

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

**Monday, December 17, 2012**

Council President Louis Fontana called the meeting to order at 7:32 p.m. with the following members present: Mercedes Gonzalez, Pamela Porter and John Vantuno. Also present were Mayor Darlene Post, Township Attorney William Northgrave, Township Engineer Dennis Lindsay, Municipal Clerk William Wilk and Township Administrator Joanne Bergin.

Absent: Councilmember Joseph Sisco

Township Employees present: 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 Gonzalez, seconded by Councilmember Vantuno, that the Minutes of the meeting of November 26, 2012 be approved.

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

The Council President declared the motion passed.

**REMARKS FROM CHAIR**

Council President FONTANA referred to the tragic events that occurred in Newtown, Connecticut last week. He informed that the wrestling community in town holds a tournament every year, which happened to be held yesterday. Twelve kids from Newtown, CT were registered to attend the tournament; they still attended and were able to have a normal day without hearing about what happened. They were very appreciative of this. He also informed that he received a letter from the United Way of Passaic County commending John Pace and the Township for their efforts to collect coats for the victims of Hurricane Sandy. He wished everyone a Merry Christmas.

**COUNCIL MEMBER REPORTS**

Councilmember GONZALEZ expressed her sincere sorrow for what happened in Connecticut. She thanked the Township for sending her flowers and cards wishing her well when she was out sick. She also expressed sadness that Councilmember Sisco was not here this evening. She said she would miss him, noting that he was a good citizen and nice to work with. She wished everyone Happy Holidays.

Councilmember PORTER said she worked with Councilmember Sisco for many years; she thanked him for his work and dedication. She informed that this coming Wednesday is the Senior Citizens' Holiday Luncheon, and also the Little Falls ABC's Anniversary Dinner. She also thanked Mr. Pace and the DPW for all of the work they did with the annual tree lighting, noting that it was an amazing night. She informed that there would be a Holiday Concert on Wednesday at School #1 for grades five through eight. She also informed that kids from School #1 and School #3 came to Town Hall to sing this morning, as they do every year. On 12/8/12 the Woman's Club had a holiday house tour, which she said was a nice experience; she commended all who helped put this together. It has been a sad ending to 2012 with all of the horrific events that have occurred, but she hoped everyone would find some peace during this holiday season. She wished everyone a safe and happy holiday season.

Councilmember VANTUNO welcomed back Councilmember Gonzalez. He informed that he met with Negotiation Committee tonight, adding that things are going well and there is more progress every week. He will continue to provide updates in the future.

**MAYOR'S REPORT**

Mayor Post welcomed back Councilmember Gonzalez. She said the annual tree lighting was held on 12/7/12 and was well attended. She thanked the Recreation Department, the DPW and the Fire Department in helping to make this event successful. She also informed that Company #1 decorated their ladder truck; she congratulated them on having the number one best decorated ladder truck in NJ at the Wallington Parade. She also congratulated Chief Sweezy on his election victory of becoming Fire Chief again, as well as all of the assistant chiefs and officers. She informed that she recently received a bid proposal for the billboard that was approved for the Paterson/McBride Avenue property on Route 46 West. The proposal was considerable less than the amounts originally presented to the Township; therefore, it was decided to reject this offer and go out to bid again. She also informed that the kids came to Town Hall to sing today; she said they did a wonderful job. She encouraged everyone to go to their concert on Wednesday. Referring to the recent tragedy in Connecticut, she asked everyone to continue praying for these families. She also thanked Councilmember Sisco for his years of service to the Township; she wished him well. She reminded that Mayor Kazmark and other officials from Woodland Park had attended a Little Falls Council meeting earlier in the year. They had brought with them a section of pipe from a sewer force main that was

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compromised. On Saturday, she attended another meeting with Mayor Kazmark and the DPW Superintendents to discuss another area of that sewer line. She asked that Mr. Simone explain this matter further. She wished all a Happy and Healthy Holiday season.

Mr. Simone informed that this force main serves Little Falls, Totowa and Woodland Park. So far, there have been three emergency repairs done on the force main. They are now looking to replace 3,000 feet of 24-inch piping. The cost associated with this will be approximately \$3 million, which will be split three ways. This is to inform the Council that next year a bond will be coming before the Council for this. Their engineer will proceed with drawings for this in January with the hopes of work to be done in July and August. They hope to have this completed before the start of school. They will be looking for the money at the end of 2013. He also informed that the NJDEP is aware of this situation, noting that they have no choice on this; it must be done.

Mayor Post informed that Mayor Kazmark is looking for a commitment that the Council is on board to go forward with this project. In response to Council President FONTANA, Mr. Simone said it appears that the rest of the piping seems to be okay, but they will be doing testing. In response to Councilmember GONZALEZ, Mr. Simone explained that there was an agreement made when the three towns decided to go into this force main jointly that each town would pay a certain percentage. Mayor Post reiterated that Woodland Park is looking for a verbal agreement from the Council to do this, adding that this is something that needs to be done. In response to Councilmember VANTUNO, Mr. Simone explained that if this is not done, there is a good chance the force main could collapse, which would cost the town hundreds of thousands of dollars in fines, as well as an environmental catastrophe.

### ATTORNEY'S REPORT

Mr. Northgrave had nothing to report.

### ADMINISTRATOR'S REPORT

Mrs. Bergin reported as follows:

There are two parts to Tax Appeals – 2 jurisdictions – the State and the County.

The County, through the County Board of Taxation, only looks at the current year property taxes as filed by May 1.

The County Board of Taxation heard more than 450 tax appeals filed from the Township of Little Falls this year.

Whenever the assessed value is less than \$1 million the case goes to the County Tax Board.

In this process, appeals are heard before a three-person board with or Tax Assessor and Tax Appeal Attorney representing the Township.

Our Assessor gives a recommendation, and if accepted, the appeal is resolved or the matter is tried in bulk.

If the property owner doesn't like the outcome, it can be appealed to the State Court, which is also the forum for property owners with assessed values of more than \$1 million.

When we go to State Court, there are 2 parts: Small Claims and Major. Most fall under the Small Claims category.

Small Claims is for matters in which the amount of the tax appeal is less than \$3,000.

All others are considered Major and require a full trial with discovery.

In terms of how that process results in matters coming before the Council, what we first see on agendas for the Council to approve is the initial resolution outlining the agreement reached with opposing counsel. The Township Council accepts or doesn't. Our Tax Appeal attorney doesn't have the authority to enter into these agreements without Council approval. These resolutions list the property owner name, block, lot, current assessed value and the proposed settlement.

Once the resolutions are approved, the tax appeal attorney is then authorized to execute the settlement agreement with the property owner's counsel, and once fully executed, submits that to the State Judge. Once a month, State Court hosts Stipulation Day to finalize those agreements.

When the judgment is issued to our tax collector, the Township Council is presented with the Refunding Resolution.

In summary:

The 1<sup>st</sup> resolution presented to the Council approves the agreement

The 2<sup>nd</sup> resolution presented to the Council approves the refund

On tonight's agenda, Resolutions A-L are those 2<sup>nd</sup> set of resolutions, where the Council is approving the refund.

These refunds are all anticipated in the Refunding Bond Ordinance already approved by Council.

### PUBLIC PORTION

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

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

The Council President declared the motion passed.

Al Attianese, 27 Dewey Avenue, informed that he had prepared a statement prior to listening to Mr. Simone's report this evening, noting that this project is necessary. He explained that he was encouraged by the Mayor's most recent message on the website. He hoped that her plan would bring the Township to a better tax rate next year. He pointed out that the Mayor and Council currently have the opportunity to control this since they are in negotiations right now. He also informed that he previously submitted an OPRA request regarding several financial expenditures from the years 2011 and 2012. This showed that approximately 35 percent of all taxes collected went to maintaining the Police Department. In 2012 this number should rise to almost 43 percent. He voiced concern that this kind of expenditure cannot be sustained or increased. He also noted that Police Officers are paid well, adding that their contract provides raises every seven months over a period of approximately seven years. He suggested that the Mayor and Council take every opportunity to lower taxes.

Dorothy O'Haire, Turnberry Road, said the Flood Board decided to write to the Senators, the Congressman and the President. After Hurricane Katrina, any new project that the Army Corps of Engineers has, must be sent out before it goes to design, to an independent agency. She informed that Congressman Pascrell has seen to it that this money is

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there every year for the Army Corps to continue their work. They hope it will be in the budget for 2014, which is why the Board decided to write a letter. The Council of Woodland Park wrote a letter of support for the Township. She is now asking for the Council’s support.

Rosemarie Bello-Truland, High Court, said she had the honor and privilege of spending a lot of time with Councilmember Sisco during the last campaign. It should be noted that his service to this town was not motivated by self-interest. She thanked him for his service and said she hopes the Council would include him in future discussions.

Louis Fernandez, 54 Harrison Street, commended the Police Department regarding their immediate response to a report of a suspicious vehicle on his street. He also pointed out that he hasn’t seen the Police or Fire Chief at a Council meeting in a long time and asked why. He is glad the billboards have been rejected at this time. He also wish Councilmember Gonzalez a speedy recovery and said he is glad to see her back.

Brian Reynolds, 7 Notch Road, said the Council forgot to mention a moment of silence for children of Newtown, Connecticut. He thought the Council should write to the Governor of NJ to say that semi-automatic weapons should be banned from the State of NJ. In a prior meeting, it was mentioned that the Township debt would be reduced by \$2,400,000. He pointed out that this item is budgeted every year, and to proclaim in your election literature that you will reduce the debt by 23 percent, presents a false appearance. Regarding Mr. Attianese’s comments about salaries, he agreed that police salaries are beyond inappropriate.

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

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

The Council President declared the motion passed.

Council President FONTANA informed that negotiations are ongoing.

Council President FONTANA said he read the letter from the Flood Board, noting that he is in agreement and plans to discuss this further.

President FONTANA said he likes working with Councilmember Sisco, adding that he is happy to include him in future ideas and discussions.

President FONTANA said he would relay Mr. Fernandez’s commendations to the Police Department. Mrs. Bergin pointed out that the Police Chief had a family commitment this evening and was very disappointed that he couldn’t be here for the Proclamation that was presented.

Council President FONTANA agreed that weapons have no purpose, except to kill and he has no problem writing to the Governor about weapons. He also informed that Police and DPW salaries are currently being negotiated.

Mrs. Bergin pointed out that she has been accessible to residents, adding that she has worked hard to try to answer some of the questions asked at meetings. However, she cannot answer questions when put on the spot without any preparation.

She also informed that the average \$566.00 increase was based on the average assessed value; \$235.00 of this went to the County, \$45.00 went to the District School, and \$182.00 went to the Regional School. Therefore, \$462.00 was completely out of the Town’s control.

**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 November 2012

MUNICIPAL CLERKS REPORT  
Month of November 2012

ABC LICENSES

OTHER LICENSES

Business Licenses		
Pre-paid Business Licenses	\$4,125.00	
Raffle Licenses	60.00	
		\$4,185.00

REGISTRAR OF VITAL STATISTICS

Fees & Permits	\$208.00	
Marriage Licenses-LF	12.00	
Marriage Licenses-NJ	100.00	
		\$320.00

MRNA

Street Maps		
Zoning Maps	\$9.00	
Zoning Ordinances		
Document Copies	5.20	
Garage Sales	5.00	
Misc. Fees & Refunds:		

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TOTAL MRNA	<u>\$19.20</u>
TOTAL CURRENT ACCOUNT	<u>\$4,524.20</u>
TOTAL TO TREASURER	<u>\$4,524.20</u>

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

**Dog Licenses issued 11/01/12 thru 11/30/12**  
Nos. 457 to 458 = 2 Licenses  
Amount due Little Falls \$13.60  
Amount due State 5.40  
Total Cash Received \$19.00

**Cat Licenses issued 11/01/12 thru 11/30/12**  
Nos. 086 to 087  
Licenses Issued = 2  
Total Cash Received \$16.00

Total to Treas. \$35.00

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

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

Categories	November 1-30, 2012	2012 Year to Date
2012 Taxes	\$8,802,807.91	\$42,047,297.61
2011 Taxes	0.00	527,108.58
2010 Taxes	0.00	799.70
Prepaid 2013 Taxes	16,468.70	32,607.72
Interest	9,515.71	88,920.61
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	0.00	404,302.97
Duplicate Tax Bills	115.00	320.00
Tax Searches	0.00	10.00
Insufficient Check Charge	20.00	160.00
6% Penalty Fee	0.00	9,536.80
Misc. Line Item Fee	50.00	100.00
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>\$8,828,977.32</b>	<b>\$43,292,458.80</b>

Delinquent 2012 Taxes \$764,214.48 (1<sup>st</sup> -4th Qtrs.) 220 line items.  
Delinquent 2011 Taxes 1,236.85 (1 Bankruptcy/1 Senior Dis.).  
**Total Delinquent Taxes \$765,451.33**

**Comparison same time last year:**  
Delinquent 2011 Taxes \$806,681.35 (1<sup>st</sup>-4th Qtrs.) 207 line items.

**2012 Refunds this month = -\$20,394.50**  
**2012 Year to date refunds = -\$51,739.82**

**Breakdown of refunds for years 2009-2012 completed in 2012(see attached).**

**2012 Insufficient check charge backs (year to date) = -\$33,324.24.**

REFUNDS IN THE YEAR 2012

Months	2009 STCJ	2010 STCJ	2011 STCJ	2012 STCJ	2012 CBJ	Regular 2012	2012 Veteran/Widow	2012 Senior/Disabled	Exempt 2012	2012 Homestead Benefit	Total by Months
January	\$0.00	\$9,870.79	\$23,809.50	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$33,680.29
February	\$0.00	\$1,725.89	\$2,438.87	\$0.00	\$0.00	\$470.19	\$0.00	\$0.00	\$0.00	\$0.00	\$4,634.95
March	\$0.00	\$33,243.56	\$58,176.70	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$91,420.26
April	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
May	\$452.32	\$7,786.12	\$14,991.42	\$0.00	\$0.00	\$2,158.94	\$0.00	\$0.00	\$0.00	\$0.00	\$25,388.80
June	\$2,868.57	0.00	\$12,910.76	\$0.00	\$0.00	\$15,373.80	\$0.00	\$0.00	\$0.00	\$7,195.62	\$38,348.75
July	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
August	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$1,873.18	\$0.00	\$1,873.18
September	\$0.00	\$0.00	\$0.00	\$0.00	\$4,273.59	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$4,273.59
October	\$0.00	\$6,503.55	\$27,074.20	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$33,577.75
November	\$0.00	\$12,953.48	\$17,786.36	\$14,147.30	\$4,747.20	\$0.00	\$1,250.00	\$250.00	\$0.00	\$0.00	\$51,134.34
December											

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Totals	\$3,320.89	\$72,083.39	\$157,187.81	\$14,147.30	\$9,020.79	\$18,002.93	\$1,250.00	\$250.00	\$1,873.18	\$7,195.62	\$284,331.91
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Note: The above figures represent the months that the Tax Collector did the adjustments in the computer; the Resolution(s) may have been adopted in the next month.

STCJ = State Tax Court Judgments.  
CBJ= County Board Judgments.

### APPLICATIONS

Raffle – Passaic Valley Band Association, On-Premise 50/50, 1/26/13, 7:00 p.m. – 11:00 p.m.  
- Passaic Valley Band Association, Off-Premise 50/50, 1/26/13, 7:00 p.m. – 11:00 p.m.  
- Passaic Valley Band Association, Tricky Tray, 1/26/13, 7:00 p.m. – 11:00 p.m.

Little Falls Fire Department Auxiliary – Robert Sohl, Richland Court, Clifton, Enterprise Co. #2  
- Nicholas Siciliano, Van Ness Avenue, Singac Co. #3

### RESOLUTIONS

#### Refund of 2011 Property Taxes

#### **RESOLUTION [A] 12-12-17#1**

**WHEREAS**, there is a State Tax Court Judgment on Block 123 Lot 15.08, known as Kevin J & Mary C Torres of 49 Turnberry Rd for the Year 2011 reducing the assessed value by \$57,200.00;

#### **YEAR 2011**

Original Assessment	\$653,900.00
STCJ	<u>596,700.00</u>
Difference	\$57,200.00
2011 Tax Rate	x 2.145%
	\$1,226.94

**WHEREAS**, the Tax Collector authorizes the Treasurer to refund the total amount of \$1,226.94 for the Year 2011 payable to Kevin J & Mary C Torres, Plaintiffs and/or Lum, Drasco & Positan LLC, as attorneys for to “Kevin J & Mary C Torres”, Plaintiffs and forwarded to Lum, Drasco & Positan LLC, 103 Eisenhower Parkway, Roseland, NJ 07068-1049; and

**WHEREAS**, the above monies **shall be refunded on or before December 31, 2012** as per the Stipulation of Settlement dated July 9, 2012, states whereas statutory interest shall be waived if paid 60 days of the date of entry of the Tax Court Judgment (date of entry was October 31, 2012);

**NOW, THEREFORE BE IT RESOLVED** by the Township Council of Little Falls on this 17th day of December 2012 that the above attorney and taxpayers be refunded the total amount of \$1,226.94 for the overpayment of taxes due to a State Tax Court Judgment on Block 123 Lot 15.08.

#### **RESOLUTION [B] 12-12-17#2**

**WHEREAS**, there is a State Tax Court Judgment on Block 123 Lot 15.15, known as Russell & Guistina Saputo of 60 Turnberry Rd for the Year 2011 reducing the assessed value by \$56,600.00;

#### **YEAR 2011**

Original Assessment	\$661,000.00
STCJ	<u>604,400.00</u>
Difference	\$56,600.00
2011 Tax Rate	x 2.145%
	\$1,214.07

**WHEREAS**, the Tax Collector authorizes the Treasurer to refund the total amount of \$1,214.07 for the Year 2011 payable to Russell & Guistina Saputo, Plaintiffs and/or Lum, Drasco & Positan LLC, as attorneys for to “Russell & Guistina Saputo”, Plaintiffs and forwarded to Lum, Drasco & Positan LLC, 103 Eisenhower Parkway, Roseland, NJ 07068-1049; and

**WHEREAS**, the above monies **shall be refunded on or before December 31, 2012** as per the Stipulation of Settlement dated July 9, 2012, states whereas statutory interest shall be waived if paid 60 days of the date of entry of the Tax Court Judgment (date of entry was October 31, 2012);

**NOW, THEREFORE BE IT RESOLVED** by the Township Council of Little Falls on this 17th day of December 2012 that the above attorney and taxpayers be refunded the total amount of \$1,214.07 for the overpayment of taxes due to a State Tax Court Judgment on Block 123 Lot 15.15.

#### **RESOLUTION [C] 12-12-17#3**

**WHEREAS**, there is a State Tax Court Judgment on Block 123 Lot 15.18, known as James G & Regina M Tighe of 11 Canterbury Lane for the Year 2011 reducing the assessed value by \$68,900.00;

#### **YEAR 2011**

Original Assessment	\$651,200.00
STCJ	<u>582,300.00</u>
Difference	\$68,900.00
2011 Tax Rate	x 2.145%
	\$1,477.91

**WHEREAS**, the Tax Collector authorizes the Treasurer to refund the total amount of \$1,477.91 for the Year 2011 payable to James G & Regina M Tighe, Plaintiffs and/or Lum, Drasco & Positan LLC, as attorneys for to “James G & Regina M Tighe”, Plaintiffs and forwarded to Lum, Drasco & Positan LLC, 103 Eisenhower Parkway, Roseland, NJ 07068-1049; and

**WHEREAS**, the above monies **shall be refunded on or before December 31, 2012** as per the Stipulation of Settlement dated July 9, 2012, states whereas statutory interest shall be waived if paid 60 days of the date of entry of the Tax Court Judgment (date of entry was October 31, 2012);

**NOW, THEREFORE BE IT RESOLVED** by the Township Council of Little Falls on this 17th day of December 2012 that the above attorney and taxpayers be refunded the total amount of \$1,477.91 for the overpayment of taxes due to a State Tax Court Judgment on Block 123 Lot 15.18.

#### **RESOLUTION [D] 12-12-17#4**

**WHEREAS**, there is a State Tax Court Judgment on Block 123 Lot 15.19, known as Richard G Beggs & Geraldine Brown of 17 Canterbury Lane for the Year 2011 reducing the assessed value by \$54,000.00;

#### **YEAR 2011**

Original Assessment	\$632,100.00
STCJ	<u>578,100.00</u>
Difference	\$54,000.00
2011 Tax Rate	x 2.145%

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\$1,158.00

**WHEREAS**, the Tax Collector authorizes the Treasurer to refund the total amount of \$1,158.00 for the Year 2011 payable to Richard G Beggs & Geraldine Brown, Plaintiffs and/or Lum, Drasco & Positan LLC, as attorneys for to "Richard G Beggs & Geraldine Brown", Plaintiffs and forwarded to Lum, Drasco & Positan LLC, 103 Eisenhower Parkway, Roseland, NJ 07068-1049; and

**WHEREAS**, the above monies shall be refunded on or before December 31, 2012 as per the Stipulation of Settlement dated July 9, 2012, states whereas statutory interest shall be waived if paid 60 days of the date of entry of the Tax Court Judgment (date of entry was October 31, 2012);

**NOW, THEREFORE BE IT RESOLVED** by the Township Council of Little Falls on this 17th day of December 2012 that the above attorney and taxpayers be refunded the total amount of \$1,158.30 for the overpayment of taxes due to a State Tax Court Judgment on Block 123 Lot 15.19.

### **RESOLUTION [E] 12-12-17#5**

**WHEREAS**, there is a State Tax Court Judgment on Block 123 Lot 15.20, known as James & Daria Sous of 21 Canterbury Lane for the Year 2011 reducing the assessed value by \$47,400.00;

#### **YEAR 2011**

Original Assessment	\$634,900.00
STCJ	<u>587,500.00</u>
Difference	\$47,400.00
2011 Tax Rate	x 2.145%
	\$1,016.73

**WHEREAS**, the Tax Collector authorizes the Treasurer to refund the total amount of \$1,016.73 for the Year 2011 payable to James & Daria Sous, Plaintiffs and/or Lum, Drasco & Positan LLC, as attorneys for to "James & Daria Sous", Plaintiffs and forwarded to Lum, Drasco & Positan LLC, 103 Eisenhower Parkway, Roseland, NJ 07068-1049; and

**WHEREAS**, the above monies shall be refunded on or before December 31, 2012 as per the Stipulation of Settlement dated July 9, 2012, states whereas statutory interest shall be waived if paid 60 days of the date of entry of the Tax Court Judgment (date of entry was October 31, 2012);

**NOW, THEREFORE BE IT RESOLVED** by the Township Council of Little Falls on this 17th day of December 2012 that the above attorney and taxpayers be refunded the total amount of \$1,016.73 for the overpayment of taxes due to a State Tax Court Judgment on Block 123 Lot 15.20.

### **RESOLUTION [F] 12-12-17#6**

**WHEREAS**, there is a State Tax Court Judgment on Block 123 Lot 15.23, known as Stephen R & Judith P Eldridge of 40 Turnberry Rd for the Year 2011 reducing the assessed value by \$32,800.00;

#### **YEAR 2011**

Original Assessment	\$656,800.00
STCJ	<u>614,000.00</u>
Difference	\$32,800.00
2011 Tax Rate	x 2.145%
	\$703.56

**WHEREAS**, the Tax Collector authorizes the Treasurer to refund the total amount of \$703.56 for the Year 2011 payable to Stephen R & Judith P Eldridge, Plaintiffs and/or Lum, Drasco & Positan LLC, as attorneys for to "Stephen R & Judith P Eldridge", Plaintiffs and forwarded to Lum, Drasco & Positan LLC, 103 Eisenhower Parkway, Roseland, NJ 07068-1049; and

**WHEREAS**, the above monies shall be refunded on or before December 31, 2012 as per the Stipulation of Settlement dated July 9, 2012, states whereas statutory interest shall be waived if paid 60 days of the date of entry of the Tax Court Judgment (date of entry was October 31, 2012);

**NOW, THEREFORE BE IT RESOLVED** by the Township Council of Little Falls on this 17th day of December 2012 that the above attorney and taxpayers be refunded the total amount of \$703.56 for the overpayment of taxes due to a State Tax Court Judgment on Block 123 Lot 15.23.

### **RESOLUTION [G] 12-12-17#7**

**WHEREAS**, there is a State Tax Court Judgment on Block 124 Lot 7 C0701, known as Caroline Durocher of 7A Hopson Av for the Year 2011 reducing the assessed value by \$10,600.00;

#### **YEAR 2011**

Original Assessment	\$297,600.00
STCJ	<u>287,000.00</u>
Difference	\$10,600.00
2011 Tax Rate	x 2.145%
	\$227.37

**WHEREAS**, the Tax Collector authorizes the Treasurer to refund the total amount of \$227.37 for the Year 2011 payable to Caroline Durocher, Plaintiff and/or Lum, Drasco & Positan LLC, as attorneys for to "Caroline Durocher", Plaintiff and forwarded to Lum, Drasco & Positan LLC, 103 Eisenhower Parkway, Roseland, NJ 07068-1049; and

**WHEREAS**, the Tax Collector has brought it to the attention of Lawrence G. Tosi, Attorney for Defendant along with Steven J. Eisenstein, Attorney for Plaintiff that the judgment is showing this property as Block 124 Lot 9 only (missing qualifier of C0701); and

**WHEREAS**, the Tax Collector has been directed to follow through with this refund by our Attorney; and Steven J. Eisenstein, Esq. will be contacting the State of New Jersey for an amended judgment to reflect this correction/adjustment for the Tax Collector's file; and

**WHEREAS**, the above monies shall be refunded on or before December 26, 2012 as per the Stipulation of Settlement dated July 9, 2012, states whereas statutory interest shall be waived if paid 60 days of the date of entry of the Tax Court Judgment (date of entry was October 26, 2012);

**NOW, THEREFORE BE IT RESOLVED** by the Township Council of Little Falls on this 17th day of December 2012 that the above attorney and taxpayer be refunded the total amount of \$227.37 for the overpayment of taxes due to a State Tax Court Judgment on Block 124 Lot 9 C0701.

### **RESOLUTION [H] 12-12-17#8**

**WHEREAS**, there is a State Tax Court Judgment on Block 170 Lot 46, known as John R Brockson Family Real Estate, previously known as Richard Greco & Claire Mekaway of 8 Hillcrest Dr for the Year 2011 reducing the assessed value by \$75,700.00;

#### **YEAR 2011**

Original Assessment	\$485,700.00
STCJ	<u>410,000.00</u>
Difference	\$75,700.00
2011 Tax Rate	x 2.145%
	\$1,623.77

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**WHEREAS**, the Tax Collector authorizes the Treasurer to refund the total amount of \$1,623.77 for the Year 2011 payable to Richard Greco & Claire Mekkawy, Plaintiffs and/or Lum, Drasco & Positan LLC, as attorneys for to "Richard Greco & Claire Mekkawy", Plaintiffs and forwarded to Lum, Drasco & Positan LLC, 103 Eisenhower Parkway, Roseland, NJ 07068-1049; and

**WHEREAS**, the above monies **shall be refunded on or before December 31, 2012** as per the Stipulation of Settlement dated July 9, 2012, states whereas statutory interest shall be waived if paid 60 days of the date of entry of the Tax Court Judgment (date of entry was October 31, 2012);

**NOW, THEREFORE BE IT RESOLVED** by the Township Council of Little Falls on this 17th day of December 2012 that the above attorney and taxpayer be refunded the total amount of \$1,623.77 for the overpayment of taxes due to a State Tax Court Judgment on Block 170 Lot 46.

### RESOLUTION [I] 12-12-17#9

**WHEREAS**, there is a State Tax Court Judgment on Block 81 Lot 49, known as Safwat Bebawy & Iman Iskaner of 91 Louis St for the Year 2011 reducing the assessed value by \$50,000.00;

#### YEAR 2011

Original Assessment	\$303,800.00
STCJ	<u>253,800.00</u>
Difference	\$50,000.00
2011 Tax Rate	x 2.145%
	\$1,072.50

**WHEREAS**, the Tax Collector authorizes the Treasurer to refund the total amount of \$1,072.50 for the Year 2011 payable to Safwat Bebawy & Iman Iskaner, Plaintiffs and William S. Winters, Esq. as attorney for to "Safwat Bebawy & Iman Iskaner", Plaintiffs and forwarded to William S. Winters, Esq., 199 Route 18 South, East Brunswick, NJ 08816; and

**WHEREAS**, the above monies **shall be refunded on or before January 30, 2013** as per the Stipulation of Settlement dated August 24, 2012, states whereas statutory interest shall be waived if paid 60 days of the date of entry of the Tax Court Judgment (date of entry was November 30, 2012);

**NOW, THEREFORE BE IT RESOLVED** by the Township Council of Little Falls on this 17th day of December 2012 that the above attorney and taxpayers be refunded the total amount of \$1,072.50 for the overpayment of taxes due to a State Tax Court Judgment on Block 81 Lot 49.

## Refund of 2012 Property Taxes

### RESOLUTION [J] 12-12-17#10

**WHEREAS**, there is a State Tax Court Judgment on Block 81 Lot 49, known as Safwat Bebawy & Iman Iskaner of 91 Louis St for the Year 2012 reducing the assessed value by \$50,000.00;

#### YEAR 2012

Original Assessment	\$303,800.00
STCJ	<u>253,800.00</u>
Difference	\$50,000.00
2012 Tax Rate	x 2.30%
	\$1,150.00

**WHEREAS**, the Tax Collector authorizes the Treasurer to refund the total amount of \$1,150.00 for the Year 2012 payable to Safwat Bebawy & Iman Iskaner, Plaintiffs and William S. Winters, Esq. as attorney for to "Safwat Bebawy & Iman Iskaner", Plaintiffs and forwarded to William S. Winters, Esq., 199 Route 18 South, East Brunswick, NJ 08816; and

**WHEREAS**, the above monies **shall be refunded on or before January 30, 2013** as per the Stipulation of Settlement dated August 24, 2012, states whereas statutory interest shall be waived if paid 60 days of the date of entry of the Tax Court Judgment (date of entry was November 30, 2012);

**NOW, THEREFORE BE IT RESOLVED** by the Township Council of Little Falls on this 17th day of December 2012 that the above attorney and taxpayers be refunded the total amount of \$1,150.00 for the overpayment of taxes due to a State Tax Court Judgment on Block 81 Lot 49.

## Refund of 2011 Property Taxes

### RESOLUTION [K] 12-12-17#11

**WHEREAS**, there is a State Tax Court Judgment on Block 184.03 Lot 3, known as Gennaro & Elvira Gencarelli of 6 High Ct for the Year 2011 reducing the assessed value by \$42,700.00;

#### YEAR 2011

Original Assessment	\$517,700.00
STCJ	<u>475,000.00</u>
Difference	\$42,700.00
2011 Tax Rate	x 2.145%
	\$915.92

**WHEREAS**, the Tax Collector authorizes the Treasurer to refund the total amount of \$915.92 for the Year 2011 payable to Gennaro & Elvira Gencarelli, Plaintiffs and William S. Winters, Esq. as attorney for to "Gennaro & Elvira Gencarelli", Plaintiffs and forwarded to William S. Winters, Esq., 199 Route 18 South, East Brunswick, NJ 08816; and

**WHEREAS**, the above monies **shall be refunded on or before January 30, 2013** as per the Stipulation of Settlement dated August 6, 2012, states whereas statutory interest shall be waived if paid 60 days of the date of entry of the Tax Court Judgment (date of entry was November 30, 2012);

**NOW, THEREFORE BE IT RESOLVED** by the Township Council of Little Falls on this 17th day of December 2012 that the above attorney and taxpayers be refunded the total amount of \$915.92 for the overpayment of taxes due to a State Tax Court Judgment on Block 184.03 Lot 3.

## Refund of 2012 Property Taxes

### RESOLUTION [L] 12-12-17#12

**WHEREAS**, there is a State Tax Court Judgment on Block 184.03 Lot 3, known as Gennaro & Elvira Gencarelli of 6 High Ct for the Year 2012 reducing the assessed value by \$42,700.00;

#### YEAR 2012

Original Assessment	\$517,700.00
STCJ	<u>475,000.00</u>
Difference	\$42,700.00
2012 Tax Rate	x 2.30%
	\$982.10

**WHEREAS**, the Tax Collector authorizes the Treasurer to refund the total amount of \$982.10 for the Year 2012 payable to Gennaro & Elvira Gencarelli, Plaintiffs and William S. Winters, Esq. as attorney for to "Gennaro & Elvira Gencarelli", Plaintiffs and forwarded to William S. Winters, Esq., 199 Route 18 South, East Brunswick, NJ 08816; and

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**WHEREAS**, the above monies shall be refunded on or before **January 30, 2013** as per the Stipulation of Settlement dated August 6, 2012, states whereas statutory interest shall be waived if paid 60 days of the date of entry of the Tax Court Judgment (date of entry was November 30, 2012);

**NOW, THEREFORE BE IT RESOLVED** by the Township Council of Little Falls on this 17th day of December 2012 that the above attorney and taxpayers be refunded the total amount of \$982.10 for the overpayment of taxes due to a State Tax Court Judgment on Block 184.03 Lot 3.

**RESOLUTION [M] 12-12-17 #13**

**WHEREAS**, the following properties have tax overpayments for the Year 2012; and

**WHEREAS**, the Tax Collector shall authorize the Treasurer to refund the overpayments as follows:

<u>BLOCK/LOT QUAL.</u>	<u>OWNER/ LOCATION</u>	<u>REFUND PAYABLE &amp; AMOUNT</u>	<u>MAIL TO:</u>
31/19	Do, Em & Dinh, Nghia 45 Weaver St	\$2,513.48	Em Do & Nghia Dinh 45 Weaver St Little Falls, NJ 07424
40/9	Yarnall, Linford 68 Bradford Av	1,984.59	Linford Yarnall 68 Bradford Av Little Falls, NJ 07424
68/6	Schneider, Kenneth 24 Zelff Av (note on check: William Lees)	5,388.75	CoreLogic Real Estate Tax Service Attn: Refund Dept. P.O. Box 961250 Fort Worth, TX 76161-9887
88.03/1 C314	Columbo, Matthew 260 Main St., Unit 314	500.00	Leretta LLC Attn: Tax Mtg. Dept. 1123 South Parkview Dr Covina, CA 91724
88.04/1 C204	Kohlman, William Jr 280 Main St., Unit 204	1,624.34	Wells Fargo Real Estate Tax Service Attn: NJ Tax Dept. Team 1 Home Campus MAC X2302-04D ARS R 1 Des Moines, IA 50328
88.05/1 C315	Della Torre, Tracy 300 Main St., Unit 315 (note on check: Rafferty, John)	1,428.24	CoreLogic Real Estate Tax Service Attn: Refund Dept. P.O. Box 961250 Fort Worth, TX 76161-9887
113/7	Roder, Lisa 32 Maple St	<u>1,902.84</u>	CoreLogic Real Estate Tax Service Attn: Refund Dept. P.O. Box 961250 Fort Worth, TX 76161-9887
<b>Total Refund =</b>		<b>\$15,342.24</b>	

**NOW, THEREFORE BE IT RESOLVED** by the Township Council of the Township of Little Falls on this 17th day of December 2012 that the above block and lots for 2012 be noted as overpaid and be granted refunds in the total amount of \$15,342.24.

**RESOLUTION [N] 12-12-17 #14**

**WHEREAS**, the following properties have tax overpayments on the 4<sup>th</sup> quarter 2012 taxes due to the extension of the grace period from "Sandy" by Governor Christie; and

**WHEREAS**, tax amounts including interest were quoted to the lien holder believing that the grace period would end on November 13<sup>th</sup>; and

**WHEREAS**, Governor Christie notified municipalities with the Executive Order on November 9, 2012 (after hours); and

**WHEREAS**, the grace period was extended to November 16, 2012 without interest, and the lien holder paid these taxes on November 15, 2012 (including interest as quoted on November 9, 2012); however, all monies were posted to the 4<sup>th</sup> quarter base amount of taxes creating an overpayment; and

**WHEREAS**, the Tax Collector shall authorize the Treasurer to refund the overpayments to the lien holder as follows:

<u>BLOCK/LOT QUAL.</u>	<u>OWNER/ LOCATION</u>	<u>REFUND PAYABLE &amp; AMOUNT</u>	<u>MAIL TO:</u>
29/2	Farnese, James J 11 Haines Pl	\$11.56	C&E Tax Lien Fund I PO Box 23-1308 New York, NY 10023
35/7	Ortega, Maira 76 Van Pelt Pl	<u>\$11.99</u>	C&E Tax Lien Fund I PO Box 23-1308 New York, NY 10023
<b>Total Refund =</b>		<b>\$23.55</b>	

**NOW, THEREFORE BE IT RESOLVED** by the Township Council of the Township of Little Falls on this 17th day of December 2012 that the above block and lots for 2012 be noted as overpaid and be granted refunds in the total amount of \$23.55 to the lien holder of the properties.

**Waiving Interest and Fees**

**RESOLUTION [O] 12-12-17#15**

**WHEREAS**, the Tax Collector is requesting that the governing body authorize her to waive a bank fee charge and interest on taxes on a property known as Block 186 Lot 22 and assessed to RMG Properties at 555 Route 46 E, Little Falls, NJ; and

**WHEREAS**, RMG Properties has their taxes escrowed with V-Bank Philadelphia/Nova-Savi; and

**WHEREAS**, the Tax Collector's office received and posted the 2012 4<sup>th</sup> quarter taxes in the total amount of \$5,034.62 on October 26, 2012 from Nova Bank; and

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**WHEREAS**, the 4<sup>th</sup> quarter taxes were due November 1, 2012 with an extended grace period due to "Sandy" to November 16, 2012; and

**WHEREAS**, our CMFO/Treasurer received notification from our Township's bank that this account was being charged back as of November 6, 2012 in the amount of \$5,034.62 due to "BANK CLOSED by Regulators" (Nova Bank) and notified the Tax Collector of the same; and

**WHEREAS**, the Tax Collector charged back this account and notified the taxpayer and their bank of the same; and

**WHEREAS**, the Tax Collector received a letter from the Federal Deposit Insurance Corporation (FDIC) that on October 26, 2012, the Pennsylvania Department of Banking & Securities closed NOVA Bank; and subsequently, the FDIC was appointed Receiver; and

**WHEREAS**, both the taxpayer and FDIC have requested that our returned check fee of \$20.00 and interest in the amount of \$67.22 both be waived as the depositors of NOVA Bank were not aware of the potential receivership, and they believed their checks would clear in the normal course of business; and

**WHEREAS**, the FDIC forwarded a replacement check to the Tax Collector for the 4<sup>th</sup> quarter taxes in the amount of \$5,034.62 with the request that both the interest and returned check fee be waived due to the above circumstances; and

**NOW, THEREFORE BE IT RESOLVED** by the Township Council of Little Falls on this 17th day of December 2012 that the governing body authorizes the Tax Collector to waive the \$20.00 returned check fee and the total interest charge of \$67.22 due to receiving replacement monies from the FDIC on behalf of RMG made in good faith with them paying their taxes in a timely manner to their mortgage company.

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

RESOLUTION [P] 12-12-17 - #16

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:

\$5.40

payable to:

NJ State Dept. of Health

representing payment of State dog license fee, license Nos. 457 to 458 for the month of November 2012.

\*\*\*\*\*

### Welfare

RESOLUTION [Q] 12-12-17 - #17

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

payable to:

Welfare Clients #55, 61, 71 & 72

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

\*\*\*\*\*

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

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

The Council President declared the motion passed.

## **REGULAR AGENDA**

The following items were individually considered.

### **CORRESPONDENCE**

LETTER FROM KNIGHTS OF COLUMBUS OUR LADY OF THE HIGHWAY COUNCIL #3835  
REQUESTING PERMISSION TO HOLD ITS ANNUAL CAN SHAKE ON SATURDAY, APRIL 27, 2013 AND  
SUNDAY, APRIL 28, 2013 FROM 8:00 AM TO 6:00 PM AT THE INTERSECTIONS OF ROUTE 23/MAIN  
STREET AND MAIN STREET/STEVENS AVENUE

There was an affirmative consensus to approve this.

### **NEW BUSINESS**

#### **DISCUSSION OF POLICIES AND PROCEDURES FOR THE TENNIS COURTS**

Mrs. Bergin explained that this was a proposal put forward by Recreation Director John Pace. Now that the tennis courts have been redone, he has a lot of plans for comprehensive tennis programs. He needs help monitoring the use of the courts and he would also like to generate revenue from these programs, which would be a small fee. At this time, Mr. Pace wished to point out that the collection of the coats and the tree lighting are both coordinated efforts by all departments in town. Regarding the tennis program, he informed that he would like to have this done properly, and said all ages will be included in this. He explained that he has contacted several people about various programs, noting that the yearly fee gives him the opportunity to keep peace on the courts. It also generates money to cover most of the cost of hiring someone. He has gone to several different towns to get feedback and he was able to order some equipment already. The badge will be for use of the tennis courts from April 15<sup>th</sup> through October 21<sup>st</sup> of each year. In response to Councilmember PORTER, Mr. Pace informed that the U.S. Tennis Association has given a small grant for this. Councilmember PORTER said she had met with Jocelyn Cruz of the Tennis Association some time ago, who said they would come to Little Falls at no charge. Mr. Pace said they offered the town used equipment, adding that many people are already signing up.

Supporting NJ Assembly Bill A2444 – It was moved by Councilmember Gonzalez, seconded by Councilmember Vantuno, that the Council approve the following:

RESOLUTION [R] 12-12-17 - #18

RESOLUTION SUPPORTING A-2444, ELIMINATING SUMMER, HOLIDAY  
AND VACATION RECESS UNEMPLOYMENT BENEFITS

WHEREAS, crossing guards are currently eligible for unemployment benefits during summer recess, vacation periods and holiday recesses; and

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WHEREAS, in the past, they were considered part-time or seasonal employees and not eligible for unemployment benefits during these periods; and

WHEREAS, Assembly Bill 2444 alters the benefit eligibility conditions of unemployment insurance benefits during the period between the end of one school year and the beginning of the next, provided that the crossing guard was employed in the preceding year and the municipality provides reasonable assurance that the crossing guard will be employed for the following year; and

WHEREAS, a crossing guard would no longer be eligible for unemployment insurance benefits for vacation periods or holiday recesses provided the crossing guard serves in the period immediately preceding the vacation or holiday and there is a reasonable assurance that the crossing guard will serve in the period immediately following the vacation or holiday; and

WHEREAS, reasonable assurance for successive terms must be provided by May 15<sup>th</sup>; and

WHEREAS, unemployment benefit eligibility terms for crossing guards whose employment is terminated would not be affected by this legislation; and

WHEREAS, crossing guards are seasonal employees and providing unemployment insurance for crossing guards during summer, holiday and vacation recess is expensive for a municipality.

NOW, THEREFORE, BE IT RESOLVED, that the Township Council of the Township of Little Falls hereby supports A-2333; and BE IT FURTHER RESOLVED, that copies of this resolution be forwarded to Assemblyman David Russo and Assemblyman Scott Rumana.

\*\*\*\*\*

Mrs. Bergin provided an explanation of this resolution, noting that she is asking for support of this pending legislation.

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

The Council President declared the motion passed.

Acquisition of Real Property in Lieu of the Enforcement of Municipal Liens – It was moved by Councilmember Vantuno, seconded by Councilmember Porter, that the Council approve the following:

**RESOLUTION AUTHORIZING THE ACQUISITION OF REAL PROPERTY IN LIEU OF THE ENFORCEMENT OF MUNICIPAL LIENS**

Mrs. Bergin provided a detailed explanation of this resolution as well.

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

The Council President declared the motion passed.

Authorizing Institution of In REM Foreclosures – It was moved by Councilmember Vantuno, seconded by Councilmember Porter, that the Council approve the following:

**RESOLUTION [T] 12-12-17- #20**

**RESOLUTION OF THE MUNICIPALITY OF THE TOWNSHIP OF LITTLE FALLS, COUNTY OF PASSAIC, STATE OF NEW JERSEY, AUTHORIZING THE INSTITUTION OF *IN REM* TAX FORECLOSURES.**

WHEREAS, the Tax Collector of the Township of Little Falls has prepared an *in rem* tax foreclosure list and has certified the same to the governing body; and

WHEREAS, it is the desire of the governing body to institute *in rem* tax foreclosure proceedings against the properties which are set forth on Schedule “A” attached hereto; and

WHEREAS, it is not only in the best interest of the municipality to institute said proceedings, but also is a duty of the governing body; and

WHEREAS, the institution of said *in rem* proceeding will result in revenue to the Township of Little Falls either by a redemption of the subject properties or their foreclosure and resale by the Township of Little Falls; and

WHEREAS, the Township of Little Falls Attorney and the Tax Collector will be fulfilling all of the necessary documents for the *in rem* proceedings;

NOW, THEREFORE BE IT RESOLVED by the governing body of the Township of Little Falls, County of Passaic, State of New Jersey, as follows:

1. That the governing body does hereby authorize the institution of *in rem* tax foreclosure proceedings in regard to the properties set forth on Schedule “A” attached hereto.
2. That a certified copy of this resolution be forwarded to the Tax Collector and Township Attorney.

Mrs. Bergin provided an explanation of this resolution.

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

The Council President declared the motion passed.

Transferring Appropriated Funds in the 2012 Municipal Budget – It was moved by Councilmember Porter, seconded by Councilmember Vantuno, that the Council approve the following:

RESOLUTION [U] 12-12-17 # 21

WHEREAS, Title 40:4-58 of the New Jersey Statutes provides that should it become necessary, during the last two months of the fiscal year to expend for any of the purposes specified in the budget an amount in excess of the respective sums appropriated therefore and there shall be an excess in any appropriation over and above the amount claimed to be necessary to fulfill the purpose of such appropriation, the Governing Body may by resolution setting forth the facts (adopted by not less 2/3 vote of the full membership thereof), transfer the amount of such excess of those appropriations deemed to be insufficient.

NOW, THEREFORE, BE IT RESOLVED, by the governing body of the Township of Little Falls, not less than 2/3 of the members thereof affirmatively concurring, that the Treasurer be and is authorized to make the following transfers in the 2012 Budget Appropriations:

<u>Current Fund</u>	<u>To</u>	<u>From</u>
Administration S&W	\$1,400	
Revenue S&W	300	
Engineering S&W		30
Solid Waste S&W		400
Municipal Court S&W		300
Employee Group Health		11,000
Sewer Contracts – PVSC		1,256
Mayor & Council S&W		

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Planning S&W		1,200
Prosecutor S&W		1,400
Shade Tree Commission S&W	1,050	
Solid Waste O/E		10,711
	\$14,686	\$14,686

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Council President FONTANA clarified this resolution.

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

The Council President declared the motion passed.

Cancelling Four Budget Appropriations in the 2012 Municipal Budget – It was moved by Councilmember Gonzalez, seconded by Councilmember Vantuno, that the Council approve the following:

RESOLUTION [V] 12-12-17 - #22

WHEREAS, the following Current Fund budget appropriation balances remain unexpended;

Ambulance S&W	\$236,593.00
Ambulance O/E	\$42,200.00
Interest on Bonds	\$.85
Interest on Notes	\$2.70

and; WHEREAS, it is necessary to formally cancel said balances so that the unexpended balances may be credited to Surplus;

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Little Falls that the above listed unexpended balances of the 2012 Current Fund be cancelled.

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Mrs. Bergin provided an explanation of this resolution.

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

The Council President declared the motion passed.

**PUBLIC PORTION**

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

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

The Council President declared the motion passed.

Arnold Korotkin, Long Hill Road, referred to Resolution [R], and asked if there was a senate bill in connection with this resolution, noting that the Governor won't sign this without one.

Brian Reynolds, 7 Notch Road, pointed out that he had requested an explanation of a resolution from the Council previously, noting that they were approving same without an understanding of it. He is still waiting for an answer from the Council.

Louis Fernandez, 54 Harrison Street, reminded that the Passaic County Freeholders were supposed to honor the Township; he asked if they were ever going to do so.

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

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

The Council President declared the motion passed.

Council President FONTANA is not award whether there is a senate bill, but said he would look into this.

Council President FONTANA advised Mr. Reynolds to write down his specific questions to ensure he would get the answers he is looking for.

Mayor Post informed that the Board of Freeholders did contact the Township and had wanted to come in October. However, it was still unclear at that time if the Council Chambers would be available due to construction. She asked for a postponement, but has not yet heard back from them.

**PAYMENT OF BILLS**

It was moved by Councilmember Gonzalez, seconded by Councilmember Porter, 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, Porter, 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 Gonzalez, that the meeting be and it was adjourned at 8:57 p.m.

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William E. Wilk  
Municipal Clerk

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Cynthia Kraus  
Deputy Municipal Clerk