

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

**Monday, August 6, 2012**

Council President Louis Fontana called the meeting to order at 7:34 p.m. with the following members present: Mercedes Gonzalez, Joseph Sisco and John Vantuno. Also present were Mayor Darlene Post, Township Attorney William Northgrave, Municipal Clerk William Wilk and Township Administrator Joanne Bergin.

Absent: Councilmember Pamela Porter

Township Employees present: DPW Superintendent Phillip Simone, Police Chief John Dmuchowski, Tax Assessor Richard Hamilton, Tax Collector Denise Whiteside, Fire Inspector Mike Onder and Deputy Municipal Clerk Cynthia Kraus

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 5, 2012; 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 Gonzalez, that the Minutes of the meetings of April 16, 2012, April 23, 2012, May 7, 2012 and May 21, 2012 be approved.

Poll:           Ayes:           Gonzalez, Sisco, Vantuno and President Fontana  
                  Nays:           None

The Council President declared the motion passed.

**REMARKS FROM CHAIR**

Council President FONTANA informed that the Recreation Department runs a summer camp program each year. He pointed out that there was a very good turnout this year, noting that it was the most kids ever enrolled in the program. He described this to be a great program, noting that Mr. Pace and his staff do a wonderful job. He also informed that he would like to hold a realistic transportation meeting in the near future. He will be setting something up in the near future so they can work on any issues the town is having.

**COUNCIL MEMBER REPORTS**

Councilmember VANTUNO had nothing to report.

Councilmember SISCO acknowledged that the 2012 Budget included the hiring of two new police officers. However, he was not made aware when these officers were hired. He was embarrassed that he was knowledgeable of these new hires, and said that the Council should have been made aware out of courtesy. He asked that they be informed in the future. He also referred to a recent article in the Bergen Record regarding a part-time employee who was getting a pension, under the administration of the previous mayor. He asked Mayor Post if the Township is now compliant with this. He also informed that he would like to serve on the Economic Development Committee.

Councilmember GONZALEZ said in June Mrs. Bergin, herself, Mr. Lindsay and some flood victims all attended an NJDEP meeting with the Army Corps. It is important for town officials to attend these meetings. There were many questions and it was very informative; there was some relief for the victims. She informed that the Fire Chief had asked for a new fire truck at the last Workshop. She asked him ten questions in order to determine if this is feasible; she has not received a response as of now. She said this town will not vote yes unless everything is researched; money won't be spent like it used to be. She wants things to get done right. She attended the Planning Board meeting where Mrs. Bergin gave a presentation of the Transit Village; they will push forward to see what they can do for the town. She voiced her dissatisfaction that the Mayor swore in two new police officers on Thursday without informing anyone. The Council was unaware of this, which is embarrassing. Traditionally, it is a big, important ceremony to swear a police officer into office. The Council should be respected and be told what is happening.

**MAYOR'S REPORT**

Mayor Post apologized for not informing the Council of the hiring of two new police officers. She explained that this was a last minute thing which was required to be done immediately in order to avoid having to pay for another test to be administered. She also informed that the pension situation has been rectified.

She recently attended the opening of St. Agnus' food pantry; she encouraged donations and thanked the church for this service. She also congratulated Fire Company #3 who had an anniversary picnic that was attended by over 700 people. She applauded all of the fire companies for their volunteerism, dedication and service to the Township. She had stated when she became Mayor that she would bring ratables into Little Falls; therefore, she has been examining the Rose Street property. Survey work is currently underway to determine the actual buildable area of the land. She also informed that the Master Plan is due to be redone in the near future, for which she will assign a committee to work on. Since the Township underwent an assessment, tax appeals have been overwhelming. She has therefore, asked the Tax Assessor to give a report on this tonight and the possibility of a reassessment.

**ATTORNEY'S REPORT**

Mr. Northgrave assured that he will keep his services at a minimum so he is not charging overwhelming amounts of money. He responded to a question asked at a previous meeting regarding public speaking, and informed that you cannot limit who speaks at a public meeting. There are solutions, but you must allow everyone to speak. There is an ordinance on the agenda this evening regarding public nudity and urination. There was also a question about the resignation letter by Mr. Tosi; he

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informed that this is a personnel matter, which is private and will not be shared. He can spend more time reviewing it if there is a specific concern. Mr. Tosi could share this if he so wished, but the town cannot.

### ADMINISTRATOR'S REPORT

#### *Transit Village*

The Township continues to investigate the pursuit of a Transit Village designation. Currently, the NJDOT allows for a ¼ mile radius from a designated transit hub to serve as the Transit Village area. In examining the benefits of a Transit Village designation, the Township's contention is that a radius extension must be allowed for this to benefit our Township. The radius extension request was put forward to the NJDOT on our behalf by the New Jersey Transportation Planning Authority, but was denied. I feel the radius extension request should come from us and to bolster that appeal, the Township has engaged and received support from the Passaic County Planning Department. The County prepared essential mapping that outlines the benefits of the radius extension and those maps were used as part of a presentation made on August 2 before the Township's Planning Board. A copy of that map is on display behind the witness stand. Following the presentation, the Planning Board provided the Township with a support letter affirming the need for a radius extension. The County has also provided a support letter. We hope for approval to present to the Transit Village subcommittee in the coming months and make a compelling argument for the radius extension.

#### *New Impact to Taxpayers Sheet*

As the result of several questions from the public, I have prepared a revised handout on the impact to taxpayers spreadsheet created to help illustrate the financial impact should 50 homes be acquired through funding made available specifically for severe repetitive loss flood-prone properties. Using the same formula of an average total tax of \$6,458.50 of 2 sample properties in the flood area, multiplied by 100% to include the total tax bill, including the one area that we have control over (being the municipal tax rate), and the areas that are not within our control (the local school, county and regional school tax rates). Initially, I presented the impact from a municipal perspective.

In this modified presentation, I am including all of the variables – the ones within our control and the ones not in our control assuming 100 percent of the current tax bill. *Read from chart.*

*If needed:* The County and the Regional School's share would eventually be reduced, probably a year later. The County Tax is based upon the equalized tax value of the Town - that is if ratables are reduced our share of the tax should go down. The regional school tax is not only based on the number of students that go to PV but also on the percentage of the equalized value of the tax base. It is more complicated as it depends on the ratio of kids in the elementary school to those going to High School in determining the how much tax base is attributable to each town in coming up with what each town's share is.

#### *Response to indebtedness question*

In response to a question from a member of the public at the July meeting, the township has \$27,902,618 of gross debt issued, outstanding and authorized. Please note that of this amount, \$6,815,000 is related to the FEMA projects and reimbursement is expected.

The breakout is as follows:

Bonds: \$13,562,000

Notes: \$4,365,000

Authorized but not Issued: \$9,975,618

Total: \$27,902,618

#### *DEP meeting with Army Corps June 11*

The New York District Corps of Engineers and the NJDEP hosted a public information session to discuss the scope, schedule and cost of the Passaic River Reevaluation on Wednesday, July 11 at Pequannock Township High School. I attended as did several of our flood victims, members of our Flood Board and our Township Engineer. The general consensus from the public was that the meeting was rather disappointing as it outlined a strategy that includes the need to conduct studies as opposed to implement projects.

In accordance with the January 2011 *Report to the Governor: Recommendations of the Passaic River Basin Flood Advisory Commission*, the reevaluation will be limited to investigations of the following items:

- Levee/Floodwall/Nonstructural/Bridge & Dam Modification Alternatives
- Levee/Floodwall/Nonstructural/Channel Modification Alternative
- Beatties Dam/Two Bridges Improvements – Modifications to Beatties Dam, channel improvements both downstream and upstream (including the Two Bridges Area) will be evaluated
- 10-year non-structural – As part of a complete alternatives analysis, a non-structural only alternative will be analyzed. This measure will be examined throughout the Passaic Basin and may include (but is not limited to) flood proofing, elevating structures above the 10-year storm event, buyouts, preservation of open space, etc.
- No Action Plan – as required by NEPA and other regulations, the No Action Plan will be identified and the impacts will be clearly discussed and analyzed.

A second public session will be held on September 13, 2012 from 6 to 9 pm at the Passaic County Public Safety Academy, 300 Oldham Road.

#### *Amity site visit 7/20*

Recreation Director John Pace and I took one for the team on July 20 and got absolutely, positively completely soaked during the County's site visit to Amity Park. The site visit was conducted as part of the review process for the grant the Township submitted for improvements at Amity. The County's review team made several positive comments including how the township has implemented previously funded projects including the backstops at Paterson Avenue and the new tennis courts. They also applauded the Township's voters for approving the Open Space Trust Fund. They commented on the strength of our strategy – a different park or field each year – and our commitment to expend the grants in a timely manner.

#### *Central Regional Flood Basin 7/31*

I attended the Central Regional Flood Basin meeting on July 31 with representatives from Fairfield, Lincoln Park, Pequannock, Pompton Lakes, and Wayne. The group has been working diligently to identify priority projects within the Governor's 15-point plan that it will recommend as the focus of flood mitigation strategies. Those priorities are: Retention basins (ensure that existing ones are updated and adequate and reactivate storage needs and that new ones will be created per engineers areas of recommendations to create retention basins so it takes longer for water to get downstream). The second priority area is water flow (remove impediments – observational evidence/photos) and dam management. The Central Passaic River Task Force is focusing on its own 15-point plan, and hopes to draw attention to projects can be implemented without the need for studies. The group plans to kick off its marketing campaign with an event in August which marks the one-year anniversary of Hurricane Irene.

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### *Open Space Master Plan*

Now that the Township has an approved Open Space Trust Fund, it must develop a vision for how those funds can be used most efficiently and strategically in the coming years. In order to do that, the Township must develop an Open Space Master Plan, which is required for the township to be eligible for open space acquisition and development funds from NJDEP Green Acres Program and other sources.

The Township has solicited cost proposals for this project. The lowest, qualified proposal came from the Passaic River Coalition at a cost of \$12,000. The cost for this Master Plan will be paid for through the Trust Fund. A formal agreement with the Coalition will be on the next regular agenda.

### *Fire Truck*

The ordinance for the acquisition of a new pumper for Fire Company No. 2 was pulled for further review. Several questions were raised following the July presentation by Chief Sweezy that has led for the need to take a more global look at this request. This will include a discussion with the Chief as well as the Assistance Chiefs from all fire companies to examine the vehicle and equipment inventory, the age of the fleet, the costs to date on maintenance and repair and the Insurance Services Office (ISO) rating and what the Township needs in terms of apparatus to maintain its rating.

The I.S.O. rating of a community has a direct effect on the insurance premiums that individuals pay on their homes and especially on commercial buildings. The lower the I.S.O. rating on a scale of 1 to 10, the better the insurance rates are (generally).

### *Justice Complex*

The Temporary Certificate of Occupancy has been issued. The Township expects a Certificate of Occupancy by August 15. The Court will be moved to this location in September, with the Police to follow shortly thereafter.

### *Municipal Hours*

As you know, the Municipal Court will be moving to this location in September. In order to keep the functions of the Township separate from the court, I am asking the council to consider changing the hours of operation to 8 am to 4 pm. The general operating procedure for township office hours consistent throughout Passaic County and the state is 8:30 am to 4:30 pm. By changing that slightly to 8 to 4, we will be able to close the offices and have employees be out the door when court attendees begin to arrive. This move significantly reduces parking issues, allows for the police to better monitor attendees, and eliminates anyone visiting the Township for business having to mingled with those who need to be screened for weapons and other court-mandated procedures. This is also a benefit to the public, particularly those who work and have been asking for early hours in order to come by and conduct business on their way to work. If approved, the Township will heavily promote this change and will put it into effect just after Labor Day.

We have looked at alternatives to this, including relocating court entry and the location for the metal detector. We also talked with the Judge to determine the feasibility of changing the court time to evenings. Neither of these possibilities were viable.

Regarding the Mayor's issue on the pension, she informed that she spoke with the Township's former CMFO and the Township is now in compliance with the laws of the State pension system.

## **ENGINEER'S REPORT**

Mr. Lindsay reported that he met with representatives of the water company and their contractor on 7/16/12 regarding the water main break. They spoke of the logistics of how this would be handled and thought they should proceed. They thought they should proceed. Work has commenced on this project and they hope to be done with this in the near future so they can move forward with paving.

## **REPORT FROM TAX ASSESSOR REGARDING MUNICIPAL REASSESSMENT**

Mr. Hamilton wished to clarify some terminology for the Governing Body and the public. He clarified the definition of a revaluation and a reassessment. He described each process in detail. The least intense change to assessments would be a compliance plan. This allows changing up to half of the values of the properties in your municipality from one year to another.

A reassessment is an important thought at this juncture, since 2013 would be the last year the State would allow a reassessment from the 2009 revaluation. He informed that he became the Assessor in Little Falls in the second half of 2009, which is when he began his two year study of sales. There has been a steady increase in the number of tax appeals since the revaluation. In the most recent survey of sales, there were 45 sales; of those, seven occurred where the sale price was greater than the assessed value of the property; in 38 of those cases, it was reversed, which is a problem. There is a need for action. The town reimburses the entire amount of money to the property owner when a tax appeal is settled. For the portion of the lost taxes that represent the County's taxes, the Township will get a credit for its share of County taxes for the following year. The town doesn't get a refund from the school district for a lost tax revenue. It is imperative to conduct a municipal-wide reassessment for the 2009 revaluation. This would have to be done this year.

Councilmember VANTUNO asked when the next revaluation will take place. Mr. Hamilton informed that there is not a set amount of time in which the County will order a revaluation. The movement of the market may dictate the amount of time. In response to Councilmember VANTUNO, he informed that the idea of a reassessment would bring the town back to 100%. In response to Councilmember FONTANA, Mr. Hamilton said the dynamics in the market do contribute to the amount of time between revaluations. Councilmember VANTUNO assumed that this would lessen the tax base. Mr. Hamilton agreed and said reassessments and revaluations are revenue neutral. This doesn't increase or decrease the total amount of property taxes in Little Falls.

## **PUBLIC PORTION**

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

Poll:                   Ayes:                   Gonzalez, Sisco, Vantuno and President Fontana  
                              Nays:                   None

The Council President declared the motion passed.

Louis Fernandez, 54 Harrison Street, referred to the pension issue and said there are a few names on the pension list who he thinks shouldn't be there. He asked why independent contractors are collecting pension from Little Falls. He asked the Council to be honest with him with all issues in town.

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Bob Dombrowsky, 49 Parkway, informed that there was a water main break on 7/4/12 and the residents had no notice. He asked if the town could do a reverse 9-11 call for something like this in the future, noting that someone should have been made aware of this. He also noted that there was a big thunderstorm on 7/28/12, which caused a lot of street flooding. He asked why this was a problem for the storm drains behind William Street.

Raymond Klepar, 8 Douglas Drive, questioned Mr. Hamilton on the amount of taxes as per the increase. He informed that there is currently \$27million in bond debt in Little Falls. He asked Mr. Hamilton to double check the numbers that are expected for next year.

Brian Reynolds, 7 Notch Road, said there has been a lot of talk about improving the business district; he distributed flyers to the Council with information about this. He also informed that Zillow says his house is worth 25% less than what he is assessed at. A reassessment is not the answer; the town must cut costs. The town hasn't changed the total taxes to be raised by the Schools or the County. The town has control of over 63% of the budget. Referring to the agenda, he said there are no dollar amounts given for several settlement resolutions. Referring to welfare payments, he asked if this is something that is State mandated or a local thing. He also questioned the roadway improvements at Viewmont Terrace and Brookhill Place.

John Reilly, 21 Cedar Street, advised that a reassessment is desperately needed. The town will be defenseless against tax appeals.

John Herman, 122 Ridge Avenue, asked about the status of the radio system. He informed that he is a member of the Fire Department. He also noted that he heard rumors that a road will be build to 52 Clove Road and MSU will be using room in that building to rent space; he questioned this.

Rosemarie Bello-Truland, High Court, said the Tax Assessor did a very good job explaining everything.

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

Poll:           Ayes:           Gonzalez, Sisco, Vantuno and President Fontana  
                  Nays:           None

The Council President declared the motion passed.

Mrs. Bergin said it was never her intent to be misleading; she did her homework and represented.

Councilmember SISCO said his pension is \$15 a month and he puts his own money into it. He is not planning on retiring with his Little Falls pension.

Mr. Wilk explained that he and Mrs. Kraus are now the pension officers in town, after having recently completing training. He further explained that there are five different tiers of membership depending on where you started and what tier you are at. There were some cases where the law changed in 2008, which is why these members would no longer be eligible. Mr. Lindsay is no longer in the pension and Mr. Sisco is a tier one member.

Chief Dmuchowski referred to the water main break and informed that this was reported in the afternoon. They were supposed to fix this on the overnight with the hopes to be done in the morning. However, this didn't work out as planned, which ended up impacting the residents. He apologized for the inconvenience.

Mrs. Bergin informed Mr. Dombrowsky that the Police have a text message system; there is a link to this coming soon on the website. Police send out messages immediately as things occur. They are trying to improve communication.

Mr. Lindsay said the pump station just started up about two weeks ago. There was only one pump in service and it was a tremendous rain storm. The area where the flooding occurred is the lowest point in that area and the pump stations were not able to handle the flow of water.

Mr. Hamilton said the town only knows this year's taxes as of 18 days ago. It would be impossible to calculate next year's taxes at this point. He clarified further. He encouraged everyone to have a one-on-one meeting with the revaluation company. Mrs. Bergin clarified the amount of gross debt issued.

Council President FONTANA said it is not easy to cut from the budget. Mr. Wilk clarified that welfare is State mandated.

Mr. Lindsay referred to the Viewmont Terrace and Brookhill Place roadway improvements project, and informed that the Township received monies from Cedar Grove in addition to grant monies; the remaining portion is the Township's cost.

Mr. Wilk said what we are receiving is a stipulation and later a resolution will come before the Council with an amount.

Mrs. Bergin said the equipment that is in storage will be used for the radio system and it will be installed in the next couple of months.

Mr. Hamilton referred to leasing space as a lost ratable and explained that if the property owner is a taxable property owner, they can lease a space to a non-taxable company. It doesn't change the exempt status.

### CONSENT AGENDA

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

Municipal Clerk's Report – Month of June 2012

MUNICIPAL CLERKS REPORT  
Month of June 2012

**Meeting of August 6, 2012**

ABC LICENSES		\$22,330.00
OTHER LICENSES		
Business Licenses	\$1,405.00	
Pre-paid Business Licenses		
Raffle Licenses		\$1,405.00
REGISTRAR OF VITAL STATISTICS		
Fees & Permits	\$336.00	
Marriage Licenses-LF	24.00	
Marriage Licenses-NJ	200.00	
		\$560.00
MRNA		
Street Maps		
Zoning Maps	\$6.00	
Zoning Ordinances		
Document Copies	13.30	
Garage Sales	120.00	
Misc. Fees & Refunds:		
TOTAL MRNA		<u>\$139.30</u>
TOTAL CURRENT ACCOUNT		<u>\$24,434.30</u>
TOTAL TO TREASURER		<u>\$24,434.30</u>
	*****	

Municipal Clerk's Dog/Cat License Report – Month of June 2012  
MUNICIPAL CLERK'S DOG/CAT LICENSE REPORT  
Month of June 2012

<b>Dog Licenses issued 06/01/12 thru 06/30/12</b>	
Nos. 092 to 170 = 78 Licenses	
Amount due Little Falls	\$530.40
Amount due State	102.60
Total Cash Received	\$633.00
<b>Cat Licenses issued 06/01/12 thru 06/30/12</b>	
Nos. 009 to 020	
Licenses Issued 12	
Total Cash Received	<u>\$96.00</u>
Total to Treas.	<u>\$729.00</u>

Tax Collector's Report – Month of June 2012  
**MONTHLY REPORT**

Municipality of Township of Little Falls  
Office of the Tax Collector  
Revenues Collector for the Month of June 2012

Categories	June 1-30, 2012	2012 Year to Date
2012 Taxes	\$366,619.08	\$20,071,086.30
2011 Taxes	250.00	527,108.58
2010 Taxes	0.00	799.70
Prepaid 2013 Taxes	0.00	0.00
Interest	4,163.95	61,730.36
Township Tax Title Lien	0.00	29,966.71
Township Tax Title Lien Int.	0.00	8,256.46
Township Tax Title Lien 6% PE	0.00	1,617.57
Cost of Tax Sale	0.00	4,154.07
Outside Tax Liens	105,089.39	286,768.34
Duplicate Tax Bills	0.00	85.00
Tax Searches	0.00	0.00
Insufficient Check Charge	0.00	100.00
6% Penalty Fee	0.00	9,536.80
Misc. Line Item Fee	0.00	0.00
Premium Outside Lien	0.00	135,200.00
Tax Sale Additional Fee	0.00	2,100.00
Municipal Copy Fee	0.00	0.00
<b>GRAND TOTALS</b>	<b>\$476,122.42</b>	<b>\$21,138,509.89</b>

Delinquent 2012 Taxes \$390,389.74 (1<sup>st</sup> -2<sup>nd</sup> Qtrs.) 144 line items.  
Delinquent 2011 Taxes 1,236.85 (1 Bankruptcy/1 Senior Dis.).  
**Total Delinquent Taxes \$391,626.59**

**Comparison same time last year:**  
Delinquent 2011 Taxes \$366,964.03 (1<sup>st</sup>-2<sup>nd</sup> Qtrs.) 143 line items.  
Delinquent 2010 Taxes 500.00 2 Senior Disallowances.  
**Total Delinquent Taxes \$367,464.03**

2012 Refunds this month = -\$22,569.42  
2012 Year to date refunds = -\$25,198.55  
**Refunds for all other Years in 2012 (see attached).**

2012 Insufficient check charge backs (year to date) = **-\$22,637.96.**

**APPLICATIONS**

Little Falls Fire Department Auxiliary – Joseph Zobel, Van Pelt Place, Singac Co. #3  
- Christina Ihle, Lockwood Place, Clifton, Eagle Hose Co. #1

**Meeting of August 6, 2012**

- Alex Michael Rossi, Notchcroft Drive, Eagle Hose Co. #1
- Danny Ismail, Mountain Park Road, Eagle Hose Co. #1
- Chris Feliciano, Barberry Lane, Eagle Hose Co. #1

**RESOLUTIONS**

**NJ State Dept of Health – State Dog License Fees**

RESOLUTION [A] 12-08-06 - #1

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:

\$102.60

payable to:

NJ State Dept. of Health

representing payment of State dog license fee, license Nos. 092 to 170 for the month of June 2012.

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**2010, 2011 & 2012 Stipulations of Settlement**

RESOLUTION [B] 12-08-06 - #2

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, 2011 and 2012 tax years; 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, 2011 and 2012 tax appeals pending before the Tax Court of New Jersey as hereinafter enumerated be and the same is hereby authorized, approved and ratified:

Property Owner: Par 3, LLC  
Address: Rose Street

Block: 193

Lot: 1

Year 2010	ORIGINAL ASSESSMENT	COUNTY BOARD JUDGMENT	TAX COURT JUDGMENT
<b>LAND</b>	\$ 2,351,000	\$ 2,351,000	\$ 2,351,000
<b>IMPROVEMENTS</b>	\$10,106,500	\$10,106,500	\$10,106,500
<b>TOTAL</b>	\$12,457,500	\$12,457,500	\$12,457,500
			AFFIRMED
Year 2011	ORIGINAL ASSESSMENT	COUNTY BOARD JUDGMENT	TAX COURT JUDGMENT
<b>LAND</b>	\$ 2,351,000	\$ 2,351,000	\$ 2,351,000
<b>IMPROVEMENTS</b>	\$10,106,500	\$10,106,500	\$ 9,190,600
<b>TOTAL</b>	\$12,457,500	\$12,457,500	\$11,541,600
Year 2012	ORIGINAL ASSESSMENT	COUNTY BOARD JUDGMENT	TAX COURT JUDGMENT
<b>LAND</b>	\$ 2,351,000	\$ 2,351,000	\$ 2,351,000
<b>IMPROVEMENTS</b>	\$10,106,500	\$10,106,500	\$ 8,366,200
<b>TOTAL</b>	\$12,457,500	\$12,457,500	\$10,717,200

Address: Rose Street

Block: 193

Lot: 4

Year 2010	ORIGINAL ASSESSMENT	COUNTY BOARD JUDGMENT	TAX COURT JUDGMENT
<b>LAND</b>	\$ 345,600	\$ 345,600	\$ 345,600
<b>IMPROVEMENTS</b>	\$ 183,200	\$ 183,200	\$ 183,200
<b>TOTAL</b>	\$ 528,800	\$ 528,800	\$ 528,800
			AFFIRMED
Year 2011	ORIGINAL ASSESSMENT	COUNTY BOARD JUDGMENT	TAX COURT JUDGMENT
<b>LAND</b>	\$ 345,600	\$ 345,600	\$ 345,600
<b>IMPROVEMENTS</b>	\$ 183,200	\$ 183,200	\$ 138,800
<b>TOTAL</b>	\$ 528,800	\$ 528,800	\$ 484,400
Year 2012	ORIGINAL ASSESSMENT	COUNTY BOARD JUDGMENT	TAX COURT JUDGMENT
<b>LAND</b>	\$ 345,600	\$ 345,600	\$ 345,600
<b>IMPROVEMENTS</b>	\$ 183,200	\$ 183,200	\$ 104,200
<b>TOTAL</b>	\$ 528,800	\$ 528,800	\$ 449,800

2. There will be no prejudgment interest.
3. The provisions of N.J.S.A. 54:51A-8 (Freeze Act) shall be applicable to this property, unless a municipal wide reassessment occurs. For 2013 or 2014.
3. The Township Attorney and Tax Assessor are authorized and directed to execute Stipulation(s) of Settlement and to take such other and further action as may be required to effectuate the above.

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RESOLUTION [C] 12-08-06 - #3

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, 2011 and 2012 tax years; 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, 2011 and 2012 tax appeals pending before the Tax Court of New Jersey as hereinafter enumerated be and the same is hereby authorized, approved and ratified:

Property Owner: Par 5, LLC  
Address: 171 Browertown Road

Block: 194

Lot: 2.01

Year 2010	ORIGINAL ASSESSMENT	COUNTY BOARD JUDGMENT	TAX COURT JUDGMENT
<b>LAND</b>	\$1,835,000	\$1,835,000	\$1,835,000
<b>IMPROVEMENTS</b>	\$ 296,200	\$ 296,200	\$ 296,200
<b>TOTAL</b>	\$2,131,200	\$2,131,200	\$2,131,200
			AFFIRMED
Year 2011	ORIGINAL ASSESSMENT	COUNTY BOARD JUDGMENT	TAX COURT JUDGMENT
<b>LAND</b>	\$1,835,000	\$1,835,000	\$1,735,000

**Meeting of August 6, 2012**

<b>IMPROVEMENTS</b>	\$ 296,200	\$ 296,200	\$ 239,000
<b>TOTAL</b>	\$2,131,200	\$2,131,200	\$1,974,000

Year 2012	<u>ORIGINAL</u>	<u>COUNTY BOARD</u>	<u>TAX COURT</u>
	<u>ASSESSMENT</u>	<u>JUDGMENT</u>	<u>JUDGMENT</u>
<b>LAND</b>	\$1,835,000	\$1,835,000	\$1,735,000
<b>IMPROVEMENTS</b>	\$ 296,200	\$ 296,200	\$ 98,000
<b>TOTAL</b>	\$2,131,200	\$2,131,200	\$1,833,000

3. There will be no prejudgment interest.
3. The provisions of N.J.S.A. 54:51A-8 (Freeze Act) shall be applicable to this property, unless a municipal wide reassessment occurs. For 2013 or 2014.
4. The Township Attorney and Tax Assessor are authorized and directed to execute Stipulation(s) of Settlement and to take such other and further action as may be required to effectuate the above.

\*\*\*\*\*

2011 Stipulation of Settlement

RESOLUTION [D] 12-08-06 - #4

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 2011 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 2011 tax appeal pending before the Tax Court of New Jersey as hereinafter enumerated be and the same is hereby authorized, approved and ratified:

Property Owner: Sefwat Bebawy  
 Address: 91 Louis Street                      Block: 81                      Lot: 49

Year 2011	<u>ORIGINAL</u>	<u>COUNTY BOARD</u>	<u>TAX COURT</u>
	<u>ASSESSMENT</u>	<u>JUDGMENT</u>	<u>JUDGMENT</u>
<b>LAND</b>	\$ 155,000	\$ 155,000	\$ 105,000
<b>IMPROVEMENTS</b>	\$ 148,800	\$ 148,800	\$ 148,800
<b>TOTAL</b>	\$ 303,800	\$ 303,800	\$ 253,800

2. There will be no prejudgment interest.
3. The provisions of N.J.S.A. 54:51A-8 (Freeze Act) shall be applicable to this property for tax year 2012.
4. The Township Attorney and Tax Assessor are authorized and directed to execute Stipulation(s) of Settlement and to take such other and further action as may be required to effectuate the above.

\*\*\*\*\*

RESOLUTION [E] 12-08-06 - #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 2011 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 2011 tax appeal pending before the Tax Court of New Jersey as hereinafter enumerated be and the same is hereby authorized, approved and ratified:

Property Owner: Johnson Kennedy and Azur Kennedy  
 Address: 1 High Court                      Block: 184.03                      Lot: 11                      Qualifier

Year 2011	<u>ORIGINAL</u>	<u>COUNTY BOARD</u>	<u>TAX COURT</u>
	<u>ASSESSMENT</u>	<u>JUDGMENT</u>	<u>JUDGMENT</u>
<b>LAND</b>	\$ 258,000	\$ Affirmed	\$ 258,000
<b>IMPROVEMENTS</b>	\$ 127,000	\$	\$ 92,000
<b>TOTAL</b>	\$ 385,000	\$	\$ 350,000

2. There will be no prejudgment interest.
3. The provisions of N.J.S.A. 54:51A-8 (Freeze Act) shall not apply.
3. The Township Attorney and Tax Assessor are authorized and directed to execute Stipulation(s) of Settlement and to take such other and further action as may be required to effectuate the above.

\*\*\*\*\*

RESOLUTION [F] 12-08-06 - #6

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 2011 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 2011 tax appeal pending before the Tax Court of New Jersey as hereinafter enumerated be and the same is hereby authorized, approved and ratified:

Property Owner: Angelo Iudici and Giovanna Iudici  
 Address: 1 Stewart Avenue                      Block: 173                      Lot: 14.01                      Qualifier

Year 2011	<u>ORIGINAL</u>	<u>COUNTY BOARD</u>	<u>TAX COURT</u>
	<u>ASSESSMENT</u>	<u>JUDGMENT</u>	<u>JUDGMENT</u>
<b>LAND</b>	\$ 190,000	\$ Affirmed	\$ 190,000
<b>IMPROVEMENTS</b>	\$ 268,600	\$	\$ 235,000
<b>TOTAL</b>	\$ 458,600	\$	\$ 425,000

2. There will be no prejudgment interest.
3. The provisions of N.J.S.A. 54:51A-8 (Freeze Act) shall not apply.
3. The Township Attorney and Tax Assessor are authorized and directed to execute Stipulation(s) of Settlement and to take such other and further action as may be required to effectuate the above.

\*\*\*\*\*

RESOLUTION [G] 12-08-06 - #7

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 2011 tax year; and

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

**Meeting of August 6, 2012**

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 2011 tax appeal pending before the Tax Court of New Jersey as hereinafter enumerated be and the same is hereby authorized, approved and ratified:

Property Owner: Frank Esposito  
 Address: 61 Coney Road                      Block: 17                      Lot: 17                      Qualifier

Year 2011	ORIGINAL <u>ASSESSMENT</u>	COUNTY BOARD <u>JUDGMENT</u>	TAX COURT <u>JUDGMENT</u>
<b>LAND</b>	\$ 189,000	\$ Affirmed	\$ 189,000
<b>IMPROVEMENTS</b>	\$ 403,200	\$	\$ 353,200
<b>TOTAL</b>	\$ 592,200	\$	\$ 542,200

- 2. There will be no prejudgment interest.
- 3. The provisions of N.J.S.A. 54:51A-8 (Freeze Act) shall not apply.
- 3. The Township Attorney and Tax Assessor are authorized and directed to execute Stipulation(s) of Settlement and to take such other and further action as may be required to effectuate the above.

\*\*\*\*\*

**RESOLUTION [H] 12-08-06 - #8**

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 2011 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 2011 tax appeal pending before the Tax Court of New Jersey as hereinafter enumerated be and the same is hereby authorized, approved and ratified:

Property Owner: Gennaro Gencarelli  
 Address: 6 High Court                      Block: 184.03                      Lot: 3                      Qualifier

Year 2011	ORIGINAL <u>ASSESSMENT</u>	COUNTY BOARD <u>JUDGMENT</u>	TAX COURT <u>JUDGMENT</u>
<b>LAND</b>	\$ 252,000	\$ 252,000	\$ 252,000
<b>IMPROVEMENTS</b>	\$ 265,700	\$ 265,700	\$ 223,000
<b>TOTAL</b>	\$ 517,700	\$ 517,700	\$ 475,000

- 2. There will be no prejudgment interest.
- 3. The provisions of N.J.S.A. 54:51A-8 (Freeze Act) shall apply to the 2012 tax year and no other years thereafter.
- 3. The Township Attorney and Tax Assessor are authorized and directed to execute Stipulation(s) of Settlement and to take such other and further action as may be required to effectuate the above.

\*\*\*\*\*

2009, 2010, 2011 & 2012 Stipulations of Settlement

**RESOLUTION [I] 12-08-06 - #9**

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 2009, 2010, 2011 and 2012 tax years; 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 2009, 2010, 2011 and 2012 tax appeals pending before the Tax Court of New Jersey as hereinafter enumerated be and the same is hereby authorized, approved and ratified:

Property Owner: R. Realty LLC  
 Address: 1615 Route 46 East                      Block: 200                      Lot: 1

Dismissal by Appellant on years 2009, 2010, 2011 and 2012 without changes to assessment.

2. The Township Attorney and Tax Assessor are authorized and directed to execute Stipulation(s) of Settlement and to take such other and further action as may be required to effectuate the above.

\*\*\*\*\*

Reserve Account – Postage Meter

**RESOLUTION [J] 12-08-06 - #10**

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

\$5,000.00

payable to:

Reserve Account

representing the replenishing of postage account maintained for telephone refill of the postage meter.

\*\*\*\*\*

Payment of Annual NJ Regulated Medical Waste Generator Registration

**RESOLUTION [K] 12-08-06 - #11**

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

\$85.00

payable to:

Treasurer – State of New Jersey  
 NJDEP  
 Division of Revenue  
 P.O. Box 638  
 Trenton, N.J. 08646-0638

representing payment of NJ Regulated Medical Waste Generator Registration (BOH #035).

\*\*\*\*\*

Treasurer, State of NJ – 2<sup>nd</sup> Quarter Marriage License/Civil Union Fees

**RESOLUTION [L] 12-08-06 - #12**

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:

\$550.00

## Meeting of August 6, 2012

payable to:

Treasurer, State of NJ

representing 2<sup>nd</sup> Quarter 2012 Marriage License/Civil Union Fees.

\*\*\*\*\*

### Refund of 2012 Preliminary Property Taxes

#### **RESOLUTION (M) 12-08-06- #13**

**WHEREAS**, the property known as Block 30 Lot 7 in the name of John Sardinsky, Jr., 31 Hughes Place, Little Falls, NJ 07424 has been granted by our Tax Assessor's office a 100% total exemption in property taxes due to permanent veteran disability; and

**WHEREAS**, Mr. Sardinsky's 100% permanent disability was effective April 28, 2012 by our Tax Assessor; and

**WHEREAS**, the Tax Collector is in receipt of the 2012 "certified" tax rate in the amount of \$2.30. Mr. Sardinsky's total 2012 taxes are in the gross amount of \$6,994.30. He is required to pay the pro-rated taxes of 118 days @ \$2,255.00 less \$250.00 veteran deduction of \$250.00 which totals a net amount of \$2,005.00; and

**WHEREAS**, Mr. Sardinsky's exemption (April 28, 2012 to December 31, 2012) which consists of 248 days totals the amount of \$4,739.30; and

**WHEREAS**, Mr. Sardinsky has paid in full the 2012 Preliminary taxes in the total amount of \$3,136.48, and shall be refunded the difference from the net amount he owes of \$2,005.00 which is in the amount of \$1,131.48; and

**WHEREAS**, the Tax Collector shall authorize our Treasurer to refund the pro-rated amount of \$1,131.48 made payable to John Sardinsky, Jr. and mail to 31 Hughes Place, Little Falls, NJ 07424; and

**WHEREAS**, the Council authorizes the Tax Collector to cancel the 2012 estimated 3<sup>rd</sup> quarter taxes that are not paid in the amount of \$1,727.89, along with the 4<sup>th</sup> quarter taxes in the amount of \$1,879.93 totaling \$3,607.82 due to the above 100% permanent disability exemption;

**NOW, THEREFORE BE IT RESOLVED** by the Township Council of the Township of Little Falls on the 6<sup>th</sup> day of August 2012 that the amount of \$1,131.48 is refunded, and the amount of \$3,607.82 is canceled due to Mr. Sardinsky's 100% veteran permanent disability exemption as per N.J.S.A. 54:4-3.32.

#### **RESOLUTION (N) 12-08-06- #14**

**WHEREAS**, the property known as Block 224 Lot 21 in the name of Dominick Spinelli, 21 Ryle Ave, Little Falls, NJ 07424 has been granted by our Tax Assessor's office a 100% total exemption in property taxes due to permanent veteran disability; and

**WHEREAS**, Mr. Spinelli's 100% permanent disability was effective February 27, 2012 by our Tax Assessor; and

**WHEREAS**, the Tax Collector is in receipt of the 2012 "certified" tax rate in the amount of \$2.30. Mr. Spinelli's total 2012 taxes are in the gross amount of \$9,931.40. He is required to pay the pro-rated taxes of 58 days @ \$1,573.83; and

**WHEREAS**, Mr. Spinelli's exemption (February 28, 2012 to December 31, 2012) which consists of 308 days totals the amount of \$8,357.57; and

**WHEREAS**, Mr. Spinelli has paid in full the 2012 1<sup>st</sup> quarter taxes in the total amount of \$2,315.53 (which includes his Homestead Benefit credit applied from the State of NJ in the amount of \$447.71), and shall be refunded the difference from the gross amount he owes of \$1,573.83 which is in the amount of \$741.70; and

**WHEREAS**, the Tax Collector shall authorize our Treasurer to refund the pro-rated amount of \$741.70 made payable to Dominick Spinelli and mail to 21 Ryle Ave, Little Falls, NJ 07424; and

**WHEREAS**, the Council authorizes the Tax Collector to cancel the 2012 2<sup>nd</sup> quarter taxes in the amount of \$2,315.53 (not paid); the estimated 3<sup>rd</sup> quarter taxes in the amount of \$2,542.22 (not paid), along with the 4<sup>th</sup> quarter taxes in the amount of \$2,758.12 totaling \$7,615.87 due to the above 100% permanent disability exemption;

**NOW, THEREFORE BE IT RESOLVED** by the Township Council of the Township of Little Falls on the 6<sup>th</sup> day of August 2012 that the amount of \$741.70 is refunded, and the amount of \$7,615.87 is canceled due to Mr. Spinelli's 100% veteran permanent disability exemption as per N.J.S.A. 54:4-3.32.

### Payment for the Annual Renewal of the Outdoor Advertising License

#### **RESOLUTION [O] 12-08-06 - #15**

**WHEREAS**, the Township of Little Falls applied for and received State license for outdoor advertising (billboards) along Route 46; and

**WHEREAS**, those permits need to be renewed annually with the New Jersey Department of Transportation,

**NOW, THEREFORE, BE IT RESOLVED**, the Treasurer is hereby authorized to issue a check to the New Jersey Department of Transportation in the amount of \$150.00 representing payment of the renewal costs for outdoor advertising license

\*\*\*\*\*

### Hudson-Essex-Passaic Soil Conservation District

#### **RESOLUTION [P] 12-08-06 - #16**

**WHEREAS**, there is a need for a soil erosion and sediment control plan in connection with the improvements to Veranda Avenue and Stanley Road; and

**WHEREAS**, the Township Engineer has completed the necessary application with the Hudson-Essex-Passaic Soil Conservation District;

**NOW, THEREFORE, BE IT RESOLVED**, that the Township Council hereby authorizes the application and instructs the Treasurer to issue a check in the amount of \$575.00 to cover the application fee.

\*\*\*\*\*

### Legal Services – Escrow Account

#### **RESOLUTION [Q] 12-08-06 - #17**

**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:

\$30.00

payable to:

Murphy McKeon, P.C.

representing payment for legal services rendered in connection with Falls Automotive - receipt and review of adjournment request; telephone conference with Chairman; and

**BE IT FURTHER RESOLVED** that the within payment be made from the escrow account on deposit with the Township for expenses incurred in connection with the within development project.

\*\*\*\*\*

### Welfare

#### **RESOLUTION [R] 12-08-06 - #18**

**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:

\$840.00 (\$210.00 each)

payable to:

Welfare Clients #55, 60, 61 & 66

representing payment of Self-Care for the month of July 2012 be and the same is hereby authorized and ratified.

\*\*\*\*\*

#### **RESOLUTION [S] 12-08-06 - #19**

**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:

\$140.00

payable to:

Welfare Clients #70

representing payment of Self-Care for the month of July 2012 be and the same is hereby authorized and ratified.

\*\*\*\*\*

**Meeting of August 6, 2012**

RESOLUTION [T] 12-08-06 - #20

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:  
\$630.00 (\$210.00 each)

payable to:

Welfare Clients #55, 60 & 61

representing payment of Self-Care for the month of August 2012 be and the same is hereby authorized and ratified.

\*\*\*\*\*

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

Poll: Ayes: Gonzalez, Sisco, Vantuno and President Fontana  
Nays: None

The Council President declared the motion passed.

**REGULAR AGENDA**

The following items were individually considered.

**CORRESPONDENCE**

LETTER FROM LITTLE FALLS FOOTBALL PARENTS ASSOCIATION REQUESTING PERMISSION TO CONDUCT A CAN SHAKE FUNDRAISER ON MAIN/STEVENS AND THE TOP OF LONG HILL ROAD ON SATURDAY, AUGUST 11<sup>TH</sup> AND SUNDAY, AUGUST 12<sup>TH</sup>.

T here was an affirmative consensus from the Council to approve this.

**NEW BUSINESS**

Renewal of Two Alcoholic Beverage Licenses – It was moved by Councilmember Gonzalez, seconded by Councilmember Sisco, that the Council approve the following:

RESOLUTION [U] 12-08-06 - #21

BE IT RESOLVED by the Little Falls Township Council as follows:

WHEREAS, applications for renewal of PLENARY RETAIL CONSUMPTION/PLENARY RETAIL DISTRIBUTION have been filed as follows:

<u>License No.</u>	<u>License and/or t/a name</u>	<u>Fee</u>
1605-33-003-008	D.J. Gabbay, Inc. t/a Bellisimo's 1 Newark Pompton Turnpike	\$2,200.00
1605-33-004-001	First Russian Nat'l Home of Singac t/a New Russian Hall 4-6 Woodhull Avenue	“

and WHEREAS, it appears that the said applications are in satisfactory form; that the applicants have complied with all necessary requirements; that the applications are for renewal by the same person(s) for the same stand; and that no objections, in writing or otherwise, have been made or filed to said applications; and

WHEREAS, the Township Council is familiar with the aforementioned applicants and the places for which they apply and sees no objection; NOW, THEREFORE, BE IT RESOLVED that the above-listed applications be and the same are hereby granted; and

BE IT FURTHER RESOLVED that licenses be issued accordingly, to become effective on July 1, 2012 and expire on June 30, 2013.

\*\*\*\*\*

Poll: Ayes: Gonzalez, Sisco, Vantuno and President Fontana  
Nays: None

The Council President declared the motion passed.

Ordinance No. 1159 – It was moved by Councilmember Sisco, seconded by Councilmember Vantuno, that the public hearing on Ordinance No. 1159, “**AN ORDINANCE AMENDING CHAPTER 140 – OUTDOOR DINING FACILITIES OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF LITTLE FALLS**”, be and it was opened.

Poll: Ayes: Gonzalez, Sisco, Vantuno 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 Vantuno, that the public hearing on Ordinance No. 1159 be and it was closed.

Poll: Ayes: Gonzalez, Sisco, Vantuno and President Fontana  
Nays: None

The Council President declared the motion passed.

It was moved by Councilmember Gonzalez, seconded by Councilmember Vantuno, that the Ordinance No. 1159 be and it was adopted.

Poll: Ayes: Gonzalez, Sisco, Vantuno and President Fontana  
Nays: None

The Council President declared the motion passed.

Ordinance No. 1160 – It was moved by Councilmember Gonzalez, seconded by Councilmember Sisco, that the public hearing on Ordinance No. 1160, “**BOND ORDINANCE PROVIDING A SUPPLEMENTAL APPROPRIATION OF \$40,000 FOR PAVING OF STANLEY STREET IN AND BY THE TOWNSHIP OF LITTLE FALLS, IN THE**

**Meeting of August 6, 2012**

**COUNTY OF PASSAIC, NEW JERSEY, AND AUTHORIZING THE ISSUANCE OF \$38,000 BONDS OR NOTES OF THE TOWNSHIP FOR FINANCING PART OF THE APPROPRIATION”, be and it was opened.**

Poll: Ayes: Gonzalez, Sisco, Vantuno 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 Gonzalez, seconded by Councilmember Sisco, that the public hearing on Ordinance No. 1160 be and it was closed.

Poll: Ayes: Gonzalez, Sisco, Vantuno and President Fontana  
Nays: None

The Council President declared the motion passed.

It was moved by Councilmember Gonzalez, seconded by Council President Fontana, that the Ordinance No. 1160 be and it was adopted.

Poll: Ayes: Gonzalez, Sisco, Vantuno and President Fontana  
Nays: None

The Council President declared the motion passed.

Ordinance No. 1161 – It was moved by Councilmember Sisco, seconded by Councilmember Vantuno, that there be introduced and the meeting of September 10, 2012 set as the date and time for the public hearing on the following:

**Ordinance No. 1161**

**An Ordinance Establishing a Prohibition Against Urinating and Defecating in Public Places and Public Nudity**

As used in this article, the following terms shall have the meanings indicated:

**PUBLIC PLACE**

Those areas traditionally reserved for use by the public including, but not limited to streets, sidewalks, parks, open spaces, commercial parking lots, vehicles of mass transportation, property owned by the Township, county, state, or any other sovereign entity or places to which the public is otherwise invited. An otherwise private place may become a public place if a permit seeking permission for the general public to access the property for a specific purpose is granted. In this instance, the location is a public place only for the duration of the permit's validity.

**PUBLIC VIEW**

Means that which can be seen within normal visual range of a person in a public place.

**STATE OF NUILITY**

Means the exposure of the genitals, pubic area, buttocks or female breasts.

Prohibited Activities

- A. It shall be unlawful for any person to urinate or defecate in any public place, or in public view within the Township of Little Falls.
- B. No person shall appear, in public view, or travel on any street, avenue, highway, or road located in the Township, in a state of nudity.

**Violations and penalties.**

Any person violating this article shall, upon conviction thereof, be punished by a fine not exceeding \$2,000, or imprisonment for a period not exceeding 90 days, or both.

\*\*\*\*\*

Poll: Ayes: Gonzalez, Sisco, Vantuno and President Fontana  
Nays: None

The Council President declared the motion passed.

Ordinance No. 1162 – It was moved by Councilmember Sisco, seconded by Councilmember Gonzalez, that there be introduced and the meeting of September 10, 2012 set as the date and time for the public hearing on the following:

**ORDINANCE NO. 1162**

**AN ORDINANCE TO VACATE SINGAC PLACE**

WHEREAS, a certain street in the Township of Little Falls known as Singac Place was dedicated to the township on or about 1917 and such property was found on a certain Map entitled “Map of Property of W.H. Van Ness, Singac, N.J., May 1917”; and

WHEREAS, the aforesated property was never accepted by the Township of Little Falls and remains as a dedicated unaccepted paper street; and

WHEREAS, on or about March 31, 1952, the Township of Little Falls voluntarily vacated and extinguished the public right to a portion of Singac Place by Ordinance filed in Passaic County Register’s Office in Street Vacation Book 1 page 510 & c.; and

WHEREAS, the Township of Little Falls has determined that the aforesate street is not necessary for the safety or welfare of the residents of the township, nor is there any legitimate need for such street in the foreseeable future.

**NOW LET IT BE ORDAINED** that all public rights and interest in the property known as Singac Place is vacated and extinguished, including but not limited to the part described by metes and bounds as follows:

BEGINNING at a point at the intersection of the northerly line of Muller Place, 33 feet in width, with the westerly line of Singac Place, 33 feet in width, and running thence:

1. North 13 degrees 16 minutes West along the westerly line of Singac Place 200.00 feet to the southerly line of Singac Place vacated March 31, 1952 and recorded in Passaic County Register’s Office in Street Vacations Book 1 Page 510 on April 9, 1952 and thence;
2. North 77 degrees 06 minutes East along the southerly line of the aforementioned vacated portion of Singac Place 33.00 feet to the easterly line of Singac Place and thence;
3. South 13 degrees 16 minutes East parallel with and 33.00 feet at right angles to the first course 200.00 feet to the northerly line of Muller Place and thence;
4. South 77 degrees 06 minutes West along the prolongation of the northerly line of Muller Place 33.00 feet to the point or place of beginning. Said property, containing 6,600.00 Square Feet or 0.1515 Acres.

This Ordinance shall take effect twenty days after publication of the final passage.

Poll: Ayes: Gonzalez, Sisco, Vantuno and President Fontana  
Nays: None

The Council President declared the motion passed.

**Meeting of August 6, 2012**

Requesting Approval to Change Title of Appropriation to Reflect Change of Township Attorney – It was moved by Councilmember Sisco, seconded by Councilmember Gonzalez, that the Council approve the following:

**RESOLUTION [V] 12-08-06 - #22**

Resolution Re: Requesting Approval to Change Title of Appropriation in Accordance with N.J.S.A. 40A:4-85

WHEREAS, N.J.S. 40A:4-85 provides that the Director of the Division of Local Government Services may, at the request of, or with the consent of, the governing body of any county or municipality, make such correction of the title, text or amount of any appropriation appearing in the budgets as may be necessary to make said item of appropriation available for the purpose or purposes required for the needs of any such county or municipality; and

WHEREAS, the Township's 2012 adopted budget included an attorney as an employee to be paid from a salaries and wages budget appropriation; and

and WHEREAS, the Township will now have its legal services provided by contracted professional services rather than from an employee.

NOW, THEREFORE, BE IT RESOLVED, that in accordance with the provisions of N.J.S. 40A:4-85, the Township of Little Falls hereby requests the Director of the Division of Local Government Services to make the following adjustments in the budget of the year 2012:

	<u>From</u>	<u>To</u>
Legal Services and Costs – Salaries and Wages	\$62,939	
Legal Services and Costs – Other Expenses	_____	<u>\$62,939</u>
	<u>\$62,939</u>	<u>\$62,939</u>
	*****	

Poll: Ayes: Gonzalez, Sisco, Vantuno and President Fontana  
 Nays: None

The Council President declared the motion passed.

Authorizing Change Order Increase for Viewmont and Brookhill Roadway Improvements– It was moved by Councilmember Gonzalez, seconded by Councilmember Vantuno, that the Council approve the following:

RESOLUTION [W] 12-08-06 - #23  
 RESOLUTION REVISING CHANGE ORDER TO CROSSROAD CONSTRUCTION CORP  
 FOR ROADWAY IMPROVEMENTS – VIEWMONT AND BROOKHILL

WHEREAS, the Township Council previously approved Resolution [O] 11-10-24 - #15, awarding Change Order No. 1 to Crossroad Construction in excess of \$24,932.25 of the original contract amount for roadway improvements to Viewmont Terrace and Brookhill Place;

WHEREAS, the Township Engineer has recommended a revision to Change Order No. 1 in the amount of \$13,255.52, which would increase that change order to a total amount of \$38,187.77;

NOW, THEREFORE, BE IT RESOLVED, that the Township Council of the Township of Little Falls hereby authorizes the revised Change Order No. 1 to Crossroad Construction Corp in the amount of \$13,255.52 for the completion of roadway improvements to Viewmont Terrace and Brookhill Place with the other accessory work as listed in the Township Engineer's estimate and further authorizes a notice of this action be printed in the official newspaper and a copy of the advertisement be filed with the Township Clerk.

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Poll: Ayes: Gonzalez, Sisco, Vantuno and President Fontana  
 Nays: None

The Council President declared the motion passed.

Awarding Contract to A.J.M. Contractors for Roadway Improvements to Veranda Avenue & Stanley Road– It was moved by Councilmember Gonzalez, seconded by Council President Fontana, that the Council approve the following:

RESOLUTION [X] 12-08-06 - #24  
 AUTHORIZING THE AWARD OF A FAIR AND OPEN CONTRACT FOR  
 ROADWAY IMPROVEMENTS – VERANDA AVENUE AND STANLEY ROAD

WHEREAS, on July 30, 2012, the Township of Little Falls received proposals for roadway improvements – Veranda Avenue and Stanley Road as follows:

- |    |                                     |              |
|----|-------------------------------------|--------------|
| 1) | AJM Contractors, Inc. – Clifton, NJ | \$139,287.50 |
| 2) | 4 Clean-Up, Inc. – North Bergen, NJ | \$146,925.00 |
| 3) | SCS Contracting, Inc. – Ramsey, NJ  | \$157,245.00 |
| 4) | Trino Associates, LLC – Paramus, NJ | \$166,995.00 |

and, WHEREAS, the Township Engineer has reviewed the proposals for technical sufficiency and it is subject to legal review; and WHEREAS, the award is subject to the Availability of Funds and certification of same in Bond Ordinance No. 1099;

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Little Falls that the firm of:

AJM Contractors, Inc.  
 Clifton, New Jersey

be awarded a contract for roadway improvements – Veranda Avenue and Stanley Road in the amount of \$139,287.50

and that the Clerk be and is hereby authorized and directed to advertise the within award of contract; and

2) That the Mayor and Clerk be and they are hereby authorized to execute a contract in a form 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: Gonzalez, Sisco, Vantuno and President Fontana  
 Nays: None

The Council President declared the motion passed.

Awarding 3-year Contract to Grinnell Recycling for Transportation and Disposal of Solid Waste – It was moved by Councilmember Sisco, seconded by Councilmember Gonzalez, that the Council approve the following:

RESOLUTION [Y] 12-08-06 - #25  
 AUTHORIZING THE AWARD OF A FAIR AND OPEN CONTRACT FOR  
 TRANSPORTATION AND DISPOSAL OF VEGETATIVE WASTE

WHEREAS, on July 17, 2012, the Township of Little Falls received proposals for transportation and disposal of vegetative waste services as follows:

- S. Rotondi & Sons, Inc.  
 Summit, NJ  
 Proposal: \$228,673.50 – 3 year contract  
 \$381,122.50 – 5 year contract

## Meeting of August 6, 2012

Grinnell Recycling  
Sparta, NJ  
Proposal: \$175,212.00 – 3 year contract  
\$306,621.00 – 5 year contract

and, WHEREAS, the Department of Public works Superintendent has reviewed the bids for technical sufficiency and it is subject to legal review;  
and

WHEREAS, the award is subject to the Availability of Funds and certification of same in Solid Waste, O/E;  
NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Little Falls that the firm of:  
Grinnell Recycling  
Sparta, New Jersey

be awarded a three year (1/1/2012 to 12/31/2016) contract for vegetative waste services in the amount of  
\$175,212.00

and that the Clerk be and is hereby authorized and directed to advertise the within award of contract; and

2) That the Mayor and Clerk be and they are hereby authorized to execute a contract in a form 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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Mr. Simone explained this resolution.

Poll: Ayes: Gonzalez, Sisco, Vantuno and President Fontana  
Nays: None

The Council President declared the motion passed.

Changing Municipal Building Hours – It was moved by Councilmember Sisco, seconded by Councilmember Gonzalez, that the Council approve the following:

RESOLUTION [Z] 12-08-06 - #26  
FIXING MUNICIPAL BUILDING OFFICE HOURS

BE IT RESOLVED by the Township Council of the Township of Little Falls that the Municipal Building office hours be and they are fixed as follows:

**Commencing Monday September 4, 2012**

Monday through Friday: 8:00 a.m. to 4:00 p.m.  
\*\*\*\*\*

Mrs. Bergin provided an explanation of this resolution. Councilmember SISCO asked how many days a week court is in session. Mrs. Bergin explained that changing hours only two days a week would become confusing for everyone.

Poll: Ayes: Gonzalez, Sisco, Vantuno and President Fontana  
Nays: None

The Council President declared the motion passed.

### **PUBLIC PORTION**

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

Poll: Ayes: Gonzalez, Sisco, Vantuno and President Fontana  
Nays: None

The Council President declared the motion passed.

Renea Shapiro, Little Falls ABC, asked if the Township has a contract with NJ American Water Company. She explained that the town is billed every month, and she is wondering why some residents have different water companies, which changes the cost for everyone.

Rosemarie Bello-Truland, High Court, asked for an explanation of Ordinance No. 1161.

Mark Simolaris, asked if it would be feasible for the Township to stay open late one day per week. Regarding the award for vegetative waste, he asked if this contract would be an increase from last year's cost. He also asked if it is for Township residents only.

Raymond Kostrowski, asked if there is any update on the Justice Complex. He also asked why the town continues to do projects that they have to bond for, and suggested that they should hold off on these projects.

Louis Fernandez, 54 Harrison Street, said a reassessment will not decrease the taxes in town. He clarified that he wanted to limit the number of non-residents in town who speak at meetings. He has been told that this is not possible, but he asked if it would be possible to limit them to speaking only during the second public portion.

Brian Reynolds, 7 Notch Road, referred to the bond ordinance on tonight's agenda, and questioned whether this was a part of another contract previously approved by the Township. Regarding the change in the Municipal Building hours, he voiced his opinion that most people leave work early to conduct their business at the Township, but said people won't go into work late to accomplish this. He also asked for an update on the sidewalk on Notch Road. Referring to the hiring of two new police officers, he said this should have been addressed with the Council earlier. With regard to budget cuts, he said something must be done or the taxes won't get any better.

Raymond Klepar, 8 Douglas Drive, said this year his taxes increased a certain amount, so he is estimating how much they will increase next year.

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

**Meeting of August 6, 2012**

Poll: Ayes: Gonzalez, Sisco, Vantuno and President Fontana  
Nays: None

The Council President declared the motion passed.

Mr. Simone said there was a contract with the water company that goes back a long way; it was a 99-year contract. He explained that it used to be a quarterly bill and it is now monthly. They will have to see how much time is left on the contract. Mr. Lindsay said generally it is a function of what it costs to produce the water supply; it varies in many different areas and cannot be compared. Council President FONTANA questioned the contents of the contract. Mr. Lindsay said they don't set the rate structure on that. Councilmember VANTUNO clarified that a bill is sometimes averaged until the company reads the meter.

Mr. Northgrave provided an explanation of the Singac Place ordinance, noting that there was litigation filed approximately a year ago regarding a piece of property in town.

Mrs. Bergin explained that she spoke with several employees who have been accommodating residents and coming in earlier to do business transactions. She will be attentive if anything else changes. Councilmember GONZALEZ believes in uniform so there isn't any confusion.

Mr. Simone said the vegetative waste contract expired in 2010 and informed that the new price is approximately \$16,000 higher each year than what was paid in the past. The waste is for Little Falls residents only.

Mrs. Bergin said the temporary certificate of occupancy has been issued and the court will be moved in September with the Police Department to follow shortly after.

Councilmember FONTANA said he doesn't think they go overboard with projects in town. Mr. Simone said the County is starting various projects with handicapped ramps. The paving should be following within a few weeks. They will put out an email blast so everyone knows what streets will be impacted.

Councilmember FONTANA said the reassessment makes everything fair and fixes the current circumstances to be correct.

Mr. Northgrave said you may limit speakers as to who speaks first; residents can be permitted to speak first, but no one can be restricted from speaking. People who are not residents can speak during both public portions.

Mr. Lindsay referred to Mr. Reynolds' question regarding the bond ordinance on tonight's agenda, and said this is a different project. He also informed that he was not aware of any work on Notch Road, noting that this is a County road; he will follow up on this.

**PAYMENT OF BILLS**

It was moved by Councilmember Sisco, seconded by Councilmember Vantuno, 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: Gonzalez, Sisco, Vantuno 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 Vantuno, seconded by Councilmember Sisco, that the meeting be and it was adjourned at 9:33 p.m.

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William E. Wilk  
Municipal Clerk

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Cynthia Meyer  
Deputy Municipal Clerk