

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

Monday, October 6, 2014

Council President Louis Fontana called the meeting to order at 7:30 p.m. with the following members present: John Vantuno, William Organisciak, Joseph Maceri and Pamela Porter. Also present were Mayor Darlene Post, Township Attorney William Northgrave, Municipal Clerk Cynthia Kraus and Township Administrator Charles Cuccia.

Absent: None.

Township Employees present: DPW Superintendent Phillip Simone, Police Chief John Dmuchowski, Lieutenant Samuel Calafiore, and Sergeant James Minnella.

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 28, 2014; 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.

AWARDS AND CEREMONIES

At this time, Mayor Post swore in the following Police Officers:

Travis Horton
Oliver Isshak
David Massalo
Shaun O'Brien
Timothy Fleck

Mayor Post explained that Everton Scott from PSE&G was in attendance to speak with the Council.

Everton Scott, PSE&G, informed that the company is currently replacing old gas mains, which will be replaced with plastic. The project is ongoing at the present time.

Chris LaRossa, PSE&G Operations Manager, explained that 24,000 feet of gas mains need replacement in Little Falls. Unfortunately, these replacements will be disruptive to the Township and the customers; some work will be done at night, but some will have to be done during the day. The work should be completed by mid-December of this year with the final restoration in the Spring. The company is trying to be cooperative and work with Mr. Simone throughout the project.

Council President FONTANA asked if PSE&G could provide more notice as to when they will be working in a particular area. Mr. LaRossa said they would try to work on this, but sometimes it will be short notice.

Council President FONTANA invited the public to ask questions at this time.

James Damiano, 24 Sigtim Drive, asked what the final restoration entails. Mr. LaRossa explained that PSE&G will mill and pave the entire section of the road and all newer roads will be restored to their original condition. Also, any work done behind the curb will get top soil, seed and any other necessary restoration.

Louis Fernandez, Harrison Street, voiced his understanding that there would be a regulator and vent on each house, and asked if this was dangerous to the home owner. Mr. LaRossa explained that these would be placed outside of the home for safety.

Rosemarie Bello-Truland, High Court, asked if every section of the town needed gas main replacements. Mr. LaRossa explained that they are working from the outside into the problem areas, which is mostly in the flood zone.

Marie Cordonnier, 648 Upper Mountain Avenue, asked if the entire road would be repaved where work was done and questioned whether curbs would be repaired as well. Mr. LaRossa explained that all roads paved within the last five years will be repaved from curb to curb. Otherwise, if they cause any damage, they will repair it. Mr. Simone explained that each road will be assessed; if the road has to be repaved after the work is done, it will be included in the schedule for next year.

In response to Council President Fontana, Mr. LaRossa informed that they will be working at each home for about two hours. He also informed that inspectors will be there to oversee the work and will be able to answer any customer questions.

Council President FONTANA thanked the representatives for their time.

PUBLIC PORTION

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

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Poll: Ayes: Vantuno, Porter, Organisciak, Maceri and President Fontana
Nays: None

The Council President declared the motion passed.

Arnold Korotkin, 181 Long Hill Road, pointed out that October is Breast Cancer Awareness Month and asked that this information be posted on the Township website. He informed that October is also Domestic Violence Awareness Month. He asked Councilmember Maceri to provide details as to the annual commemoration that is held.

Louis Fernandez, Harrison Street, voiced his disappointment regarding the school tax rate, noting that it makes up half of his tax bill. Regarding the hiring of five new Police Officers, he asked if any of them would be Latino and said that ten percent of the population in Little Falls is Latino. He was also disappointed that none of the new officers are from Little Falls.

Roland Buchholz, 17 Ridge Road, informed that a sub development is being constructed next door to him and inquired as to why the last two Planning Board meetings have been canceled.

Raymond Kostroski, Donato Drive, said the Board of Education is going to be hiring a new School Superintendent, and questioned whether Little Falls School District needs two superintendents.

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

Poll: Ayes: Maceri, Organisciak Porter, Vantuno and Council President Fontana
Nays: None

The Council President declared the motion passed.

Councilmember MACERI informed the Domestic Violence Committee will host a walk on 10/25/14 at 3:00 p.m. instead of a vigil. He informed that all information would be sent out in an email blast in the near future. Mayor Post explained that she has asked the Health Department about developing an educational/screening program for breast cancer, and said this information would be sent out in an email blast when she receives same.

Council President FONTANA agreed that the Township should address the tax rate with the Board of Education and the County.

Council President FONTANA said the Police Department really needs the new Police Officers and thought it was best for the Township to choose the most qualified candidates for the job.

Mayor Post explained that this process is vetted out by the Police Chief and Sergeants, as they know what qualifications are necessary. The candidates who were chosen are already certified. She is not sure that anyone from Little Falls applied.

Councilmember VANTUNO said he was on the School Board in the past, noting that they did everything they could to keep the budget down.

Mr. Lindsay informed that the last two Planning Board meetings were canceled, as there was no agenda. He explained that if there is an issue with someone’s property from a subdivision, it should be handled between the two property owners. Otherwise, the Construction Code Official should be contacted, as this is his area of enforcement.

Council President FONTANA explained to Mr. Kostroski that it is necessary to have a Superintendent separate from the High School and pointed out that Totowa and Woodland Park do the same.

ACTION ITEMS

Ordinance No. 1202 - It was moved by Councilmember Vantuno, seconded by Councilmember Organisciak, that there be introduced and the meeting of October 20, 2014 set as the date and time for the public hearing on the following:

ORDINANCE NO. 1202

ORDINANCE OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF LITTLE FALLS IN THE COUNTY OF PASSAIC, STATE OF NEW JERSEY, AMENDING THE TOWNSHIP CODE AS TO THE LICENSURE OF TOWING COMPANIES

WHEREAS, the Township of Little Falls (“Township”) is a public body corporate and politic of the State of New Jersey; and
WHEREAS, the Township has in place towing ordinances codified at Chapters 249 and 250 of the Township Code of General Ordinances (“Code”) that outlines the procedure for the selection of towing companies seeking to be licensed as official towing companies of the Township, among other matters; and

WHEREAS, the Code currently provides at Subchapters 249-3 and 250-3 that the Township shall accept applications for licensure from towing companies in every odd year; and

WHEREAS, the municipal council (“Municipal Council”) of the Township has determined to amend Subchapters 249-3 and 250-3 of the Code to provide that applications for licensure shall be accepted in every even year beginning in 2014, it being the intent of the Township to license towing companies at the end of this year; and

WHEREAS, the Municipal Council has determined to amend Subchapter 249-3(A) and (B) of the Code to read as follows (additions are underlined and deletions are in [brackets]):

“§249-3 Selection Process for Township Tow Providers’ License.

- A. On November 1 (or first following weekday if November 1 falls on a weekend) of every [odd] even year beginning in [2013] 2014, the Township Clerk shall accept applications from towing companies seeking to be licensed as an official towing company for the Township (“Licensee”). License application forms shall be made available by October 1 for pick-up at the Township Municipal Building. Submitted applications shall contain the information as set forth and required herein and by ~~§249-4~~ of this chapter. Applicants submitting incomplete applications shall not be considered for selection. Applications may be submitted during normal business hours (9 a.m. to 4 p.m.) to the Township Clerk at the Township Municipal Building. Applications must be received by close of business day on November 30 (or first following weekday if November 30 falls on a weekend).
- B. Applications shall be reviewed for completeness by the Police Chief (for purposes of this Chapter 249, all references to the Police Chief shall mean the Police Chief or his or her designee) and/or Township Clerk by December 10 of each applicable licensee

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selection year. Application fees must accompany submitted applications to be deemed complete. See **§249-5**. The Township and its employees, officials and agents, in connection with the review, processing and approval of any application for licensure under this chapter, shall have the discretion to waive any immaterial defect with respect to any such application, in a manner on par with and consistent with applicable statutory and common procurement law governing a contracting unit's discretion to waive immaterial defects in connection with the public bidding and procurement process.

WHEREAS, the Municipal Council has determined to amend Subchapter 250-3(A) and (B) of the Code to read as follows (additions are underlined and deletions are in [brackets]):

“§250-3 Selection Process for Township Heavy Tow Providers' License.

- A. On November 1 (or first following weekday if November 1 falls on a weekend) of every [odd] even year beginning in [2013] 2014, the Township Clerk shall accept applications from towing companies seeking to be licensed as an official Heavy Tow Provider for the Township (“Heavy Tow Provider” or “Licensee”). License application forms shall be made available by October 1st for pick-up at the Township Municipal Building. Submitted applications shall contain the information as set forth and required herein and by [Section 5 of this Ordinance] §250-4 of this chapter. Applicants submitting incomplete applications shall not be considered for selection. Applications may be submitted during normal business hours (9 a.m. to 4 p.m.) to the Township Clerk at the Township Municipal Building. Applications must be received by close of business day on November 30 (or first following weekday if November 30 falls on a weekend).”
- B. Applications shall be reviewed for completeness by the Police Chief and/or Township Clerk by December 10 of each applicable licensee selection year. Application fees must accompany submitted applications to be deemed complete. See [Section 6 of this Ordinance] **§250-5**. The Township and its employees, officials and agents, in connection with the review, processing and approval of any application for licensure under this chapter, shall have the discretion to waive any immaterial defect with respect to any such application, in a manner on par with and consistent with applicable statutory and common procurement law governing a contracting unit's discretion to waive immaterial defects in connection with the public bidding and procurement process.”

NOW, THEREFORE, BE IT ORDAINED by the Municipal Council of the Township of Little Falls, Passaic County, State of New Jersey, as follows:

1. The aforementioned recitals are incorporated herein as though fully set forth at length.
2. The Municipal Council hereby amends Subchapter 249-3(A) and (B) of the Code to read as follows:

“§249-3 Selection Process for Township Tow Providers' License.

- A. On November 1st (or first following weekday if November 1st falls on a weekend) of every even year beginning in 2014, the Township Clerk shall accept applications from towing companies seeking to be licensed as an official towing company for the Township (“Licensee”). License application forms shall be made available by October 1st for pick-up at the Township Municipal Building. Submitted applications shall contain the information as set forth and required herein and by **§249-4** of this chapter. Applicants submitting incomplete applications shall not be considered for selection. Applications may be submitted during normal business hours (9 a.m. to 4 p.m.) to the Township Clerk at the Township Municipal Building. Applications must be received by close of business day on November 30th (or first following weekday if November 30th falls on a weekend).
- B. Applications shall be reviewed for completeness by the Police Chief (for purposes of this Chapter 249, all references to the Police Chief shall mean the Police Chief or his or her designee) and/or Township Clerk by December 10th of each applicable licensee selection year. Application fees must accompany submitted applications to be deemed complete. See **§249-5**. The Township and its employees, officials and agents, in connection with the review, processing and approval of any application for licensure under this chapter, shall have the discretion to waive any immaterial defect with respect to any such application, in a manner on par with and consistent with applicable statutory and common procurement law governing a contracting unit's discretion to waive immaterial defects in connection with the public bidding and procurement process.”

3. The Municipal Council hereby amends Subchapter 250-3(A) and (B) of the Code to read as follows:

“§250-3 Selection Process for Township Heavy Tow Providers' License.

- A. On November 1st (or first following weekday if November 1st falls on a weekend) of every even year beginning in 2014, the Township Clerk shall accept applications from towing companies seeking to be licensed as an official Heavy Tow Provider for the Township (“Heavy Tow Provider” or “Licensee”). License application forms shall be made available by October 1st for pick-up at the Township Municipal Building. Submitted applications shall contain the information as set forth and required herein and by **§250-4** of this chapter. Applicants submitting incomplete applications shall not be considered for selection. Applications may be submitted during normal business hours (9 a.m. to 4 p.m.) to the Township Clerk at the Township Municipal Building. Applications must be received by close of business day on November 30th (or first following weekday if November 30th falls on a weekend).
- B. Applications shall be reviewed for completeness by the Police Chief and/or Township Clerk by December 10th of each applicable licensee selection year. Application fees must accompany submitted applications to be deemed complete. See **§250-5**. The Township and its employees, officials and agents, in connection with the review, processing and approval of any application for licensure under this chapter, shall have the discretion to waive any immaterial defect with respect to any such application, in a manner on par with and consistent with applicable statutory and common procurement law governing a contracting unit's discretion to waive immaterial defects in connection with the public bidding and procurement process.”

4. It is the intent of the Municipal Council to incorporate the additions, amendments and/or supplements contained in this Ordinance in to the Code. All of the remaining provisions in Chapters 249 and 250 of the Code shall remain unchanged and have full force and legal effect. All other resolutions and ordinances governing the licensing of official towing companies in the Township inconsistent herewith are hereby modified pursuant to the terms of this Ordinance.

5. If any section, paragraph, subdivision, clause, sentence, phrase or provision of this Ordinance is declared unconstitutional or invalid by a court of competent jurisdiction, such decision shall not affect the remaining portions of this Ordinance.

6. A copy of this Ordinance shall be available for public inspection at the offices of the Township Clerk.

7. This Ordinance shall take effect after twenty (20) days of its final passage by the Municipal Council, upon approval by the Mayor and publication as required by law.

Poll: Ayes: Maceri, Organisciak, Porter, Vantuno and President Fontana
Nays: None

The Council President declared the motion passed.

ITEMS TO BE DISCUSSED:

ADMINISTRATOR:

1. BEST PRACTICE WORKSHEET

ACCOUNTING POLICY/EMPLOYEE POLICY

Mr. Cuccia provided a copy of the Best Practices Worksheet, and reported that there would be no loss of any State aid, as the Township has met the State's requirements by answering 86% of these questions in the affirmative. In response to Council President Fontana, Mr. Cuccia explained that these questions focus on general management, financial management, procurement, budget preparation and presentation, personnel and health insurance. He informed that the worksheet is due to be filed on 10/17/14.

2. REPORT ON PROFESSIONAL RFQ'S

Mr. Cuccia informed that he recently advertised for ten various professional positions; the town received 43 responses back. These responses have been reviewed and the Council will have the opportunity to review the evaluations.

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3. ONLINE TAX PAYMENTS

Mr. Cuccia explained that research is being done regarding the Online Tax Payments Program, and said a firm has already come in to speak with the Tax Collector. The Tax Collector provided a list of comments for consideration, which will be reviewed prior to presentation. He explained that this is an internet-based system that will allow residents the opportunity to pay their taxes online.

Councilmember ORGANISCIAK asked if there could be a presentation by the vendor.

4. LEAD AGENCY RESOLUTION

Mr. Cuccia informed that Mr. Simone will be reporting on an item that is going to be purchased with Totowa and Woodland Park. He explained that Little Falls has been requested to be the lead agency and the Council would need to pass a resolution for the purchase.

5. CHANGE ORDERS

Mr. Cuccia explained that change orders were done in the past without Council approval, noting that the law requires a resolution by the Council. In order to correct this, he will obtain a list of all change orders for elevations and present them at the next Council meeting. He assured that all future change orders will go before the Council for approval before they are completed.

6. TRANSIT VILLAGE ZONING AREA MAP

Mr. Cuccia reported that the first part of the transit village zone has been completed, and distributed maps to the Council. He explained that the train station didn't allow enough coverage as the hub, so the Development Committee thought this should be redeveloped. He discussed the various proposed areas and the various locations for redevelopment in detail, and said the Council would have to consider this and make a decision. Mr. Cuccia explained that the goal is to have as little disruption to residential zones as possible.

Council President FONTANA voiced his opinion that the old Police Station should be part of the Transit Village.

7. PROPOSAL FROM SEAMLESSGOV FOR SERVICES TO GO PAPERLESS

Mr. Cuccia informed that the Township received a proposal to go paperless in regards to forms. He and the Clerk prepared the information in the packet provided to the Council on the internet-based service which would allow the creation of forms to be processed and completed online and sent directly back and forth.

Mrs. Kraus informed that the service would be easier and more efficient, adding that it would also use less paper and be helpful internally.

In response to Councilmember ORGANISCIAK, Mr. Cuccia provided further clarification and said he would look into the idea of a 30-day trial with the company. He will also research other companies who offer this service.

At this time, Mr. Lindsay referenced a grant program from NJ Transit for roadways and/or sidewalks. He informed that Crane Street would be next for consideration of improvements. He presented his recommendations, explained the benefits and expressed his concerns.

In response to Council President Fontana, Mr. Lindsay informed that the sidewalks would only be on one side of the street and would cost approximately \$70,000 in the form of a grant which is due next week.

In response to Councilmember Organisciak, Mr. Lindsay agreed that the sidewalk installation would change the parking on the street to one side of the street parking.

PUBLIC WORKS MANAGER:

1. JOINT PURCHASE OF EQUIPMENT WITH TOTOWA AND WOODLAND PARK

Mr. Simone distributed a copy of a request to purchase a hot box, which is a piece of equipment to keep asphalt hot and avoids waste. Under current circumstances, the Township is required to travel to other towns. Therefore, after meeting with Totowa and Woodland Park, it was determined that this purchase would be beneficial to all three towns. The funding would come from a bond for about \$10,000 and Little Falls would house it. He explained that insurance and other details still need to be discussed, but there would be a working agreement on how the equipment would be shared.

In response to Councilmember Porter, Mr. Northgrave informed that he would take the lead in legal negotiations; there would be a flat fee for this, with no extra cost to the Township.

In response to Councilmembers Vantuno and Maceri, Mr. Simone informed that the equipment cannot be rented and explained how a hot box works. The Council was in agreement with the purchase. Mr. Cuccia informed that this would be listed on the next agenda for approval.

2. AWARD OF CONTRACT FOR EQUIPMENT UNDER NJPA CONTRACT PRICING

Mr. Simone explained that this would be another Cooperative Purchasing Program which would require the Council to adopt a resolution of award.

In response to Council President Fontana, Mr. Cuccia said the Township would require a resolution from each of the other towns before proceeding with this.

Mr. Northgrave advised that a resolution should be drafted making this purchase contingent upon acceptance of the other towns and their agreements.

3. SEWER ORDINANCE FEES TO BE ESTABLISHED BY ORDINANCE

Mr. Simone provided copies of the sewer ordinance to the Council, which sets fees for various things in the Code. Approximately four years ago, the Council adopted a resolution to update these sewer fees. However, a resolution is only valid for one year. Therefore, the ordinance must be amended to reflect those changes. He further noted that these fees had been changed in order to put money into the program for the sewer system.

Mr. Northgrave agreed to draft the ordinance to reflect what was agreed upon by resolution previously.

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4. RFP FOR PRELIMINARY REPORT AND RECOMMENDATIONS FOR THE FAIRFIELD AVENUE PUMP STATION

Mr. Simone asked for permission to receive proposals from the Township’s six engineers, requesting estimates on a preliminary design report for the physical needs/easements required from NJDEP and NJ Transit’s flow rate requirements construction cost. He explained that they are looking for a preliminary design because of the many unknowns in regards to permitting and working with NJ Transit, and also the confines of physical space. He pointed out that this was also done with the Louis Street Pump Station. Mr. Simone expressed the need for a more in depth study.

In response to Council President Fontana, Mr. Simone informed that Mr. Lindsay is working on pump replacement for the William Street Pump Station. Also, Island Avenue Pump Station’s emergency generator is being replaced and worked on.

Council President FONTANA agreed to have this listed on the next agenda for approval.

5. TRUCK REPLACEMENT AND STORMWATER PROJECT FOR MORNINGSIDe CIRCLE

Mr. Simone informed that Mr. Lindsay had given a report about replacement of Morningside Circle drainage, for which he had given two options, along with his recommendation. Mr. Lindsay’s engineering standpoint is that it is better in the roadway. Council President FONTANA was in agreement with this option and believed the rest of the Council was as well.

Mr. Cuccia informed that there would be a request to introduce a capital ordinance to fund this as suggested.

At this time, Mr. Simone requested that one of the dump trucks be bonded for this year. He asked the Council to reconsider the bonding for the one bigger truck before the end of the year. In response to Council President Fontana, Mr. Simone informed that the truck has a life span of 20 years. He explained that the small trucks were used more often, as they are less costly to replace and the big trucks were more for specialty use. He informed that he tries to purchase multipurpose vehicles, adding that the truck to be replaced is a 23-year multi-use vehicle.

Council President FONTANA said the Council would like to review this further.

In response to Councilmember Vantuno, Mr. Cuccia said the second meeting in November is the last chance to introduce the ordinance for 2014.

Council President FONTANA said he would discuss this with Mr. Cuccia during the week for further information.

6. DISCUSSION OF TOWNSHIP SEWER LINES, CURBING AND SIDEWALKS BASED UPON CURRENT PRACTICES

Mr. Simone explained that the Township has been working with unwritten policies for several items. He explained that it is important that the Township finally have these policies and procedures in writing, which should be done by ordinance. In response to Council President Fontana, Mr. Simone informed that each town has their own standards, as there is no state standard.

Mr. Northgrave explained that the zoning law will have to be defined and said this must be established. Mr. Simone said he would provide Mr. Northgrave with the information. Mr. Cuccia said it will then be drafted and presented to the Council.

7. AUCTION OF EQUIPMENT

Mr. Simone presented a list of equipment to the Council which has been accumulated over the past few years for auction. He is requesting permission to use USGovBid for this purpose and explained how it would work.

In response to Councilmember Organisciak, Mr. Simone said no one has ever purchased all of the equipment out right, adding that anything that doesn’t get bid on can be scrapped.

Mr. Cuccia informed that there is a specific resolution that needs to be approved for this purpose which will be presented to the Council for approval at the next meeting.

8. ORDINANCE FOR PARKING ON TOWNSHIP PROPERTY

Mr. Simone explained that there have been complaints about cars and trailers parking on the grass area in some of the parks in town. He informed that no parking signs were posted, but the ordinance is not enforceable because of the signage being used. He requested that an ordinance be adopted to prohibit parking on all Township properties, nothing that this would also help with plowing efforts in the winter time.

Mr. Northgrave said he could draft the ordinance if more information is provided to him. Mr. Simone agreed to work with Mr. Cuccia on this. Mr. Cuccia said the ordinance would be listed for introduction on the next meeting agenda.

EXECUTIVE SESSION

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

The Council President declared the motion passed.

The Council entered Executive Session at 9:51 p.m.

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At 10:24 p.m. the Council returned and it was moved by Councilmember Porter , seconded by Councilmember Organisciak , that the meeting return to Open Session.

There being no further business to come before the meeting, it was moved by Councilmember Organisciak, seconded by Councilmember Vantuno, that the meeting be and it was adjourned at 10:25 p.m.

Cynthia Kraus
Municipal Clerk