

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

**Monday, April 11, 2011**

Council President Louis Fontana called the meeting to order at 7:35 p.m. with the following members present: Darlene Post and Joseph Sisco. Also present were Mayor Michael DeFrancisci, Township Attorney Joseph Trapanese, Township Engineer Dennis Lindsay, Municipal Clerk William Wilk and Township Administrator Henry Underhill.

Absent: Councilmember Mercedes Gonzalez, Councilmember John Vantuno and Deputy Municipal Clerk Cynthia Meyer

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 bulleting board at the Municipal Building, located at 225 Main Street, Little Falls, N.J. on January 4, 2011; 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.

**APPROVAL OF MINUTES**

It was moved by Councilmember Sisco, seconded by Councilmember Post, that the Minutes of the meeting of February 7, 2011, be approved.

Poll:           Ayes:           Post, Sisco and President Fontana  
                  Nays:           None

The Council President declared the motion passed.

**REMARKS FROM CHAIR**

Council President FONTANA pointed out that the agenda was unable to be posted on the Website until this morning, due to a “perfect storm” of events. He also informed that he attended the Baseball Parade on Saturday and threw out the first pitch. He highly praised the DPW for their work in getting the field into playing condition after Friday’s heavy rain. President FONTANA also reported that he attended the Transportation Committee meeting and said they were off to a good start.

**COUNCIL MEMBER REPORTS**

Councilmember POST had no report.

Councilmember SISCO had no report.

**MAYOR’S REPORT**

Mayor DeFrancisci had no report.

**ATTORNEY’S REPORT**

Mr. Trapanese informed that the discussion on Pinnacle Wireless for Executive Session this evening was to be cancelled. He had no further report.

**PUBLIC PORTION**

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

Poll:           Ayes:           Post, Sisco and President Fontana  
                  Nays:           None

The Council President declared the motion passed.

Frank Zimmerman, Long Hill Road, explained that a solution to the Woods Road issue has apparently been hammered out by the mayor to the satisfaction of the Woods Road residents. However, Mr. Schumacher is still proceeding with his original townhouse application before the Planning Board. He asked for an explanation as to why the application is still going before the board.

Dorothy O’Haire, Turnberry Road, informed that the Little Falls Flood Board would meet at the Civic Center on 4/19/11 at 7:00 p.m.; Congressman Pascrell and Assemblyman Rumana are expected to attend. She also informed that the Regional Flood Board will meet on 6/9/11 at 7:00 p.m. in Woodland Park, where the Army Corps of Engineers will make a presentation of their final report on the Peckman River. Referring to the letter regarding flooding issues, which was discussed at a previous meeting, she asked if it was sent out yet. She also requested that the Council appoint a new member to the Regional Flood Board, as the shortage of members resulted in the lack of a quorum at the last meeting. Mrs. O’Haire explained that the Passaic Valley Sewerage Commission will be coming to Little Falls, Cedar Grove and Woodland Park to clean the shoals.

Mark Skyta, 3 Elm Street, explained that he recently requested permission for a visitor to be allowed to park overnight on his street, but he was denied by the Police Department. He asked what could be done about this.

Robert Ingram, Eagle Rescue Squad, asked when a hearing could be set up for two members who were previously suspended from the department.

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

**Meeting of April 11, 2011**

Poll: Ayes: Post, Sisco and President Fontana  
 Nays: None

The Council President declared the motion passed.

Council President FONTANA asked Mr. Lindsay to explain why Mr. Schumacher is before the Planning Board. Mr. Lindsay informed that the original Schumacher application is active. There was some testimony taken at the Planning Board meeting. The Township cannot tell them to withdraw the original application. Mayor DeFrancisci said they are trying to resolve this issue; however, Mr. Schumacher’s attorney is moving forward. They cannot stop the application.

Mr. Trapanese explained that Mr. Schumacher and the Governing Body agreed on 23 homes. Tonight an ordinance will be introduced to annex two additional acres to allow for the 24 homes. He informed that any objections to the original application may be addressed to the Planning Board at their next meeting.

Council President FONTANA thanked Mrs. O’Haire for the information regarding the flood meetings. He assured that he is currently working on the flood letter and said they would also work to find another member for the Flood Board.

Police Chief Dmuchowski addressed Mr. Skyta and explained that they are currently working on a solution to this through a change in the ordinances.

With regard to the Rescue Squad hearings, Mr. Trapanese explained that there was some delay in filling a trial board panel. A date had been set, but at the time, there were other issues in town due to flooding. When he requested a postponement from the member’s attorney due to the flooding, he was told that more time was needed. He asked the member’s attorney to contact him with new dates for a hearing, but never heard back. He assured that they would proceed with this matter immediately once hearing dates are proposed to his office.

**C O N S E N T A G E N D A**

All items on the Consent Agenda were considered to be routine and were enacted with a single motion. Any items under REQUISITIONS carried a Treasurer’s certification as to sufficiency of funds.

**REPORTS**

Tax Collector’s Report – Month of March 2011

**MONTHLY REPORT**

Municipality of Township of Little Falls

Office of the Tax Collector

Revenues Collector for the Month of March 2011

Tax Collection Current Account #622402226 Lakeland Bank

	<u>To March 31, 2011</u>	<u>2011 YEAR TO DATE</u>
2011 Taxes	\$255,313.83	\$9,806,670.87
2010 Taxes	30,074.84	214,862.66
Prepaid 2012 Taxes	0.00	0.00
Interest	5,450.33	18,648.95
Township Tax Title Lien	0.00	0.00
Township Tax Title Lien Int.	0.00	0.00
Cost of Tax Sale	0.00	0.00
Outside Tax Liens	0.00	13,736.01
Duplicate Tax Bills	5.00	80.00
Tax Searches	0.00	0.00
Insufficient Check Charge	20.00	40.00
6% Penalty Fee	895.17	1,852.69
Misc. Line Item Fee	0.00	0.00
Premium Outside Lien	0.00	0.00
Tax Sale Additional Fee	0.00	0.00
Municipal Copy Fee	0.00	0.29
<b>GRAND TOTALS</b>	<b>\$291,759.17</b>	<b>\$10,055,891.47</b>
<b>Comparison of Years:</b>		
March 1, 2011 to March 31, 2011	\$291,759.17	\$10,055,891.47
March 1, 2010 to March 31, 2010	<u>323,813.72</u>	<u>9,434,094.53</u>
	-\$32,054.55	+\$621,796.94

Delinquent 2011 Taxes = \$268,416.10 (1<sup>st</sup> Qtr.—157 line items)  
 Delinquent 2010 Taxes = 289,348.78 (70-tax sale 06/15/11-7 Sr. Cit. Dis. @ \$250.00)  
 \$557,764.88

**Comparison--same time last year:**  
 Delinquent 2010 Taxes = \$249,801.08 (1<sup>st</sup> Qtr.—154 line items)  
 Delinquent 2009 Taxes = 200,090.66 (48 tax sale 10/20/10-13 Sr. Cit. Dis. @ \$250.00)  
 \$449,891.74

Bounced checks this month = \$2,339.96      Year-to-date bounced checks = \$2,339.96  
 Refunds this month = -\$283.53              Year-to-date refunds = -\$283.53

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Township Clerk’s Dog/Cat License Report – Month of March 2011

TOWNSHIP CLERK’S DOG/CAT LICENSE REPORT  
 Month of March 2011

<b>Dog Licenses issued 3/1/11 thru 3/31/11</b>	
Nos. 380 to 384 = 5 Licenses	
Amount due Little Falls	\$34.00
Amount due State	6.00
Total Cash Received	\$40.00

Total to Treas. \$40.00

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Township Clerk's Report – Month of March 2011

TOWNSHIP CLERKS REPORT  
Month of March 2011

ABC LICENSES		
OTHER LICENSES		
Business Licenses	\$1,360.00	
Pre-paid Business Licenses		
Raffle Licenses	750.00	\$2,110.00
REGISTRAR OF VITAL STATISTICS		
Fees & Permits	\$776.00	
Marriage Licenses-LF	12.00	
Marriage Licenses-NJ	100.00	\$888.00
MRNA		
Street Maps	\$3.00	
Zoning Maps	3.00	
Zoning Ordinances		
Document Copies	3.65	
Garage Sales	5.00	
Misc. Fees & Refunds:		
TOTAL MRNA		<u>\$14.65</u>
TOTAL CURRENT ACCOUNT		<u>\$3,012.65</u>
TOTAL TO TREASURER		<u>\$3,012.65</u>

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**APPLICATIONS**

Raffle – St. George Antiochian Orthodox Church, Off-Premise 50/50, 6/17/11, 6:00 p.m. – 11:00 p.m., 6/18/11, 5:00 p.m. – 11:00 p.m., 6/19/11, 1:00 p.m. – 8:00 p.m.

Blue Light Permit – Kenneth A. Cichy, Sr., Birch Road, Little Falls Fire Department

Raffle – Passaic County Sheriff's Community Outreach Foundation, 4/27/11, 6:00 p.m. – 10:00 p.m., 4/28/11, 6:00 p.m. – 10:00 p.m., 4/29/11, 6:00 p.m. – 11:00 p.m., 4/30/11, 2:00 p.m. – 11:00 p.m., 5/1/11, 2:00 p.m. – 10:00 p.m.

**RESOLUTIONS**

Welfare

RESOLUTION [A] 11-04-11 - #1

BE IT RESOLVED by the Township Council of the Township of Little Falls, the Treasurer having timely certified to the availability of funds therefor, that the action of the Mayor, Clerk and Treasurer in issuing checks in the amount of:

\$1,260.00 (\$210 each)

payable to:

Welfare Clients #55, 58, 60, 61, 63 & 66

representing payment of Self-Care for the month of April 2011 be and the same is hereby authorized and ratified.

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NJ Department of Health – Dog License Fees

RESOLUTION [B] 11-04-11 - #2

BE IT RESOLVED by the Township Council of the Township of Little Falls, the Treasurer having certified to the availability of funds, that the Mayor, Clerk and Treasurer be and they are hereby authorized and directed to issue a check in the amount of:

\$6.00

payable to:

NJ State Dept. of Health

representing payment of State dog license fee, license Nos. 380 to 384 for the month of March 2011.

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Refunds for Overpayment of 2011 1<sup>st</sup> Quarter Property Taxes

RESOLUTION [C] 11-04-11 - #3

WHEREAS, the following properties have tax overpayments on the 2011 1<sup>st</sup> quarter taxes due to re-finances and/or real estate closings and shall be refunded by the Tax Collector as follows:

<u>BLOCK/LOT</u>	<u>OWNER/ REFUND PAYABLE &amp; LOCATION</u>	<u>AMOUNT</u>	<u>MAIL TO:</u>
44/2	Smalley, John & Moline, D 45 Donato Drive 45 Donato Drive Little Falls, NJ 07424	\$1,938.28	John Smalley & Donna Moline
99/36	Prinaris, Christopher & L 58 Center Avenue Parsippany, NJ 07054	2,747.62	Top Priority Title Agency, Inc 181 New Road, Suite 304
123/9 C0404	Quinn, Thomas & S 4 Tulip Crescent, Unit 2B Morristown, NJ 07960	1,813.53	Foundation Title, LLC 65 Madison Av., Suite 250
157/11	Aduabato, Theresa & Anthony Burke 3 Morningside Circle Little Falls, NJ 07424	2,811.03	Anthony Burke & Theresa Aduabato 3 Morningside Circle
173/21	Lawson, Ian & Kelly 40 Browertown Rd Verona, NJ 07044	2,640.91	Ray Castellano, Esq. 166 Bloomfield Ave
229/38	Candino, Marc 100 Paterson Av Totowa, NJ 07512	2,113.55	Miller, Platt, DeSimone & Galarce, PC 195 US Highway #46 West Suite 8

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233/58 Heimbach, Horst & Heike  
157 Kingwood Ct  
3,496.64  
Payable to: Heimbach, Horst & Heike  
18 Tony Galento Plaza  
Orange, NJ 07050  
Dell'Italia, Affinito & Santola, Esqs.

**TOTAL REFUND \$17,561.56**

**NOW, THEREFORE BE IT RESOLVED** by the Township Council of the Township of Little Falls on this 11th day of April 2011 that the above block and lots for 2011 1<sup>st</sup> quarter taxes be noted as overpaid and be granted refunds in the total amount of \$17,561.56.

H&R Block – Refund of 2010 Fire Inspection Fee

RESOLUTION [D] 11-04-11 - #4

BE IT RESOLVED by the Township Council of the Township of Little Falls, the Treasurer having certified to the availability of funds, that the Mayor, Clerk and Treasurer be and they are hereby authorized and directed to issue a check in the amount of:

\$150.00

payable to:

H&R Block  
163 East Main Street  
Little Falls, NJ 07424

representing payment for reimbursement of 2010 Fire Inspection fees; and

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It was moved by Councilmember Sisco, seconded by Councilmember Post, that the Consent Agenda be approved as printed.

Poll: Ayes: Post, Sisco and President Fontana  
Nays: None

The Council President declared the motion passed.

**REGULAR AGENDA**

The following items were individually considered.

**INTERDEPARTMENTAL**

Legal - - It was moved by Councilmember Post, seconded by Councilmember Sisco, that the Council approve the following:

RESOLUTION [E] 11-04-11 - #5

WHEREAS, a Tax Appeal has previously been filed with regard to the below mentioned property before the Tax Court of New Jersey with regard to the 2010 tax year; and

WHEREAS, a proposed Stipulation of Settlement has been negotiated by the Township Attorney with the attorney for the taxpayer; and

WHEREAS, the Tax Assessor, Richard Hamilton and the Township's expert appraiser Appraisal Systems, Inc. have recommended that the terms of the proposed settlement be accepted;

1. The proposed settlement of the 2010 tax appeal pending before the Tax Court of New Jersey as hereinafter enumerated be and the same is hereby authorized, approved and ratified:

2 First Avenue Block 120 Lot 9

	Original Assessment	County Board	Requested Tax Judgement	Court Judgment
2010 Land:	\$246,000		\$246,000	\$246,000
Improvements:	\$463,000	\$433,000	\$353,000	
Total:	\$709,000	\$679,000	\$599,000	

2. There will be no prejudgment interest.

3. The Township Attorney and Tax Assessor are authorized and directed to execute Stipulations of Settlement and to take such other and further action as may be required to effectuate the above.

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Poll: Ayes: Post, Sisco and President Fontana  
Nays: None

The Council President declared the motion passed.

Finance - - The following resolution was held, as there were not enough Council members present to vote on same:  
RESOLUTION AUTHORIZING A TEMPORARY EMERGENCY APPROPRIATION FOR THE 2011 MUNICIPAL BUDGET: \$1,111,777.00

Department of Public Works - - It was moved by Councilmember Sisco, seconded by Councilmember Post, that the Council approve the following:

RESOLUTION [G] 11-04-11 - #6

AUTHORIZING THE AWARD OF A FAIR AND OPEN CONTRACT FOR SEWAGE PUMP REPLACEMENT AT SINDLE AVENUE PUMP STATION

WHEREAS, on April 1, 2011, the Township of Little Falls received proposals for the replacement of a sewage pump at the Sindle Avenue Pump Station as follows:

Clearwater Services Proposal: \$27,337	Lock Pump Proposal: \$29,985
Rapid Pump & Meter Service Proposal: \$30,980	R&R Pump & Control Services, LLC Proposal: \$34,800

WHEREAS, the Treasurer has provided a Certification of the Availability of Funds (a copy of which is appended to the original of the with Resolution) pursuant to Rule 5:30-1.10 of the Local Finance Board, and the appropriation to be charged for this expenditure is Bond Ordinance No. 1095; and

WHEREAS, the Township Engineer has reviewed the proposals for technical sufficiency and recommends that a contract be awarded to R&R Pump & Control Services, LLC; and

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Little Falls as follows:

1) That the proposal of

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R&R Pump & Control Services, LLC  
P.O. Box 533  
Franklin Lakes, NJ 07417-9998

in the amount of

\$34,800.00

be and the same is hereby accepted; and

2) That the Mayor and Clerk be and they are hereby authorized to execute a contract in a form prepared and approved by the Township Attorney for the purchase of the within designated services subject to the successful contractor's filing the required New Jersey Employee Information Report (Form AA302) or providing a Certificate of Employee Information to the Township.

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Poll: Ayes: Post, Sisco and President Fontana  
Nays: None

The Council President declared the motion passed.

**CORRESPONDENCE**

LETTER FROM GREAT NOTCH FIRE COMPANY #4 REQUESTING PERMISSION TO CONDUCT A BOOT DRIVE FUNDRAISER ON FRIDAY, MAY 13, 2011 AND SATURDAY, MAY 14, 2011 FROM 7:00 AM TO 8:00 PM AT THE INTERSECTIONS OF LONG HILL ROAD/NOTCH ROAD AND RIDGE ROAD/FRANCISCO ROAD.

There was an affirmative consensus from the Council to approve this.

**NEW BUSINESS**

Ordinance No. 1118 – It was moved by Councilmember Sisco, seconded by Councilmember Post, that the public hearing on Ordinance No. 1118, **“TOWNSHIP OF LITTLE FALLS PASSAIC COUNTY, NEW JERSEY CALENDAR YEAR 2011 ORDINANCE TO EXCEED THE MUNICIPAL BUDGET COST OF LIVING ALLOWANCE AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A-4-45.14)”**, be and it was opened.

Poll: Ayes: Post, Sisco and President Fontana  
Nays: None

The Council President declared the motion passed.

No one having come forward to be heard, it was moved by Councilmember Sisco, seconded by Councilmember Post, that the public hearing on Ordinance No. 1118 be and it was closed.

Poll: Ayes: Post, Sisco and President Fontana  
Nays: None

The Council President declared the motion passed.

It was moved by Councilmember Post, seconded by Councilmember Sisco, that the Ordinance No. 1118 be and it was adopted.

Poll: Ayes: Post, Sisco and President Fontana  
Nays: None

The Council President declared the motion passed.

Ordinance No. 1119 – It was moved by Councilmember Sisco, seconded by Councilmember Post, that the public hearing on Ordinance No. 1119, **“A CAPITAL ORDINANCE APPROPRIATING THE SUM OF \$19,500 FOR THE ACQUISITION OF THERMAL IMAGING CAMERAS OF THE TOWNSHIP OF LITTLE FALLS AND TO APPROPRIATE \$19,500 FROM CAPITAL IMPROVEMENT FUND”**, be and it was opened.

Councilmember FONTANA explained that Ordinance No. 1119 would be held.

Application for Sub-grant Award for Federal FY 2011 – It was moved by Councilmember Sisco, seconded by Councilmember Post, that the Council approve the following:

RESOLUTION [H] 11-04-11 - #7

RESOLUTION AUTHORIZING THE TOWNSHIP COUNCIL TO APPLY FOR A SUBGRANT AWARD FOR FEDERAL FISCAL YEAR 2011 DEPARTMENT OF HOMELAND SECURITY EMERGENCY MANAGEMENT PERFORMANCE GRANT PROGRAM FUNDING

WHEREAS, the Township of Little Falls, Office of Emergency Management wishes to apply for funding under the State Homeland Security grant program, sub-grant CFDA#97.042, from the New Jersey State Police Office of Emergency Management, and

WHEREAS, the sub-grant consisting of a total amount of \$10,000, including \$5,000 federal award and a local in-kind match of \$5,000, is for the purpose of enhancing Little Falls' ability to prevent, protect against, respond to and recover from acts of terrorism, natural disasters and other catastrophic events and emergencies, and

WHEREAS, the Little Falls Office of Emergency Management, designated by the New Jersey State Police, Office of Emergency Management, wishes to submit an application for the sub-grant award that has been required by the said New Jersey State Police Office Of Emergency Management, and

WHEREAS, the application for sub-grant award calls for an in-kind match in the amount of \$5,000, which the Little Falls Office of Emergency Management adequately satisfies through the 2011 Township of Little Falls budget for salaries and wages and other expenses, and

NOW THEREFORE BE IT RESOLVED, that the Township Council here with approves the submission of the application of the FFY 11 Homeland Security Emergency Management Performance Grant Program Sub-grant which will consist of a total amount of \$10,000, including \$5,000 of federal award and \$5,000 of local matching funds.

BE IT FURTHER RESOLVED that the Little Falls Emergency Management Director or Mayor are authorized to sign the appropriate sub-grant award documents, and

BE IT FURTHER RESOLVED that copies of this resolution shall be forwarded to the New Jersey State Police, Office of Emergency Management.

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Poll: Ayes: Post, Sisco and President Fontana  
Nays: None

The Council President declared the motion passed.

Ordinance No. 1120 – It was moved by Councilmember Sisco, seconded by Councilmember Post, that there be introduced and the meeting of May 23, 2011 set as the date and time for the public hearing on the following:

**ORDINANCE NO. 1120**

**Meeting of April 11, 2011**

**AN ORDINANCE OF THE TOWNSHIP OF LITTLE FALLS AMENDING AND SUPPLEMENTING § 280 OF THE "ZONING" PROVISIONS OF THE TOWNSHIP CODE TO ESTABLISH THE AFFORDABLE HOUSING OVERLAY II ZONE (AHO II), AMEND § 280-5 ENTITLED "DISTRICTS ENUMERATED," TO INCLUDE THE AHO II ZONE, AND AMENDING § 280-6 ENTITLED "ZONING MAP" TO REZONE CERTAIN LOTS TO THE NEWLY ESTABLISHED AHO II ZONE.**

WHEREAS, the Township Council, in conjunction with the Township Planner, undertook a review of the land use provisions of the Township Code governing Block 237, Lots 30, 52 and 59 to assess the feasibility of establishing an inclusionary housing overlay zone at this location; and

WHEREAS, the subject property is comprised of vacant land located adjacent to the existing AHO Zone, the subject site is in a reasonable location for the construction of an inclusionary housing development.

NOW, THEREFORE, BE IT ORDAINED, by the Township Council of the Township of Little Falls, County of Passaic and State of New Jersey that § 280 of the Land Use provisions of the Township Code and the Zoning Map of the Township of Little Falls are hereby amended as follows:

**Article XVIII: Affordable Housing Overlay II Zone**  
§ 280-139.1 Purpose.

The purpose of this overlay zone is to create a realistic opportunity for the construction of low- and moderate-income housing as land becomes available for development in the Township of Little Falls and thereby address the unmet-need portion of the fair share housing obligation of the Township of Little Falls under the New Jersey Fair Housing Act and COAH regulations and the Mount Laurel doctrine.

§ 280-139.2 Geographic scope.

The geographic scope of the AHO II District includes the following properties: Block 237, Lots 30, 52 and 59, as they appear on the Township's official Tax Map.

§ 280-139.3 Low- and moderate income housing requirement.

Neither the Planning Board, nor the governing body on an appeal of a final decision of the Planning Board, nor the governing body in adopting and implementing a redevelopment plan shall approve a development application in any zone district or area in need of redevelopment for a residential development or mixed-use development with one or more dwelling units unless the following requirements are complied with:

- A. The residentially zoned properties specified in § 280-139.2 which may be proposed for subdivision, development or redevelopment shall be permitted to be developed at a maximum gross density of six units per acre. Said development shall consist of single-family detached homes.
- B. Twenty percent of the total number of units shall be affordable to low- and moderate-income household. Any computation resulting in a fraction of less than 0.5 shall be rounded down; any computation resulting in a fraction of more than 0.5 shall be rounded up. Said low- and moderate-income housing unit shall be constructed on site or, at the developer's option, may be the focus of a payment in lieu of construction.
- C. Single-family detached homes to be built on site shall have a minimum net density of five units per acre.
- D. When payment in lieu of construction is selected by the developer, the developer and/or property owner shall deposit an amount as set forth in Chapter 71, Fees, for each low- and moderate-income housing unit. Said monies shall be duly deposited in the Township's Mt. Laurel Housing Fund.
- E. The minimum lot area for each single-family detached home shall not be less than 7,000 square feet.
- F. The following minimum lot frontage or width, bulk and setback requirements shall be met:

- (1) Minimum lot width: 65 feet.
- (2) Minimum lot width on cul-de-sacs: 40 feet at the ROW line and 65 feet at the building setback line.
- (3) Minimum lot depth: 85 feet.
- (4) Minimum front yard: 25 feet.
- (5) Minimum side yard (2): 18 feet total; either side yard not less than eight feet.
- (6) Minimum rear yard: 30 feet (except for corner lots).
- (7) Minimum building lot coverage 20%.
- (8) Total impervious coverage: 35%.

BE IT FURTHER ORDAINED, by the Township Council of the Township of Little Falls, County of Passaic and State of New Jersey that § 280-5, "Districts enumerated," of the Land Use provisions of the Township Code be amended to include the "Affordable Housing Overlay II Zone (AHO II)."

BE IT FURTHER ORDAINED, by the Township Council of the Township of Little Falls, County of Passaic and State of New Jersey that the Zoning Map adopted within § 280-6 of the Township Code of the is hereby amended and supplemented to delete the properties identified on the Township's tax map as Block 237, Lots 30, 52 and 59 from the R-1A Zone and to include all of these tax lots in the newly created Affordable Housing Overlay II Zone.

BE IT FURTHER ORDAINED, that if any section, paragraph, subsection, clause or provision of this Ordinance shall be adjudged by the courts to be invalid, such adjudication shall apply only to the section, paragraph, subsection, clause or provisions so adjudicated, and the remainder of the Ordinance shall be deemed valid and effective; and

BE IT FURTHER ORDAINED, that any ordinances or parts thereof in conflict with the provisions of this Ordinance are repealed to the extent of such conflict; and

BE IT FURTHER ORDAINED, that this Ordinance shall take effect on upon passage and publication in accordance with applicable law.

Poll:           Ayes:           Post, Sisco and President Fontana  
                  Nays:           None

The Council President declared the motion passed.

Referring Ordinance No. 1120 to LF Planning Board – It was moved by Councilmember Post, seconded by Councilmember Sisco, that the Council approve the following:

**RESOLUTION [I] 11-04-11 - #8**

**BE IT RESOLVED** by the Township Council of the Township of Little Falls, that the following Ordinance:

Ordinance No. 1120: AN ORDINANCE OF THE TOWNSHIP OF LITTLE FALLS AMENDING AND SUPPLEMENTING § 280 OF THE "ZONING" PROVISIONS OF THE TOWNSHIP CODE TO ESTABLISH THE AFFORDABLE HOUSING OVERLAY II ZONE (AHO II), AMEND § 280-5 ENTITLED "DISTRICTS ENUMERATED", TO INCLUDE THE AHO II ZONE, AND AMENDING § 280-6 ENTITLED "ZONING MAP" TO REZONE CERTAIN LOTS TO THE NEWLY ESTABLISHED AHO II ZONE

be and is hereby referred to the Little Falls Planning Board for its review, comment and report, in accordance with the Municipal Land Use Law; and it is

**FURTHER RESOLVED** that said Little Falls Planning Board shall, within the statutory period of time or sooner, report back to the Township Council of the Township of Little Falls as to its findings, recommendations and appropriate Resolutions.

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Poll:           Ayes:           Post, Sisco and President Fontana  
                  Nays:           None

The Council President declared the motion passed.

Referring Ordinance No. 1120 to COAH

**RESOLUTION [J] 11-04-11 - #9**

**BE IT RESOLVED** by the Township Council of the Township of Little Falls, that the following Ordinance:

Ordinance No. 1120: AN ORDINANCE OF THE TOWNSHIP OF LITTLE FALLS AMENDING AND SUPPLEMENTING § 280 OF THE "ZONING" PROVISIONS OF THE TOWNSHIP CODE TO ESTABLISH THE AFFORDABLE HOUSING OVERLAY II ZONE (AHO II), AMEND § 280-5 ENTITLED "DISTRICTS ENUMERATED", TO INCLUDE THE AHO II ZONE, AND AMENDING § 280-6 ENTITLED "ZONING MAP" TO REZONE CERTAIN LOTS TO THE NEWLY ESTABLISHED AHO II ZONE

be and is hereby referred to the Council on Affordable Housing (COAH) for its review, comment and approval.

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Poll: Ayes: Post, Sisco and President Fontana  
 Nays: None

The Council President declared the motion passed.

**PUBLIC PORTION**

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

Poll: Ayes: Post, Sisco and President Fontana  
 Nays: None

The Council President declared the motion passed.

Dorothy O’Haire, Turnberry Road, pointed out that Ordinance No. 1120 calls for an amendment to the Zoning Map; she asked if corrections to Turnberry Road could also be addressed.

Brian Reynolds, 7 Notch Road, referred to Ordinance No. 1118, and asked if this increase goes to all employees. He also questioned if this would put the budget over the two percent CAP, and asked how it would affect property assessments.

Mr. Lindsay referred to the Zoning Map amendment, and explained that this would not be a general map change; it would only affect this area.

Mr. Trapanese explained that the Turnberry Road dedication to the Township has been accomplished. He also informed that there is a failing water pipe under the road, which the utility plans to replace; when this is complete, they will repave the road.

Mr. Wilk pointed out that Ordinance No. 1118 was explained by the Auditor at the meeting of introduction, as a tool to build a CAP bank. He explained that no one is getting any money as a result of this ordinance; it simply allows the Township to create a CAP Bank, so that they could use the bank over the next two years to keep future budgets within CAP if necessary.

**PAYMENT OF BILLS**

It was moved by Councilmember Sisco, seconded by Councilmember Post, that the Council approve the following:

RESOLUTION [BL]

BE IT RESOLVED by the Township Council of the Township of Little Falls the Council having received the Treasurer’s certification of the availability of funds for payment of all bills presented, that payment of all bills approved by the Finance Committee be and is hereby authorized, subject to the availability of funds and subject to the appropriate and available appropriation in the line item.

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Poll: Ayes: Post, Sisco and President Fontana  
 Nays: None

The Council President declared the motion passed.

Shred-It USA Inc.	General Admin.	54.20
Verizon Wireless		`120.30
Bergin Consulting	A & E	1890.00
McManimon & Scotland, LLC	Treasurer 2010	78.00
Professional Gov Educators Inc.		`90.00
Schwaab, Inc.		`22.50
Quality Repro Centers, Inc.	Tax Assessor	130.00
Vital Communications		`700.00
North Jersey Media Group	Tax Collector 2010	281.15
Professional Gov Educators Inc.		`90.00
McManimon & Scotland	Legal	1747.67
McManimon & Scotland		`1435.74
Trapanese & Trapanese, Esq.		`12,500.00
NPC	Municipal Court	397.39
Universal Computing Services		`21.20
Dennis G. Lindsay, PE	Engineer Costs 2010	1793.75
North Jersey Media Group	Planning Board	33.73
Teamsters Local 97 Benefit Fund	Group Health Ins.	1500.00
Teamsters Local 97 Benefit Fund		`1450.00
Polaris Galaxy Insurance, LLC	Liability Surety Bonds	1524.00
Absolute Fire Protection Co.	Aid to Volunteer Fire 2010	480.00
Approved Fire Protection Co.		`170.70
Michael Szewczyk		`150.00
Pinnacle Wireless, Inc.		`152.50
Turn-Out Uniforms Inc.		`719.88
Verizon Wireless		`127.96
Turn Out Uniforms Inc.	Fire Hazard	20.49
City of Clifton	Police 2010	3000.00
Tessco Technologies Inc.	2010	655.67
Cablevision Systems Corp.		`65.41
Clarion Office Supply		`55.74
Clarion Office Supply		`182.95
Clarion Office Supply		`37.99
Clarion Office Supply		`10.00
Konica Minolta		`532.16
Mobile Mini Inc.		`262.00
Motorola		`568.00
NJ Assn. of Chiefs of Police		`200.00
Pinnacle Wireless, Inc.	Police	75.00
Shred- It USA Inc.		`54.20
Verizon Legal Compliance		`150.00
Verizon Wireless		`160.04
Verizon Wireless		`397.55
Integrated Document Tech.	Construction Code Official	26.00
Integrated Document Tech.		`7.50
Verizon Wireless		`108.48

**Meeting of April 11, 2011**

Suburban Propane	DPW	2010	570.85
All Industrial Safety Products			461.12
Amer. Wear Industrial Uniform			313.00
Cablevision Systems Corp.			74.95
D2L Associates, Inc.			250.00
Home Depot			13.88
Home Depot			7.31
Integrated Document Tech.			13.00
Phillip Simone			29.50
Pinnacle Wireless, Inc.			11.50
Regal Maintenance Supply			95.10
Rossi Decorating Center, Inc.			266.94
Rossi Decorating Center, Inc.			2.69
Simplex Time Recorder			64.94
Singac Supply			47.74
Verizon Wireless			350.64
Cambria Companies	Solid Waste		232.63
Clarion Office Supply			64.99
Gaeta Recycling Co., Inc.			35,713.34
Rutgers, State University of NJ			90.00
Stone Industries, Inc.			175.00
Associated Truck Parts	Vehicle Maintenance – DPW		288.31
Associated Truck Parts			268.25
General Parts Group, Inc.			29.95
Associated Truck Parts	Vehicle Maintenance – Fire		37.04
Certified Speedometer Service	Vehicle Maintenance – Police		170.00
General Parts Group, Inc.			9.55
General Parts Group, Inc.			23.97
General Parts Group, Inc.			62.90
General Parts Group, Inc.			495.22
Little Falls Tire & Auto Inc.			895.60
Wayne Ford Auto Sales			149.10
PSE&G	Street Lighting		9303.29
Ball and Chain Printers	Recreation		1260.00
Cintas Corporation			83.63
Instant Verification Inc.			1505.00
Integrated Document Tech.			26.00
National Entertainment Tech.			120.00
Gary R. Rich	Bond Ord. – 1099		1250.00
Bergin Consulting LLC	Bond Ord. – 1095		840.00
CGT Construction, Inc.	Bond Ord. – 1020		86,157.81
McManimon & Scotland	Bond Ord. – 1095		1482.00
Verizon	Telephone		3884.02
Verizon			290.49
Hess Corporation	Gas & Electric		3958.53
Hess Corporation			9982.15
Hess Corporation			
			197.27
PSE&G			14,567.45
NJ American Water	Water		983.65
Rachles/Micheles	Gasoline		6487.58
National Terminal, Inc.	Diesel		4333.55
NJ American Water	Fire Hydrants		13,469.04
Advanced Video Surveillance	Public Bldg. & Grounds		330.00
Arrow Elevator, Inc.			140.00
Ocean Clean Inc.			1445.00
Spot-A-Way			105.00
Ford Motor Credit Company	Acq. Of Police Car		1341.27
Passaic Valley Sewerage Comm.	PVSC Sewer Fees		216,989.91
Van Orden	Flood – DPW		2232.14
Little Falls ShopRite, Inc.	Flood – Police		469.53
West Essex Building Supply Co.			100.00
Treasurer, State of NJ	Reserve for Bldg. Insp. DCA		1040.32
Little Falls Shoprite, Inc.	Municipal Alliance		161.21
Little Falls Athletic Club			400.00
City of Clifton	Accounts Payable		3000.00
Depository Trust Company	Bond Principal		350,000.00
Depository Trust Company	Interest on Bonds		31,388.00

FINANCE COMMITTEE

Darlene Post

Louis Fontana

Joseph Sisco

**EXECUTIVE SESSION**

It was moved by Councilmember Sisco, seconded by Councilmember Post, 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 from the Public; and

WHEREAS, the regular meeting of this Governing Body will reconvene;

NOW, THEREFORE, BE IT RESOLVED that the Township Council of the Township of Little Falls will go into executive session for the following reason(s) as outlined in N.J.S.A 10:4-12: One matter of Contract Negotiations regarding Solar Energy, One matter of Potential Litigation regarding Pinnacle Contract, One matter of Attorney/Client Privilege/Contract Negotiations regarding Repetitive Flood Claim and Severe Repetitive Loss Programs.

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**Meeting of April 11, 2011**

Poll:           Ayes:           Post, Sisco and President Fontana  
                  Nays:           None

The Council President declared the motion passed.

The Council entered Executive Session at 8:09 p.m.

At 8:55 p.m., the Council returned and it was moved by Councilmember Sisco, seconded by Councilmember Post, that the meeting return to Open Session.

Poll:           Ayes:           Post, Sisco and 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 Sisco, seconded by Councilmember Post, that the meeting be and it was adjourned at 8:55 p.m.

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William E. Wilk  
Municipal Clerk

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Cynthia Meyer  
Deputy Municipal Clerk