

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

Monday, February 11, 2013

Council President John Vantuno called the meeting to order at 7:30 p.m. with the following members present: Louis Fontana, Joseph Maceri, Pamela Porter (7:57 p.m.) and Joseph Rento. Also present were Mayor Darlene Post, Township Attorney Associate Leslie London, Township Engineer Dennis Lindsay, Municipal Clerk William Wilk and Township Administrator Joanne Bergin.

Absent: Councilmember Joseph Rento and Township Attorney William Northgrave

Township Employees present: Construction Official Joseph Macones, Recreation Director John Pace, CMFO/Treasurer William Schaffner, DPW Superintendent Phillip Simone, Fire Chief Jack Sweezy 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 8, 2013; 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

At this time, Councilmember FONTANA said there was an error in the Minutes of the 2013 Reorganization Meeting, and he asked that this be held until the next meeting.

REMARKS FROM CHAIR

Council President VANTUNO had nothing to report.

COUNCIL MEMBER REPORTS

Councilmember FONTANA informed that the Open Space Committee held its first meeting this past week, where they discussed their goals for the year. He commended Mr. Simone and the DPW on a job well done with the recent snow storm.

Councilmember MACERI had nothing to report, but informed that his Township email account is now active.

MAYOR'S REPORT

Mayor Post said she received a number of calls reporting that the roads were in great condition thanks to the DPW. She informed that she attended the monthly Mayor's meeting. In attendance was the newest Freeholder Ronda Cotroneo. The Passaic County Budget and services were discussed at this meeting. She has inquired about the freeholders having a meeting in Little Falls and was told that they hold their meetings on Tuesdays. However, Little Falls holds court on those days. Referring to the recent train/truck accident, she explained that there have been several accidents at this intersection. She was advised that a meeting was held with the following establishments: NJDOT, NJ Transit, US Department of Transportation Federal Railway Administration and Sergeant Gianduso. They discussed an effort to make the crossing safer, replace the gate and put up a signal light for better visibility. They discussed making the Dewey Avenue crossing safer as well. She informed that Sergeant Gianduso spoke with the business owner who was supposed to receive that delivery truck. He will be working with drivers to ensure a safe entrance onto Fairfield Avenue. Another meeting will commence in March and she will keep everyone updated. She pointed out that we have an amazing group of professionals and residents. She explained that residents tried to provide comfort and help; she thanked everyone. She also explained that the budget will be introduced this evening, which has been thoroughly examined; there will be a PowerPoint presentation for this tonight.

ATTORNEY'S REPORT

Ms. London had nothing to report.

ADMINISTRATOR'S REPORT

Mrs. Bergin reported as follows:

FEMA Update

At this time, 78 properties are scheduled to be mitigated through elevation or acquisition through one of several approved grant awards: Repetitive Flood Claim (RFC); Severe Repetitive Loss FY10 (Round 1); Severe Repetitive Loss FY11 (Round 2); and the post-Irene Hazard Mitigation Grant Program (HMGP). As FEMA Program Administrator, I am working to implement these programs, and as you know, there is a myriad of steps in the process and all must be completed for the Township to be reimbursed. Implementing these programs is where I focus my time and attention. Each month, I will provide an update on the FEMA mitigation project underway in the Township.

We'll start by discussing the Repetitive Flood Claim (RFC) program. On December 27, 2012 the Township accepted bids for the elevation of the first three homes scheduled to be mitigated as part of the Repetitive Flood Claim application. Two bids were received. On January 14, 2013, the Council rejected both bids. Dennis Lindsay, the project architects, and I have met and issued addendums to the original bids that we hope will allow for a more healthy response to the bids and more competitive pricing. Bids will be opened on March 1.

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SRL FY 10 (Round 1): FEMA awarded the Township \$5.9 million in December 2010 for its FY10 SRL grant (Round 1). In that program, 34 properties were scheduled to be mitigated through acquisition. Appraisals have been completed and have been sent to those property owners considering acquisition. Each resident has a copy of that report and the Opinion of Value, which the Township will use as the offer price. Once the property owner accepts the offer, we then begin the Duplication of Benefits (DOB) process. The DOB process is required by FEMA to ensure that claims paid out following Irene were spent in accordance with the claim. I will meet individually with each property owner throughout this process with the goal of making them whole. Any payments that cannot be justified with receipts will be considered an advance by FEMA. When the DOB process is complete, we then start the legal process to acquire the property. A title search is done, as is a survey and preliminary site assessment and when complete, we schedule a closing. We will work as quickly as we can to acquire and will work with each property owner to determine timing. For all of these programs, the Township is assisting property owners in securing their Increased Cost of Compliance (ICC) funds that will provide the 10% non-federal match for elevations and the cost to demolish the house for acquisitions. The Township has closed on its first acquisition for a family who has not been able to live in the home since Irene hit in August 2011. There are 22 property owners interested in acquisition, but most of them have yet to complete the DOB process.

SRL FY 11 (Round 2) In December 2011, the Township received \$5.6 from FEMA to mitigate 32 properties in accordance with our SRL FY 11 (Round 2) application. In this round, the Township has applied for Housing and Urban Development (HUD) money made available for flood mitigation, which is being funneled through the Passaic County Community Development Block Grant (CDBG) program. Little Falls is participating in an application with other municipalities in Passaic County, which is needed in order for us to meet the low-income eligibility requirements. We have made significant progress in this application and recently attended a meeting in Trenton with the Department of Community Affairs (DCA) to ensure our status and our ability to implement this program in a timely manner. HUD money comes from the federal government and must be funneled through the State, so we must coordinate with the DCA. When awarded, the funds will be released to the County and then to Little Falls. I have submitted the pre-application materials and feel confident we will receive these funds, which will be used to acquire those in Round 2.

The Township has not received official word that the HUD funds have been awarded. But, we remain very optimistic that these funds are being processed and the Township will be able to offer acquisition.

When the Township does receive official notice, we can then begin implementation. The Township cannot spend any money on implementation until we have something in writing confirming the award of funds. In municipal government funds must be certified by our Township's Chief Financial Officer. The CFO cannot certify funds without written confirmation of same.

The funds from HUD will be used along with the \$487,500 awarded in October of 2012 for property acquisitions as awarded by the NJDEP.

In this round, 25 property owners interested in acquisition. The grant was written to allow for 4 acquisitions on properties contiguous to those owned by the Township for open space which are located on the river. Those 4 properties are the top priority because they already have funding in place. The Duplication of Benefits is completed on 3 of the 4 and we hope to close on one property before the end of the month. As is the case with the previous acquisition, the house has been uninhabitable since Hurricane Irene.

HMGP: These funds are different from our other programs because the non-federal cost share is 25% as opposed to 10%. These funds are also unique in that they were specific to damage caused from Hurricane Irene. There are 11 properties in this application; all are scheduled for acquisition. Appraisals are underway and will be followed by the Duplication of Benefits (DOB) process as outlined above. These funds are different from our other programs because the non-federal cost share is 25% as opposed to 10%. These funds are also unique in that they were specific to damage caused from Hurricane Irene. There are 11 properties in this application; all are scheduled for acquisition. Appraisals are underway and will be followed by the Duplication of Benefits (DOB) process as outlined above. In this round, 11 property owners interested in acquisition.

Lastly, the Flood Mitigation Link on the Township's home page has been activated and each resident in the program has been provided with a user name and password for the link. Each time an update is posted, a colored icon appears in a variety of shapes to alert residents to news. This communication process has been very warmly received and has gone a long way to maintain privacy.

PUBLIC PORTION

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

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

The Council President declared the motion passed.

Al Attianese, 27 Dewey Avenue, said two of his questions asked at the previous Council meeting were not answered. He questioned why there was never a public discussion regarding the change in meeting format, specifically referring to the elimination of the second public comment. He explained that this is already proving to be inefficient, as residents' questions are not being answered. Referring to the Mayor's message, he said the message referred to people who write to the newspaper or put things in a blog, and explained that this is a right as

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per the Constitution. He pointed out that many residents are not familiar with certain items on an agenda, noting that they will not have the opportunity to ask questions after something has been voted on.

Caren DaSilva, explained she was here to discuss her neighbors tree that is in bad shape; she has been here before about this matter. She explained that she was previously informed that the owner was supposed to be given 60 days to comply, but said this information was not reflected in the minutes. She also informed that received a letter from Joanne Bergin informing that the tree is not considered to be an emergency, as it is alive. She would like for something to be done about this.

Louis Fernandez, 54 Harrison Street, pointed out that there have been many reports of dissatisfaction in connection with the elimination of the second public portion. He asked if there was anything that would change Council President Vantuno's decision about this. He asked if the Mayor could override this decision. Referring to the cell tower investigation, he asked if any disciplinary action has been taken at this time.

Dorothy O'Haire, Turnberry Road, provided the following report to the Mayor and Council:

The radio system project began in 2006. In the six years hence, we have had three different Mayors, four different Township Administrators and two different Township Attorneys. Only Lou Fontana, of this present Council, has been here from the start of it. There is a lot to be said for continuity.

I have been attending Council meetings since 1998, longer than anyone in this room, with the possible exception of Bill Wilk, and in this time, I have learned something about procedure.

Shouldn't the Township Attorney and the Mayor have been overseeing all contracts?

At each meeting, the last item on the agenda is always "Pay the Bills" – Members of the Council sit here and sign the checks...no one person can sign a check...they must have known what they were signing...if something was wrong, why were the checks signed? During this time, there were executive sessions, by definition held in private, at almost every meeting.

There is a Finance Committee that should have been overseeing all expenditures...why was the total cost of the system that was known not to be operable, allowed to be paid for?

By January 2009, when Mayor DeFrancisci was sworn in, the papers, contracts and everything else necessary for the Justice Complex to start were signed and ready to go for \$4.2 million. Last I heard, it was approaching \$6 million and not yet ready to be used; there were so many changes.

The Township hired and paid an expert, Graham Davis, to write up the Request for Proposal for the Radio System, it was so technical. Now six years later, we are finding out that it was deficient.

Mr. Trapanese, Twp. Attorney, was paid by the Township in 2009 to perform a fact finding review on the system.

Then the Township hired and paid Nicholas Brindisi, Esq. to do a fact finding hearing. Then last year, Joanne Bergin, Township Administrator, was instructed to do a fact finding hearing...in all fairness, she was not even here when all this went on...and two supposed experts had already completed the task.

There were two lawsuits in connection with the Cell Tower, that the Fire Station on Long Hill Road had to have for itself, not for the Township ownership, that held up the installation...and it is still not operable.

Little Falls had the biggest tax increase last year of any town in Bergen and Passaic Counties, possibly in the state, I can't recall. Residents are paying ever increasing tax bills, trying to educate their children and trying to make ends meet and all this money is just being thrown out. It just isn't right. Our Police Officers and Firefighters lives are in jeopardy because this system is not operating and that is inexcusable.

In June 2009, the remaining \$304,500.00 was paid on a system that was known to be not in operating condition...why? The Mayor, DeFrancisci and the Police Chief were working together on the project so they must have had a good reason. What was it?

If I might make a suggestion: bring back the work sessions, call in all individuals who worked on the system and are no longer here, and work out a way to get the system working. Lock the doors and stay at it until you have a solution. The Police Officers, Firefighters and the tax paying residents who are paying for all this deserve nothing less.

Alicia Sharrett, 92 Island Avenue, also voiced her concern about the tree next door to her house. She is concerned that it will fall and damage her cars or property. It is dangerous and branches have already fallen.

Renea Shapiro, ABC, explained that the Little Falls ABC would like to work on two projects this year. One of them is to have a community garden in Little Falls; she asked for a possible location for same. She also thanked Mr. Simone and Mrs. Bergin for their help and support on this project. Referring to the Open Space Grant, she said they are running out of time to complete this. The ABC needs a pre-approval from the town for this project. There is no cost and they are working jointly with the Passaic Valley Sewerage Commission, who has offered to do all of the labor and project plans. Also in discussion is the possibility of adding two docks to the river end for boats.

Bob Dombrowski, 49 Parkway, said he witnessed the recent train accident, noting that the town is very lucky hazardous waste wasn't involved. He commended the first responders on a job well done. However, he said trucks should be prohibited from making that left turn. He asked if the town will be held liable for this accident. He also questioned whether it is illegal for a CDL driver to be going into the left lane to make a turn. Referring to Hurricane Sandy, he thanked all of the volunteers for helping out with sandbags.

Mike Corbosiero, 2 Louis Street, questioned the status of the Louis Street pump station project. He is having a problem with water running down in front of his house, and his backyard is flooding very easily. He thought the drainage would be better with the pump station. He also voiced his disappointment regarding the elimination of the second public comment; he doesn't think this is a wise decision.

John Herman, 122 Ridge Avenue, voiced concern of a safety issue in front of School #2 and the High School. He explained that people are speeding up and down the hill when the yellow lights are blinking. People are also parking across the street from the school and crossing their kids. He also voiced concern that the Crossing Guard at the High

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School is holding up traffic to allow cars to make a left turn out of the high school driveway. He pointed out that an emergency vehicle will not be able to gain access to that area in an emergency situation.

James Damiano, Sigtim Drive, referred to the Mayor’s message on the website and asked how the reassessment is ultimately going to reduce taxes. He also noted that he sees a great benefit to having a second public session, adding that if all questions are answered during the first public comment, not many people will get up to speak at the second.

Brian Reynolds, 7 Notch Road, asked for an explanation of each of the following agenda items: Ordinance No. 1170, Resolution authorizing the increase in deferred school taxes, allocation of \$50,000 for new computers. He agreed with the comments regarding the traffic at the schools and the speeding on Long Hill Road. Regarding the second public portion, he wished the Mayor and Council would reconsider this, adding that it is necessary to have the second portion.

He explained that his neighbor has a very large oak tree that fell, which he said he would have removed. The company who was working on it for two days didn’t come back to finish the job. He voiced concern that this tree would cause a considerable amount of damage if it rolled down the hill. He asked what could be done about this.

Rosemarie Bello-Truland, High Court, said this is the longest public portion she has ever sat through. It just seems as though having a second public comment would be more efficient. She suggested that this be reconsidered.

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

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

The Council President declared the motion passed.

Council President VANTUNO said he would consult with the Council with regard to the issue of having a second public session.

Mayor Post said she would like to invite everyone to go to the Township website to read the Mayor’s message, adding that she had stated that she would only surround herself with positive energy. She assured that she said nothing about blogs or writing to the newspaper.

Mrs. Bergin informed that the Shade Tree Commission did send a letter to the property owner on Island Avenue about their tree. The owner was asked to complete a formal evaluation by a certified tree expert. She agreed that the time period allocated has been exceeded and therefore, they have not complied. Since that time, she and Mr. Simone conducted another site visit, which they have documented. However, since this is private property, the town does not have much control over the situation; they have done all they can to remedy this. Councilmember FONTANA questioned if they could put a lien on the house, and Mrs. Bergin pointed out that public safety is a hard issue since the tree is still alive. It will create damage if it comes down, but they cannot monitor trees on private property. They will continue to discuss this with the Shade Tree Commission to see what they can do, but it is beyond their control.

Council President VANTUNO said the Council is reviewing possible action in connection with the cell tower, and will report back at a later date; it will become public when it can be.

Council President VANTUNO said a community garden sounds great. Councilmember FONTANA said they need to find a location. Mrs. Bergin pointed out that the Township is also applying for this Open Space Grant. She explained that there are notification requirements, which the Township has met; she sent the guidelines for the grant and the application to the ABC. If they supply documents, the Council will then consider a resolution for the meeting of 2/25/13.

Mr. Lindsay said the Louis Street project is essentially complete. There is some overflow that they are aware of that comes down from Main Street. Mr. Simone and himself have talked about an improvement project in the future. He will have to take a look at the situation to see if there is anything they can do about flooding. He will speak with Mr. Simone and follow up.

Chief Dmuchowski said they will look into the traffic and speeding at Long Hill Road, as well as the Crossing Guard directing traffic.

Mayor Post informed that the Township will save money in legal fees and reassessment of taxes. She agreed that not every tax bill would see a savings, but also pointed out that there will be a savings with the County taxes, as well as the contribution to Regional School Board.

Chief Dmuchowski advised that the railroad crossing area is being looked into by NJ Transit and the Police Department.

In response to Mrs. O’Haire, Councilmember VANTUNO advised that this is being reviewed.

Council President VANTUNO informed Mr. Reynolds that his questions about the resolutions on tonight’s agenda will be addressed when they come up on the agenda. Mr. Simone said he would look into the issue of the tree.

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

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

REPORTS

Tax Collector’s Report – Month of January 2013

MONTHLY REPORT

Municipality of Township of Little Falls
 Office of the Tax Collector
 Township of Little Falls Current Account, Lakeland Bank
 Revenues Collector for the Month of January 2013

Categories	January 1-31, 2013	2013 Year to Date
2013 Taxes	\$5,125,989.23	*\$5,230,353.25
2012 Taxes	162,422.38	162,422.38
2011 Taxes	0.00	0.00
Prepaid 2014 Taxes	0.00	0.00
Interest	8,205.49	8,205.49
Township Tax Title Lien	0.00	0.00
Township Tax Title Lien Int.	0.00	0.00
Township Tax Title Lien 6% PE	0.00	0.00
Cost of Tax Sale	0.00	0.00
Outside Tax Liens	61,643.78	61,643.78
Duplicate Tax Bills	20.00	20.00
Tax Searches	10.00	10.00
Insufficient Check Charge	60.00	60.00
6% Penalty Fee	1,643.73	1,643.73
Misc. Line Item Fee	0.00	0.00
Premium Outside Lien	0.00	0.00
Tax Sale Additional Fee	0.00	0.00
Municipal Copy Fee	0.00	0.00
GRAND TOTALS	\$5,359,994.61	\$5,464,358.63

*Includes Prepaid (\$104,364.02) collected in 2012.

Delinquent 2012 Taxes \$349,552.93 (1st -4th Qtrs.) 101 line items (Tax Sale 04/17/13)
 Delinquent 2011 Taxes 1,236.85 (1 Bankruptcy/1 Senior Dis.-Tax Sale 04/17/13)
Total Delinquent Taxes \$350,789.78

Comparison same time last year:

Delinquent 2011 Taxes \$408,812.34 (1st-4th Qtrs.) 96 line items.

2013 Refunds this month = -\$0.00
 2013 Year to date refunds = -\$0.00

Breakdown of refunds for years 2010-2013 completed in 2013(see attached).

2013 Insufficient check charge backs (year to date) = -\$5,264.48.

REFUNDS IN THE YEAR 2013

Months	2010 STCJ	2011 STCJ	2012 STCJ	2013 STCJ	2013 CBJ	Regul ar 2013	2013 Veteran/ Widow	2013 Senior/ Disabled	Exempt 2013	2013 Homestead Benefit	Total by Months
January	\$0.00	\$23,972.52	\$83,908.60	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$107,881.12
February											
March											
April											
May											
June											
July											
August											
September											
October											
November											
December											
Totals	\$0.00	\$23,972.52	\$83,908.60	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$107,881.12

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.

Municipal Clerk’s Report – Month of January 2013

MUNICIPAL CLERKS REPORT
 Month of January 2013

ABC LICENSES

OTHER LICENSES

Business Licenses \$14,340.00
 Pre-paid Business Licenses
 Raffle Licenses 40.00
 \$14,380.00

REGISTRAR OF VITAL STATISTICS

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Fees & Permits	\$688.00	
Marriage Licenses-LF	9.00	
Marriage Licenses-NJ	75.00	
		\$772.00
MRNA		
Street Maps		
Zoning Maps	\$3.00	
Zoning Ordinances		
Document Copies	24.05	
Garage Sales		
Misc. Fees & Refunds:		
TOTAL MRNA		<u>\$27.05</u>
TOTAL CURRENT ACCOUNT		<u>\$15,179.05</u>
TOTAL TO TREASURER		<u>\$15,179.05</u>

Municipal Clerk’s Dog/Cat License Report – Month of January 2013
MUNICIPAL CLERK’S DOG/CAT LICENSE REPORT
Month of January 2013

Dog Licenses issued 1/1/13 thru 1/31/13	
Nos. 463 to 465 = 3 Licenses	
Amount due Little Falls	\$20.40
Amount due State	6.60
Total Cash Received	\$27.00
Total Cash Received	<u>\$27.00</u>
Total to Treas.	<u>\$27.00</u>

APPLICATIONS

Raffle – FN Brown School and Community Association, Off-Premise 50/50, April 19, 2013, 6:30 p.m. to 10:30 p.m.

RESOLUTIONS

Welfare

RESOLUTION [A] 13-02-11 - #1

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

\$2,088.00

payable to:

Welfare Clients #55, 61, 71, 72 & 73

representing payment of Self-Care for the month of February 2013 be and the same is hereby authorized and ratified.

NJ State Dept. of Health – Dog License Fees

RESOLUTION [B] 13-02-11 - #2

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

\$6.60

payable to:

NJ State Dept. of Health

representing payment of State dog license fee, license Nos. 463 to 465 for the month of January 2013.

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

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

The Council President declared the motion passed.

REGULAR AGENDA

The following items were individually considered.

NEW BUSINESS

Ordinance No. 1170 – It was moved by Councilmember Fontana, seconded by Councilmember Maceri, that there be introduced and the meeting of February 25, 2013 set as the date and time for the public hearing on the following:

**ORDINANCE NO. 1170
TOWNSHIP OF LITTLE FALLS
PASSAIC COUNTY, NEW JERSEY
CALENDAR YEAR 2013 ORDINANCE TO EXCEED
THE MUNICIPAL BUDGET COST OF LIVING ALLOWANCE
AND TO ESTABLISH A CAP BANK
(N.J.S.A. 40A-4-45.14)**

WHEREAS, the Local Government Cap Law, N.J.S. 40A:4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget up to 2.0% unless authorized by ordinance to increase it to 3.5% over the previous year’s final appropriations, subject to certain exceptions; and,

WHEREAS, N.J.S.A. 40A:4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

WHEREAS, the Township Council of the Township of Little Falls in the County of Passaic finds its advisable and necessary to increase its CY 2013 budget by up to 3.5% over the previous year’s final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

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BE IT AND IT IS RESOLVED, by the Township Council of the Township of Little Falls that the following item of budget submitted by the Mayor for the year 2013 be and are hereby decreased by the amounts set forth in schedule of decreases annexed hereto.

Decreases are hereby read as follows:

	<u>From</u>	<u>To</u>
APPROPRIATIONS:		
Capital Improvements		
Acquisition of Computers	\$ 60,000	\$ 50,000

Mrs. Bergin said the Finance Committee decided to combine all individual I.T. line items into one and name it “computers”. This is beneficial because it is a more efficient way to get computers up and running when there is an issue. She explained this resolution further, noting that this also explains the next resolution. In response to Councilmember Maceri, Mrs. Bergin explained the impact of the \$10,000 reduction.

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

The Council President declared the motion passed.

Authorizing Increase in Budget Item for 2013 – Public Works – Streets and Roads Maintenance – It was moved by Councilmember Fontana, seconded by Councilmember Porter, that the Council approve the following:

RESOLUTION [F] 13-02-11 - #6

Resolution Re: Increasing Township Budget

BE IT AND IT IS RESOLVED, by the Township Council of the Township of Little Falls that the following item of budget submitted by the Mayor for the year 2013 be and are hereby increased by the amounts set forth in schedule of increases annexed hereto.

Increases are hereby read as follows:

	<u>From</u>	<u>To</u>
APPROPRIATIONS:		
Public Works		
Streets and Roads Maintenance		
Other Expenses	\$ 163,000	\$ 173,000

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

The Council President declared the motion passed.

Establishing 2013 Open Space Trust Fund Levy – It was moved by Councilmember Maceri, seconded by Councilmember Fontana, that the Council approve the following:

RESOLUTION [G] 13-02-11 - #7

WHEREAS, the creation of a Little Falls Open Space Trust Fund was approved by referendum in the November 2011 General Election.

WHEREAS, the ballot question approved a local property levy of up to \$0.02 (2 cents) per \$100 of assessed property value; and

WHEREAS, at the beginning of each year, the Council will consider how much shall be levied for that year up to the two cent limit.

NOW, THEREFORE, BE IT RESOLVED, the Township Council of the Township of Little Falls approves a 2013 Open Space Trust Fund levy of .5 cent (1/2 cent) per \$100 of assessed property value.

Mrs. Bergin provided an explanation of this resolution, noting that this is a formality that will be done every year. It was established this year and will not increase.

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

The Council President declared the motion passed.

Introduction of 2013 Municipal Budget – It was moved by Councilmember Fontana, seconded by Councilmember Maceri, that the Council approve the following:

RESOLUTION [H] 13-02-11 - #8

Re: Introduction of 2013 Budget

BE IT RESOLVED, that the following statements of revenues and appropriations attached hereto constitute the local Budget of the Township of Little Falls, Passaic County, New Jersey for the year 2013.

BE IT FURTHER RESOLVED, that the said budget be published in the Herald News in the issue of February 15, 2013, and that a hearing on the Budget will be held at the Municipal Building on March 25, 2013 at 7:30 o'clock (P.M.) or as soon thereafter as the matter may be reached.

Mrs. Bergin gave a Power Point presentation on the 2013 Municipal Budget at this time. She explained that this is out of the ordinary, but the Mayor requested the presentation so the residents would have a better understanding. She informed that the public hearing will be held on 3/25/13, adding that copies of the budget will be available in the Clerk’s Office starting tomorrow.

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

The Council President declared the motion passed.

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Ordinance No. 1167 – It was moved by Councilmember Fontana, seconded by Councilmember Porter, that the public hearing on Ordinance No. 1167, **AN ORDINANCE AMENDING CHAPTER 7-13 OF THE TOWNSHIP CODE**, be and it was opened.

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

The Council President declared the motion passed.

Chief Dmuchowski provided a brief explanation of this ordinance.

No one having come forward to be heard, it was moved by Councilmember Maceri, seconded by Councilmember Porter, that the public hearing on Ordinance No. 1167 be and it was closed.

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

The Council President declared the motion passed.

It was moved by Councilmember Fontana, seconded by Councilmember Porter, that the Ordinance No. 1167 be and it was adopted.

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

The Council President declared the motion passed.

Ordinance No. 1168 – It was moved by Councilmember Maceri, seconded by Councilmember Fontana, that the public hearing on Ordinance No. 1168, **“AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER VII, ARTICLE 1, SECTION 7-30 OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF LITTLE FALLS REGARDING MID-BLOCK CROSSWALKS”**, be and it was opened.

Mr. Simone provided an explanation of this ordinance, noting that this is a request by Montclair State University, who will be fully responsible for the maintenance of this.

Chief Sweezy said he would like to have some input on this regarding the traffic during emergencies. He would like to know if they could have a walkover as opposed to a crosswalk. Mrs. Bergin asked if there would be a downfall to postpone this and Mr. Simone said they are ready to get started on this as soon as it is approved. They are doing this for safety reasons for the students and would like to get it going as quickly as possible. He explained that they opted for crosswalks, as the cost of the walkover was too much. The Council agreed to postpone this ordinance. Mrs. Bergin said she would like to have a meeting with the DPW, Police and Fire Departments.

Ordinance No. 1169 – It was moved by Councilmember Fontana, seconded by Councilmember Maceri, that the public hearing on Ordinance No. 1169, **ORDINANCE OF THE TOWNSHIP OF LITTLE FALLS GRANTING PERMISSION TO UNITED FEDERAL DATA, LLC TO PLACE CERTAIN TELECOMMUNICATIONS FACILITIES WITHIN THE TOWNSHIP OF LITTLE FALLS**”, be and it was opened.

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

The Council President declared the motion passed.

Ms. London provided a detailed explanation of this ordinance.

No one having come forward to be heard, it was moved by Councilmember Fontana, seconded by Councilmember Porter, that the public hearing on Ordinance No. 1169 be and it was closed.

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

The Council President declared the motion passed.

It was moved by Councilmember Fontana, seconded by Councilmember Porter, that the Ordinance No. 1169 be and it was adopted.

Poll: Ayes: Fontana, Maceri and Porter
 Nays: President Vantuno

The Council President declared the motion passed.

Approving a Reduction Change Order for Improvements to Veranda & Stanley Streets – It was moved by Councilmember Maceri, seconded by Councilmember Fontana, that the Council approve the following:

RESOLUTION [I] 13-02-11 - #9
RESOLUTION APPROVING CHANGE ORDER FOR 4 CLEAN-UP, INC.
FOR ROADWAY IMPROVEMENTS – VERANDA AVENUE AND STANLEY ROAD

WHEREAS, the Township Council has received a recommendation from the Township Engineer regarding the roadway improvements to Veranda Avenue and Stanley Road which represents a decrease of \$29,248.10 of the total contract amount; and

WHEREAS, the Township Council has considered this recommendation in accordance with N.J.A.C. 5:30-1 et seq. and the Local Public Contracts Law; and

WHEREAS, this Change Order will formally modify the contract and allow the Contractor to invoice for his final payment; and

NOW, THEREFORE, BE IT RESOLVED, that the Township Council approves this Change Order, which will reduce the contract amount by \$29,248.10, making the total contract amount \$110,039.40.

Meeting of February 11, 2013

BE IT FURTHER RESOLVED, that the Township Council hereby authorizes final payment to 4 Clean-Up, Inc. upon submission of any and all outstanding close-out paperwork.

Mr. Lindsay reminded that he spoke to the Council about this previously, and explained that this is a reduction in the total contract amount.

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

The Council President declared the motion passed.

Awarding Contract for Appraisal Review Services in Connection with Reassessment – It was moved by Councilmember Fontana, seconded by Council President Vantuno, that the Council approve the following:

RESOLUTION [J] 13-02-11 - #10
AUTHORIZING THE AWARD OF FAIR AND OPEN CONTRACT FOR
PROVISION OF APPRAISAL REVIEW SERVICES FOR 2013

WHEREAS, the Township of Little Falls has a need to acquire appraisal review services as a FAIR AND OPEN CONTRACT pursuant to N.J.S.A. 19:44A-20.5; and

WHEREAS, it is expected that the value of the acquisition of these services will exceed \$17,500; and

WHEREAS, Hendricks Appraisal Company, LLC has submitted a response to the Township’s Request for Qualifications for provision of appraisal review services in connection with the reassessment of all class 4 properties, and the submission clearly details Hendricks Appraisal Company, LLC’s qualifications and experience; and

WHEREAS, the award is subject to the Availability of Funds and certification of same in the 2013 budget;

NOW, THEREFORE, BE IT RESOLVED that the Township Council of the Township of Little Falls authorizes the Mayor to enter into a contract with Hendricks Appraisal Company, LLC for the services as described herein; and

BE IT FURTHER RESOLVED that the Township Clerk is authorized and directed to cause notice to be published in the newspaper once in accordance with the provisions of statute.

BE IT FURTHER RESOLVED by the Township Council of the Township of Little Falls that, based on the recommendation of the Township Assessor, Richard Hamilton, does hereby award a contract to Hendricks Appraisal Company, LLC to provide 2013 appraisal review services.

Mrs. Bergin explained this resolution, noting that the Township went out to bid for this and only received one response. Councilmember FONTANA asked if there should be a maximum dollar amount put on this, and Mrs. Bergin said this is done on an hourly rate and there is no concern that it will be over budget.

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

The Council President declared the motion passed.

PAYMENT OF BILLS

It was moved by Councilmember Porter, seconded by Councilmember Fontana, 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.

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

The Council President declared the motion passed.

There being no further business to come before the meeting, it was moved by Councilmember Fontana, seconded by Councilmember Porter, that the meeting be and it was adjourned at 9:12 p.m.