of sidewalks on Ridge Road.

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.

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

The Council President declared the motion passed.

Mayor Conti confirmed she visited Oak Tree Lane to evaluate the complaints. She referred an ordinance from another town experiencing similar issues to Mr. Northgrave for review, as the current zoning ordinance may not be successful in alleviating the situation. The ordinance will be reviewed for introduction at a future meeting.

Discussion ensued with regard to parking ordinances.

Council President FONTANA agreed planting of a tree in honor of Mr. Nash was appropriate. Mr. Simone to follow-up the Nash family regarding location of the tree. Shade Tree to determine type of tree.

Mr. Northgrave stated it is not appropriate to discuss any legal cases at this time with regard to the elevations. Mrs. Prell said she is not a part of the current litigation with the house elevations. Mr. Cuccia noted that since the same contractor is involved in both projects, the issues with that contractor must be addressed first. Mr. Northgrave agreed. Mrs. Prell requested a meeting with the Mayor and Mr. Cuccia to discuss options. Mr. Northgrave said they will try to set something up.

Mr. Lindsay informed the Council Mr. O’Haire would require applications for permits with the DEP to proceed with the work on his property, taking into consideration not to obstruct any of the Army Corps plans.

Council President FONTANA recommended to collaborate with MSU to attend to the student housing issues. Mr. Cuccia to follow-up with the Police Chief.

Council President FONTANA complimented the Fire Department for diverting a problem in Ms. Cordonnier’s case.

Council President FONTANA commented a great deal is accomplished during meetings. Meetings are held less often in the summer due to summer vacations and events.

Mr. Cuccia stated there is an ethnic mix in the Police Department.

Mr. Simone provided an update on the playground. He detailed that drainage work and mulching is to be completed, however, playground mulch does not accommodate handicapped accessibility.

Mr. Simone stated the ordinance is being sent down to the County to the Traffic Engineer. He will follow up with the County.

Mr. Lindsay communicated with the Design Engineer today. Bids for the first phase of the Route 3/46 project are being received. Inception is slated for late summer/early fall.

Council President FONTANA reported follow-up with the Clerk about Minutes; rough drafts are available and will be finalized to be approved several at one time.

Mr. Cuccia said the Health Department continues to have software difficulty preventing posting reports on the website.

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Council President FONTANA recommended installation of lighting to address the drug abuse in the area Mr. Dombrowski referred to in his comments.

Mr. Lindsay received an email today about the erosion situation on Ridge Road, and contacted the DEP last year. Mr. Lindsay to follow-up with Mr. Macones, Building Construction Official, and the DEP and report back.

ITEMS TO BE DISCUSSED:

MUNICIPAL CLERK:

Mrs. Kraus explained that this resolution is a renewal of a liquor license for 2013-14.

ADMINISTRATOR:

1. STUDENT ADVOCATES FOR SAFETY FOR SIDEWALKS ON BROWERTOWN ROAD

Ali Aljarrah, 242 Cedar Grove Road, Max Kohutich, 5 Robinwood Drive, represented some of the students advocating for safety on Browertown Road. They presented a binder containing their concerns and objectives to promote pedestrian safety on Browertown Road.

Max Kohutich, 5 Robinwood Drive, presented his opinion that a hazardous condition is present on Browertown Road.

Nicholas Quintero, 17 Hillside Drive, a Totowa resident, added a small number of homes have sidewalks on Browertown Road.

Michael Farrell, 18 Newby Avenue, Woodland Park, informed the Council, a partnership with the Passaic County Planning Board enabled the group to obtain a crash study report, which indicated 23 of the 57 accidents on Browertown Road were in the area of focus. Images of the proposed location of sidewalks were exhibited.

Omar Mohammad, 22 Newby Avenue, Woodland Park resident, apprised the Council a resident survey conducted by the advocacy group revealed most residents agreed safety should be a primary concern in Little Falls. Most also agreed that there should be sidewalks on Browertown Road. He requested support from the Council and permission to move forward with the recommendations proposed by the group, including increase of police presence, and development of a public safety committee.

Ali Aljarrah read a letter submitted by a Browertown Road resident, who also voiced his concerns of safety on the road.

Council President FONTANA asked for clarification that the area of focus is the section from Shop Rite to the back entrance of Passaic Valley High School. Nine residences would be affected on one side. There were a few who were not in agreement because of other reasons. The Council to examine the material provided by the group and review all of the issues. In response to Council President FONTANA, the group agreed that guardrails were an option, and noted that was an option proposed in their plans. Mayor Conti commended the group on their presentation, adding consideration will be given to allow the group representation on a Public Safety Committee or possibly the Transportation Committee.

2. PRESENTATION BY TOWNSHIP PLANNER JEFF JANOTA ON TRANSIT VILLAGE ZONING – Mr. Janota provided a summary on updates. An introduction and public hearing of the ordinance will occur. Copies of the updated proposed ordinance were distributed to the Council. Mr. Janota highlighted several of the changes, including height requirements in the Central Business District, the medium density zone requirements, the addition of affordable housing.

Discussion ensued with regard the implications of COAH. Mr. Northgrave clarified that the Mt. Laurel doctrine has been remanded to the courts; the courts determine the obligations of the municipalities.

Council President FONTANA opened the meeting up for questions or comments from the audience.

John Veteri, 133 Prospect Street, reiterated a previous request for the elimination or clarification of the live/work portion of the ordinance. He proposed the Transit Village end at Maple Street.

Council President FONTANA informed those present it is not being introduced today. If anyone has questions, please inform a Councilmember.

3. CH. 159 RESOLUTION AMENDING THE 2015 BUDGET FOR THE SAFE CORRIDORS ACT – Mr. Cuccia explained that this is a grant pertaining to the Police Department.

4. BILLBOARD SPECIFICATIONS AND ADVERTISEMENT – Mr. Cuccia follow-up with regards to discussion at a previous meeting. He explained there are short leases with multiple renewals, and the Council was asked to determine whether bids are to be sought. Council President FONTANA requested a discussion occur when the full Council is present.

5. RESOLUTIONS FOR TAX REFUNDS DUE TO 2012 HOMESTEAD BENEFIT CREDITS – Mr. Cuccia provided an explanation of the resolution.

6. RESOLUTIONS FOR TAX REFUNDS DUE TO STATE TAX COURT JUDGEMENTS – Mr. Cuccia explanation of the resolution.

7. RESOLUTION AMENDING PROFESSIONAL SERVICES AGREEMENT WITH RIDDICK ASSOCIATES/H2M ARCHITECTS AND ENGINEERS – Mr. Lindsay announced that his firm will be merging with H2M.

8. ORDINANCE NO. 1222 – ACCEPTING A DEED OF EASEMENT – Mr. Cuccia explained the ordinance. Mr. Lindsay added deeds of easement will be sought on two other properties.

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DPW SUPERINTENDENT:

1. RESOLUTION TO REJECT RECYCLING MARKET BIDS AND AUTHORIZATION TO READVERTISE – Mr. Simone explained that the Township received one bid and there was an issue with it. As a result, he requested a rejection of the bid from the Council, and approval to advertise again with a minor adjustment to the bid specification. The plan is to obtain at least two bids.
2. RESOLUTION APPROVING BLUE ACRES LIST – Mr. Cuccia, Mr. Simone, and Mrs. Thatcher reviewed a file from the State of the properties that applied to the Blue Acres program, and devised a list they presented to the Council for approval. The State, not the Township, deals with the homeowners. The map that the State prepared mimicked the map that Mr. Lindsay prepared for the State.
3. RESOLUTION APPROVING THE PURCHASE OF A SNOW PLOW UNDER THE MORRIS COUNTY CO-OP – Mr. Simone explicated this is for the approval of a switch and go system and the snow plow.

TOWNSHIP ENGINEER:

1. RESOLUTION AWARDDING CHANGE ORDER TO D'ARMINIO & SONS FOR IMPROVEMENTS TO AMITY PARK IN EXCESS OF \$2,913.35 OF CONTRACT PRICE – Mr. Lindsay explained this change order increase.
2. BOND ORDINANCE NO. 1221 – IMPROVEMENTS TO CRANE STREET – Mr. Lindsay explained that this ordinance authorizes the expenditure of \$300,000 and the bonding of \$80,000, as they have received a grant for this project.

COUNCIL TOPICS FOR DISCUSSION

1. DISCUSSION OF GRANT COMMITTEE – Council President FONTANA announced there is nothing noteworthy to discuss on the grants committee. It is slated for approval tonight. Councilmember LIESS thanked the Mayor, Administration and the Council President on behalf of Councilmember Damiano for putting this discussion on tonight's agenda.

EXECUTIVE SESSION

It was moved by Councilmember Maceri, seconded by Councilmember Liess, that the Council approve the following:

RESOLUTION [EX]

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, THEREOFRE, BE IT RESOLVED that the Township Council of the Township of Little Falls will go into executive session for the following reason(s) – Anticipated litigation.

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

The Council President declared the motion passed.

The Council entered Executive Session at 9:04 p.m.

At 9:41 p.m. the Council returned and it was moved by Councilmember Maceri, seconded by Councilmember Liess that the meeting return to Open Session.

There being no further business to come before the meeting, it was moved by Councilmember Maceri, seconded by Councilmember Liess, that the meeting be and it was adjourned at 9:41 p.m.

Cynthia Kraus
Municipal Clerk