

Meeting of February 27, 2012

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

**Monday, February 27, 2012**

Acting Council President Louis Fontana called the meeting to order at 7:36 p.m. with the following members present: Mercedes Gonzalez, Joseph Sisco and John Vantuno. Also present were Mayor Darlene Post (late), Township Attorney Joseph Trapanese, Township Engineer Dennis Lindsay and Municipal Clerk William Wilk.

Township Employees present: Police Chief John Dmuchowski, Fire Chief Jack Sweezy, Fire Department President Michael Burke and Deputy Municipal Clerk Cynthia Meyer

Following the Salute to the Flag, the Statement of Public Notice was read.

**STATEMENT OF PUBLIC NOTICE:** Take notice that adequate notice of this meeting was provided in accordance with N.J.S.A. 10:4-8 and N.J.S.A. 10:4-10 as follows: A notice of the meeting was prominently posted on the bulleting board at the Municipal Building, located at 225 Main Street, Little Falls, N.J. on January 5, 2012; a copy of the notice was faxed to the North Jersey Herald and News and The Record on the same date; additionally, a copy of the notice was filed in the office of the Township Clerk on said date.

**APPROVAL OF MINUTES**

It was moved by Councilmember Sisco, seconded by Councilmember Vantuno, that the Minutes of the meeting of December 5, 2011 and December 19, 2011 be approved.

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

The Council President declared the motion passed.

**REMARKS FROM THE CHAIR**

Councilmember FONTANA had nothing to report.

**COUNCIL MEMBER REPORTS**

Councilmember SISCO thanked President Obama, who appointed some snow storm mitigation funds that are available through applications. He also thanked President Obama, Congressman Pascrell and Senators Menendez and Lautenberg for the money allocated for the Passaic River reevaluation. He hoped something would be done with this. With regard to the recent change in Mayor, he explained that the appointment of the current Township Attorney was an action by the former mayor. He said that this position should now be a contract, since the Attorney is a department head and serves at the pleasure of the mayor. He suggested that Mr. Trapanese resign or have his contract restructured, as it is costing the town too much money. He explained that this is an opportunity to save the taxpayers money. He also thanked the Mayor and commended Mrs. Bergin on her appointment as Business Administrator, noting that she deserves the position.

In response to Councilmember GONZALEZ, Councilmember FONTANA informed that the Mayor is at a meeting this evening. Councilmember GONZALEZ said she attended a meeting last week with regard to billboards. She was taken aback by how this will affect the citizens of Little Falls. She was disappointed to say that she voted for this due to the current economic stress. She is now having second thoughts about how she voted, and she thinks it is very unfair that the residents have to pay for this. She suggested possibly having only one billboard. She also asked that Mrs. Bergin post some items on the website regarding the Senior Citizen Advisory Committee and the Domestic Violence Committee.

Councilmember VANTUNO had nothing to report.

**MAYOR'S REPORT**

Mr. Trapanese gave a report in the absence of the Mayor. She thanked everyone for their support for her position as interim Mayor. She apologized for her absence this evening, noting that she is in a meeting with the County Committee in order to select three candidates to fill the interim Council seat. Although she is a voting member of the committee, she was not consulted as to her availability. She informed that she has asked Mr. Underhill for his resignation. She has asked Mrs. Bergin to take this position and combine it with the Grant Writer position. This will be a savings of \$43,000 a year to the Township. Along with Nick Agnoli and Dorothy O'Haire, they will actively be looking to secure a better CRS Rating for flood insurance. She has also received a full accounting of the Justice Complex, which will be discussed this evening in Executive Session. The Township's CMFO, Kathy Albanese will be retiring 4/1/12, and Mayor Post is actively exploring the possibility of shared services for this position. Mr. Trapanese is reviewing Garcia's Law where it applies to the paid ambulance service. In the coming weeks, she will be meeting with Mayor Kazmark of Woodland Park and Jack Shannon of MSU. She looks forward to working together with everyone to get things done.

**ATTORNEY'S REPORT**

Mr. Trapanese had nothing to report.

Councilmember GONZALEZ referred to the appointment of the Township Administrator and explained that although she has no objection to the current nomination, she disagreed with the way it was done. She pointed out that this position should have been advertised and resumes received, as in any other position. Mr. Trapanese said this

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is a Mayoral appointment and Councilmember GONZALEZ agreed, noting that it also requires advice and consent from the Council members.

### PUBLIC PORTION

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

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

The Council President declared the motion passed.

Louis Fernandez, 54 Harrison Street, voiced his opinion that there needs to be less bickering between the Council members and the officials. Referring to billboards, he reminded that this was previously presented to the Council and said that Councilmember Gonzalez had voted in favor of it.

Referring to last Workshop meeting, which was attended by the Passaic Valley High School Board of Education, he said Little Falls' contribution is more than the thirty three percent that Woodland Park and Totowa pay. He asked why Little Falls pays more. He also asked why the Township provides the services of our police officers.

Brian Reynolds, 7 Notch Road, referred to the lids for the recycling containers that were ordered, and asked why the Township spent money on this. Regarding the paid ambulance service, he asked what would happen in a situation where an insurance company didn't cover the services. He asked of the Council has looked into other alternatives.

Arnold Korotkin, Long Hill Road, congratulated Mrs. Bergin on her appointment prematurely. Referring to the paid ambulance service, he said this should be looked into more carefully. He voiced concerns with regard to the budget, noting that the surplus has been depleted and the town will only receive as much State Aide as it did last year. He was also concerned regarding property tax refunds in town. It was recently announced that 11 properties in Little Falls would be acquired by FEMA and the DEP. This will result in the loss of approximately \$68,000 in annual municipal property tax revenue. So far this year, there is a loss of roughly \$106,000 in municipal property tax revenue. This will be an impact for the municipality. He referred to certain line items and said there are areas that can be cut to save money.

Richard Kienzlen, 36 Crestmont Road, thanked Councilmember Gonzalez for standing up for the residents who will be living by the billboards. He explained that these billboards will be huge and lit up all night long, and asked why they cannot change the location. Allvision had stated that there are a few places that can be used. The taxpayers shouldn't have to deal with this.

Louise Wibbons, 216 Lower Notch Road, said she is opposed to any billboards, noting that it affects the quality of life for residents in the area. She also pointed out that there are autistic children in the neighborhood who will be affected by the flashing lights. She urged them to vote in opposition to this billboard.

Barry Krongold, 59 Hemlock Road, also voiced his opposition to the billboards, and agreed that it will poorly affect the quality of life in town. He voiced his frustration that the Council had changed zoning laws and proceeded with this with no consideration from the residents.

Bob Dombrowski, 49 Parkway, referred to the last flood in September, and explained that there is still garbage and debris all along the neighborhood. He has contacted the DEP without success. He voiced concern that this would create a health problem. He pointed out that there is a piece of property which is posted as private property. He asked if there was a way to have these property owners come clean the area after there is a flood. He also informed that Louis Street has been without electricity and said he has tried numerous times to contact public service.

Jill Kienzlen, 36 Crestmont Road, expressed concern regarding the residents and the wetlands in connection with the billboards. She explained that the wetlands are protected for a reason, noting that there are animals in this area that are protected as well. She explained that these billboards will affect the quality of life for the animals and the people.

Larry D'Astolfo, William Street, voiced his disappointment that the majority of his property taxes goes to the County and the schools. Referring to billboards, he understood that the town was trying to produce ratables, but said the billboards should be placed in a discreet place to keep it tactful.

Brian Reynolds, 7 Notch Road, said there are a lot of people in attendance this evening who are concerned about the billboards. He pointed out that this has been an ongoing discussion, noting that if communication had been sent out earlier, these people here tonight may have been here a long time ago to object to the billboards.

Mike Corbosiero, 2 Louis Street, referred to flood mitigation and said that his neighborhood is something that never should have been. He asked for the Council's support in the elevations and acquisitions of these homes, noting that they appreciate the support from the past and hope it will continue.

Dorothy O'Haire, Turnberry Road, informed that Passaic County recently received \$12.3 million in Hub money. She said she has spoken to Mayor Post about the possibility of the Council writing a letter, noting that the County owes Little Falls a replacement wall on Cedar Grove Road. They have been working on this for years. She also said the Township needs to have a warning system for the Peckman River. The fund they had for the Peckman River is now completely depleted. She asked that the Council consider these items.

Rosemarie Bello-Truland, High Court, referred to the billboards and informed that many residents attended last night's Planning Board meeting to voice their concerns. However, the modifications that were proposed wouldn't solve the problem. She voiced her understanding that although the Township currently has a contract with Allvision,

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they would still have to enter into contracts with the vendors who will be erecting the billboards. She explained that the residents would like for the Council to first consider the quality of life in town before entering into these contracts. She also pointed out that these billboards would cause traffic problems.

Jane, 69 Lincoln Avenue, she has been living in NYC since college and she just moved back to Little Falls. She expressed her disappointment, noting that NYC doesn't even have billboards in certain areas.

Dave Droney, 144 William Street, thanked Mrs. Bergin and the Council for their efforts with the elevation of the homes in the flood zone; he was very grateful.

An unidentified gentleman, 133 William Street, also thanked the Council and Mrs. Bergin for their efforts with the elevations and acquisitions of homes in the flood zone. He said it is important that they are staying focused on this.

Roger, 18 Crestmont Road, said he was baffled to hear that the Council amended the laws in town in order to conform to the billboards. He applauded Councilmember Gonzalez for admitting that she made a mistake by voting for this. He said there should have been a more informative presentation given to the Council and the residents about the billboards. He suggested that this matter be reconsidered or placed on the ballot as a referendum question so the residents can make a fair decision. He explained that this is a great concern to the residents which could greatly impact Little Falls.

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

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

The Council President declared the motion passed.

Councilmember GONZALEZ voiced her understanding of Mr. Fernandez's feelings, but said he is not fully informed of what happens behind the scenes. She explained that she may seem aggressive at times because it is the first she is seeing of a certain subject. feels.

Councilmember FONTANA provided an explanation of the School Budget breakdown.

Chief Dmuchowski explained that there is a contractual agreement between the town and the school. Referring to Mr. Dombrowski's comments, he informed that the street lights have been taken care of.

CouncilmemberFONTANA informed that the Council discussed the recycling containers and the lids at a Workshop meeting. He explained that there is a Recycling Trust fund that can only be used for certain items. They thought this would be beneficial to the town.

Mr. Trapanese said there was a proposal by the Chief that would include the numbers. They can get answers on this. Councilmember FONTANA said they don't have this right now.

Councilmember SISCO questioned Mr. Trapanese about whether a volunteer would be negated if he or she were to become a paid EMT. Mr. Trapanese said this is not an easy solution and said this involves the Fair Labor Standards Act. There are different facts in each situation that will make a difference. Mr. Trapanese said he could not provide an answer to this at this time, as there are many factors that are still being worked out. He informed that the volunteers were having trouble staffing the system during the day, and questioned why volunteers would be available to work for the paid EMS during the day when they were having trouble showing up as volunteers.

Councilmember FONTANA explained that they are working hard on the budget, which is always a tough thing. He foresees many changes.

Councilmember FONTANA referred to the debris from the flooding along the river bank, and Mrs. Bergin said she would reach out to the Passaic Valley Flood Board Commission about this. Councilmember FONTANA said they will have to find out about the location of the island.

Councilmember FONTANA said they will absolutely continue to work for the residents of the flood zone. Councilmember SISCO asked if Mrs. Bergin could find out who owns the dam.

Councilmember GONZALEZ assured that the Council is here to support all flood victims one hundred percent all of the time.

Mrs. Bergin informed that she has applied for the warning system without much success; she promised to keep trying for this.

Councilmember FONTANA thanked Mrs. Bergin for all of her hard work with regard to flooding issues in town.

Councilmember SISCO asked if the contract would be void if the Council refused to approve the contracts for the billboards. Mr. Trapanese informed that the Township is the ultimate decision maker with regard to the contract. However, there is still an obligation to seriously consider a qualified buyer. Based upon the billboard ordinance, Mr. Trapanese explained that it is a conditional use. He further noted that other people with property along that corridor could take the opportunity to erect billboards, leaving the town without control if the Township decided to back out of this. He also informed that notice was given of this billboard ordinance and said this ordinance was drafted years ago; the only thing recently modified was the height requirement. Councilmember FONTANA said he is a proponent of billboards, but promised to review this further.

**CONSENT AGENDA**

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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.

**APPLICATIONS**

Little Falls Fire Department Auxiliary – Gregory Inca, Shady Lane, Eagle Hose Company #1  
- - Jerry Dilauri, Stanley Road, Singac Company #3

Raffle - - American Legion Auxiliary Unit #108, On Premise 50/50, 3/17/12, 10 a.m. – 7 p.m.  
- - American Legion Auxiliary Unit #108, Off Premise 50/50, 5/26/12, 10 a.m. – 7 p.m.  
- - The Little Falls Women’s Club, On Premise 50/50, 6/7/12, 8:00 p.m.

**RESOLUTIONS**

Riddick Associates

**RESOLUTION [A] 12-02-27 - #1**

BE IT RESOLVED by the Township Council of the Township of Little Falls, the Treasurer having certified to the availability of funds, that the Mayor, Clerk and Treasurer be and they are hereby authorized and directed to issue a check in the amount of:  
\$2,115.00

payable to:

Riddick Associates, P.C.

representing payment for engineering services rendered in connection with Ciasulli/Lexus – Lot 3, et al – Inspection and administrative requirements in connection with approved site plan; and

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

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Refund of Property Taxes

**RESOLUTION [B] 12-02-27 #2**

**WHEREAS**, the property known as Block 238 Lot 16 was assessed to Donald E & Antonia M Peters of Clove Road and sold to Montclair State University on August 30, 2011; and

**WHEREAS**, the Peters had filed with the State of New Jersey their 2010 Homestead Benefit credit in the Year 2011 and was eligible for the same; and

**WHEREAS**, the State of New Jersey has forwarded to the Tax Collector the Peter’s homestead benefit credit for the 2012 1<sup>st</sup> quarter taxes in the amount of \$470.19 and was applied accordingly; and

**WHEREAS**, our Tax Assessor has granted an exemption of taxes effective January 1, 2012; therefore showing a credit in the Homestead Benefit amount; and

**WHEREAS**, the State of New Jersey states that the credits are normally against the property and when there is a closing the credit amounts shall be handled at the closing; and

**WHEREAS**, since the property is exempt, the homestead benefit shall be refunded to the taxpayer that filed the same; and

**WHEREAS**, the Tax Collector shall authorize the CMFO/Treasurer to refund the amount of \$470.19 made payable to Donald E. & Antonia M. Peters, 1274 Meadowbrook Lane, Carrollton, OH 44615;

**NOW,**

**THEREFORE BE IT RESOLVED** by the Township Council of Little Falls on this 27th day of February 2012 that Donald & Antonia Peters be refunded the total amount of \$470.19 in taxes due to their 2010 Homestead Benefit credit.

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Refund of 2010 Property Taxes

**RESOLUTION [C] 12-02-27#3**

**WHEREAS**, there is a State Tax Court Judgment on Block 66 Lot 15, known as Kenneth E Jr & Robert D Walter, of 5-7 Fairfield Ave for the Year 2010 reducing the assessed value by \$83,700.00;

<b>YEAR 2010</b>	
Original Assessment	\$670,700.00
STCJ	<u>587,000.00</u>
Difference	83,700.00
'10 Tax Rate	x 2.062%
	<b>\$1,725.89</b>

**WHEREAS**, the Tax Collector shall authorize the Treasurer to refund the total amount of \$1,725.89 for the Year 2010 payable to Walter, Kenneth etal and/or The Irwin Law Firm, P.A., as attorneys for Walter, Kenneth etal, The Irwin Law Firm, P.A., 80 Main Street, Suite 410, West Orange, NJ 07052; and

**WHEREAS**, this refund **shall be paid on or before March 30, 2012** as per a Stipulation of Settlement Agreement dated January 31, 2012 (60 days of the date of entry of Judgment);

**NOW,**

**THEREFORE BE IT RESOLVED** by the Township Council of Little Falls on this 27th day of February 2012 that the above attorney and taxpayer be refunded the total amount of \$1,725.89 for the overpayment of taxes due to a State Tax Court Judgment on Block 66 Lot 15.

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Refund of 2011 Property Taxes

**RESOLUTION [D] 12-02-27#4**

**WHEREAS**, there is a State Tax Court Judgment on Block 66 Lot 15, known as Kenneth E Jr & Robert D Walter, of 5-7 Fairfield Ave for the Year 2011 reducing the assessed value by \$83,700.00;

<b>YEAR 2011</b>	
Original Assessment	\$670,700.00
STCJ	<u>587,000.00</u>
Difference	83,700.00
'11 Tax Rate	x 2.145%
	<b>\$1,795.37</b>

**WHEREAS**, the Tax Collector shall authorize the Treasurer to refund the total amount of \$1,795.37 for the Year 2011 payable to Walter, Kenneth etal and/or The Irwin Law Firm, P.A., as attorneys for Walter, Kenneth etal, The Irwin Law Firm, P.A., 80 Main Street, Suite 410, West Orange, NJ 07052; and

**WHEREAS**, this refund **shall be paid on or before March 30, 2012** as per a Stipulation of Settlement Agreement dated January 31, 2012 (60 days of the date of entry of Judgment);

**NOW,**

**THEREFORE BE IT RESOLVED** by the Township Council of Little Falls on this 27th day of February 2012 that the

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above attorney and taxpayer be refunded the total amount of \$1,795.37 for the overpayment of taxes due to a State Tax Court Judgment on Block 66 Lot 15.

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**RESOLUTION [E] 12-02-27#5**

**WHEREAS**, there is a corrected State Tax Court Judgment on Block 31 Lot 24, known as Jonathan D & Amy M Vanak of 65 Weaver Street, Little Falls, NJ for the Year 2010 (including the "Freeze Act language") reducing the assessed value by \$30,000.00; and

**WHEREAS**, the Vanak's received a refund for the Year 2010 Judgment on May 23, 2011; however, the Year 2011 was billed under the previous assessment of 467,000.00 and needs to be adjusted due to the Freeze Act;

**YEAR 2011**

Original Assessment	\$467,000.00
STCJ	<u>437,000.00</u>
Difference	\$ 30,000.00
2011 Tax Rate	x 2.145%
	\$ 643.50

**WHEREAS**, the Tax Collector authorizes the CMFO/Treasurer to refund the total amount of \$643.50 for the Year 2011 payable to Jonathan D & Amy M Vanak, 65 Weaver St., Little Falls, NJ 07424,

**NOW, THEREFORE BE IT RESOLVED** by the Township Council of Little Falls on this 27th day of February 2012 that the above taxpayers be refunded the total amount of \$643.50 for the overpayment of taxes due to a State Tax Court Judgment on Block 31 Lot 24.

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**Murphy McKeon, P.C.**

**RESOLUTION [F] 12-02-27 - #6**

**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:

\$60.00

payable to:

Murphy McKeon, P.C.

representing payment for legal services rendered in connection with Fergesen, Jonathan and Cristeta – 59 Ridge Road; and

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

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**RESOLUTION [G] 12-02-27 - #7**

**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:

\$435.00

payable to:

Murphy McKeon, P.C.

representing payment for legal services rendered in connection with Tri-County Lexus – Route 46 West; and

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

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**Morris County Co-op Contract Renewal**

**RESOLUTION [H] 12-02-27 - #8**

**WHEREAS**, the Morris County Cooperative Pricing Council ("MCCPC") was created in 1974 to conduct a voluntary cooperative pricing system with municipalities, boards of educations, and other public bodies located in the County of Morris and adjoining counties; and

**WHEREAS**, the purpose of the MCCPC is to provide substantial savings on various goods and services to its members through the cooperative public bidding process; and

**WHEREAS**, the Township of Little Falls desires to enter into an Agreement with the MCCPC, which is administered by Randolph Township as Lead Agency to **renew** its membership in the MCCPC for the period of October 1, 2011 through September 30, 2016.

**BE IT RESOLVED**, by the Township of Little Falls, County of Passaic, State of New Jersey, as follows:

1. The Mayor and Council of the Township of Little Falls hereby authorizes the execution of an Agreement with the Morris County Cooperative Pricing Council by the Township of Randolph as Lead Agency dated October 1, 2011 pursuant to N.J.S.A. 40A:11-11(5). Said Agreement is for **renewal** of membership in the MCCPC for a five (5) year period from October 1, 2011 through September 30, 2016.

2. The Municipal Clerk is hereby directed to submit a copy of this adopted Resolution, along with an executed Agreement, to Randolph Township as Lead Agency of the MCCPC.

3. This Resolution shall take effect immediately upon final passage according to law.

4. All appropriate officials of the Township of Little Falls are authorized and directed to perform all required acts to affect the purpose of this Resolution.

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**Replenish Postage Meter**

**RESOLUTION [I] 12-02-27 - #9**

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

\$5,000.00

payable to:

Reserve Account

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

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

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

The Council President declared the motion passed.

**REGULAR AGENDA**

The following items were individually considered.

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**CORRESPONDENCE**

LETTER FROM ENTERPRISE COMPANY #2 REQUESTING PERMISSION TO CONDUCT ITS ANNUAL BOOT DRIVE ON SATURDAY, MARCH 31, 2012 FROM 8:30 AM TO 3:00 PM AT THE INTERSECTIONS OF STEVENS AVENUE/MAIN STREET AND UNION AVENUE/MAIN STREET WITH A RAIN DATE OF SATURDAY, APRIL 7, 2012.

There was an affirmative consensus to approve this.

**INTERDEPARTMENTAL**

Finance - - It was moved by Councilmember Gonzalez, seconded by Councilmember Sisco, that the Council approve the following:

RESOLUTION AUTHORIZING TRANSFERS IN THE 2011 BUDGET: \$9,230.00 [J]#10

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

The Council President declared the motion passed.

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

RESOLUTION AUTHORIZING A TEMPORARY EMERGENCY APPROPRIATION FOR THE 2012 MUNICIPAL BUDGET: \$55,300.00 [K]#11

Mr. Wilk provided clarification of the resolution.

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

The Council President declared the motion passed.

**NEW BUSINESS**

Increase in Deferred School Taxes – It was moved by Councilmember Gonzalez, seconded by Councilmember Fontana, that the Council approve the following:

**RESOLUTION [L] 12-02-27 - #12**

Resolution Re:    Authorizing Increase in Deferred School Taxes  
  for Regional High School Taxes

WHEREAS, the Division of Local Government Services requires that the Governing Body of any municipality which has Deferred School Taxes must authorize any increase in the deferral of any amounts, and

WHEREAS, the Township desires to increase Deferred School Taxes to the amount permitted under State statutes and to be effective at December 31, 2011.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Township Council that the following Deferred School Taxes be hereby increased for the year ended December 31, 2011 as follows:

	Deferred Regional High School Taxes
Amount Deferred 12/31/11	\$3,212,705
Amount Deferred 12/31/10	<u>3,172,883</u>
Amount of Increase	<u>\$ 39,822</u>

BE IT FURTHER RESOLVED, by the Township Council that a certified copy of this resolution be filed with the Director of the Division of Local Government Services.

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

The Council President declared the motion passed.

Change Order Award to 4 Clean-Up for Morris Canal Bikeway – It was moved by Councilmember Gonzalez, seconded by Councilmember Fontana, that the Council approve the following:

RESOLUTION [M] 12-02-27 - #13

RESOLUTION AWARDING CHANGE ORDER TO 4 CLEAN-UP, INC.  
FOR ROADWAY IMPROVEMENTS – MORRIS CANAL BIKEWAY

WHEREAS, the Township Council has received a recommendation from the Mayor and Township Engineer regarding the roadway improvements to the Morris Canal Bikeway in excess of \$6,500.00 of the contract; 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, the Township Council has determined that the most efficient method of completion of the work on the Morris Canal Bikeway with the least cost to the residents and tax payers of the Township of Little Falls would be by having the work performed under the Township's Morris Canal Bikeway contract; and

WHEREAS, the Township Council has determined there are benefits in having a single contractor responsible for coordination of the work; and

WHEREAS, the Township Council has a contract with 4 Clean-Up, Inc. for improvements to the Morris Canal Bikeway, which was awarded by public bidding under the Local Public Contracts Law.

NOW, THEREFORE, BE IT RESOLVED, that the Township Council authorizes Change Order to 4 Clean-Up, Inc. in the amount of \$6,500 for the completion of improvements to the Morris Canal Bikeway with the other accessory work as listed in the Township Engineer's estimate and further authorizes a notice of this action be printed in the official newspaper and a copy of the advertisement be filed with the Township Clerk.

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Mr. Lindsay explained that this is in connection with the work being done on the Morris Canal. The condition of the canal was terrible and there was an opportunity for the contractor to clean it, so he took advantage of this.

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

The Council President declared the motion passed.

Settlement of 2010 & 2011 Tax Appeals – It was moved by Councilmember Sisco, seconded by Councilmember Gonzalez, that the Council approve the following:

RESOLUTION [N] 12-02-27 - #14

WHEREAS, a Tax Appeal has previously been filed with regard to the below mentioned property before the Tax Court of New Jersey with regard to the 2010 & 2011 tax years; and

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

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

1. The proposed settlement of the 2010 & 2011 tax appeals pending before the Tax Court of New Jersey as hereinafter enumerated be and the same is hereby authorized, approved and ratified:

347-349 Main Street Block 77 Lot 9

	Original	County Board	Tax	
2010 & 2011	Assessment		Judgement	Court Judgment
Land:	\$260,000	N/A	\$260,000	
Improvements:	\$821,400		N/A	\$680,700
Total:	\$1,081,400	N/A	\$940,700	

2. There will be no prejudgment interest.

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

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In response to Councilmember VANTUNO, Mr. Trapanese clarified the amount of this. Councilmember SISCO asked how many tax appeals are currently pending and Mr. Trapanese said approximately 125 appeals.

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

The Council President declared the motion passed.

Ordinance No. 1146 – It was moved by Councilmember Sisco, seconded by Councilmember Gonzalez, that the public hearing on Ordinance No. 1146, **“AN ORDINANCE TO REPEAL PARTS OF ORDINANCE IN CHAPTER 7 (TRAFFIC) SECTION 7-11 AND ANY OTHER INCONSISTENT ORDINANCES IN CHAPTER 7 CONCERNING THE REGULATION OF OVERNIGHT PARKING IN THE TOWNSHIP OF LITTLE FALLS”**, be and it was opened.

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

The Council President declared the motion passed.

Mr. Trapanese explained this ordinance, noting that this repeals the inconsistencies in the current ordinance.

No one having come forward to be heard, it was moved by Councilmember Sisco, seconded by Councilmember Gonzalez, that the public hearing on Ordinance No. 1146 be and it was closed.

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

The Council President declared the motion passed.

It was moved by Councilmember Gonzalez, seconded by Councilmember Fontana, that the Ordinance No. 1146 be and it was adopted.

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

The Council President declared the motion passed.

Ordinance No. 1147 – It was moved by Councilmember Sisco, seconded by Councilmember Gonzalez, that the public hearing on Ordinance No. 1147, **“BOND ORDINANCE PROVIDING FOR THE FLOOD MITIGATION ACQUISITION OR RECONSTRUCTION OF RESIDENTIAL HOMES IN AND BY THE TOWNSHIP OF LITTLE FALLS, IN THE COUNTY OF PASSAIC, NEW JERSEY, APPROPRIATING \$6,270,300 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$2,500,000 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF”**, be and it was opened.

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

The Council President declared the motion passed.

Mrs. Bergin provided clarification of this ordinance.

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Dorothy O’Haire, Turnberry Road, urged the Council to pass this bond ordinance. She thanked Nick Agnoli and the Flood Board. Councilmember SISCO also recognized Paul Huggins for working on this and Mrs. O’Haire recognized William Liess.

No one further having come forward to be heard, it was moved by Councilmember Sisco, seconded by Councilmember Vantuno, that the public hearing on Ordinance No. 1147 be and it was closed.

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

The Council President declared the motion passed.

It was moved by Councilmember Sisco, seconded by Councilmember Vantuno, that the Ordinance No. 1147 be and it was adopted.

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

The Council President declared the motion passed.

Ordinance No. 1148 – It was moved by Councilmember Gonzalez, seconded by Councilmember Vantuno, that the public hearing on Ordinance No. 1148, **“BOND ORDINANCE OF THE TOWNSHIP OF LITTLE FALLS, IN THE COUNTY OF PASSAIC, NEW JERSEY AMENDING ORDINANCE NUMBERS 668 AND 816 IN ORDER TO REMOVE ALL REFERENCES TO SPECIAL ASSESSMENT AND CLARIFY THAT THE IMPROVEMENTS AUTHORIZED THEREIN WILL BE FINANCED AS GENERAL IMPROVEMENTS OF THE TOWNSHIP”**, be and it was opened.

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

The Council President declared the motion passed.

Mr. Wilk provided clarification of this ordinance.

No one having come forward to be heard, it was moved by Councilmember Sisco, seconded by Councilmember Vantuno, that the public hearing on Ordinance No. 1148 be and it was closed.

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

The Council President declared the motion passed.

It was moved by Councilmember Vantuno, seconded by Councilmember Fontana, that the Ordinance No. 1148 be and it was adopted.

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

The Council President declared the motion passed.

Ordinance No. 1149 – Councilmember SISCO suggested they hold off on this ordinance, since they are having an Executive Session about this tonight. Councilmember FONTANA agreed to do so. Mr. Trapanese said it would be best to hold off on the public hearing and the adoption until after Executive Session.

Ordinance No. 1150 – It was moved by Councilmember Sisco, seconded by Councilmember Gonzalez, that there be introduced and the meeting of March 19, 2012 set as the date and time for the public hearing on the following:

**BOND ORDINANCE NO. 1150  
REFUNDING BOND ORDINANCE OF THE TOWNSHIP OF LITTLE FALLS, IN THE COUNTY OF PASSAIC,  
NEW JERSEY PROVIDING FOR THE FUNDING OF COSTS IN CONNECTION WITH HURRICANE IRENE  
AND RELATED FLOODING, APPROPRIATING \$675,000 THEREFOR AND AUTHORIZING THE ISSUANCE  
OF \$675,000 REFUNDING BONDS OR NOTES OF THE TOWNSHIP FOR FINANCING THE COST THEREOF**

BE IT ORDAINED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF LITTLE FALLS, IN THE COUNTY OF PASSAIC, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:

Section 1. The Township of Little Falls, in the County of Passaic, New Jersey (the “Township”) is hereby authorized to fund, pursuant to N.J.S.A. 40A:2-51, an emergency appropriation in the amount of \$663,750 adopted by the Township on December 5, 2011 to fund the costs incurred as a result of Hurricane Irene and related flooding.

Section 2. An aggregate amount not exceeding \$11,250 for items of expense listed in and permitted under N.J.S.A. 40A:2-51(b) has been included in the aggregate principal amount of refunding bonds authorized herein.

Section 3. In order to finance the cost of the purpose described in Section 1 hereof, negotiable refunding bonds are hereby authorized to be issued in the principal amount of \$675,000 pursuant to the Local Bond Law.

Section 4. In anticipation of the issuance of the refunding bonds, negotiable refunding bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law. All refunding bond anticipation notes issued hereunder shall mature at such times as may be determined by the Chief Financial Officer, provided that no note shall mature later than one year from its date. The refunding bond anticipation notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer. The Chief Financial Officer shall determine all matters in connection with refunding bond anticipation notes issued pursuant to this refunding bond ordinance, and the Chief Financial Officer’s signature upon the refunding bond anticipation notes shall be conclusive evidence as to all such determinations.

All refunding bond anticipation notes issued hereunder may be renewed from time to time, but all such refunding bond anticipation notes including renewals shall mature and be paid no later than the tenth anniversary of the date of the original refunding bond anticipation notes or such other time period directed by the Local Finance Board in their approval of this refunding bond ordinance; provided, however, that no refunding bond anticipation notes shall be renewed beyond the first or any succeeding anniversary date of the original refunding bond anticipation notes unless an amount of such refunding bond anticipation notes, at least equal to the first legally payable installment of the refunding bonds in anticipation of which the refunding bond anticipation notes are issued, determined in accordance with the maturity schedule

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for the refunding bonds approved by the Local Finance Board, is paid and retired on or before such anniversary date; and provided, further, that the period during which the refunding bond anticipation notes and any renewals thereof and any permanent refunding bonds are outstanding, shall not exceed the period set for the maturity of the refunding bonds by the Local Finance Board.

The Chief Financial Officer is hereby authorized to sell part or all of the refunding bond anticipation notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The Chief Financial Officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the refunding bond anticipation notes pursuant to this refunding bond ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the refunding bond anticipation notes sold, the price obtained and the name of the purchaser.

Section 5. A certified copy of this refunding bond ordinance as adopted on first reading has been filed with the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey (the "Director") prior to final adoption, together with a complete statement in the form prescribed by the Director and signed by the Chief Financial Officer the Township as to the indebtedness to be financed by the issuance of the refunding bonds authorized herein.

Section 6. The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Township Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the Township as defined in the Local Bond Law is increased by the authorization of the refunding bonds and refunding bond anticipation notes provided in this refunding bond ordinance by \$675,000, but that the net debt of the Township determined as provided in the Local Bond Law is not increased by this refunding bond ordinance. The obligations authorized herein will be within all debt limitations prescribed by that Law.

Section 7. This refunding bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law, provided that the consent of the Local Finance Board has been endorsed upon a certified copy of this refunding bond ordinance as finally adopted.

\*\*\*\*\*

Mr. Jessup of McManimon & Scotland provided an explanation of this ordinance, noting that the Township is anticipating a grant from FEMA. This money preserves this just in case the Township doesn't receive the grant.

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

The Council President declared the motion passed.

Application to Local Finance Board for Review and Approval of Bond Ord. No. 1150 – It was moved by Councilmember Gonzalez, seconded by Councilmember Vantuno, that the Council approve the following:

**RESOLUTION [O] 12-02-27 - #15  
RESOLUTION OF THE TOWNSHIP OF LITTLE FALLS, IN THE COUNTY OF PASSAIC, NEW JERSEY  
MAKING APPLICATION TO THE LOCAL FINANCE BOARD PURSUANT TO N.J.S.A. 40A:2-51**

**WHEREAS**, the Township of Little Falls, in the County of Passaic, New Jersey (the "Township"), desires to make application to the Local Finance Board for its review and approval of a refunding bond ordinance providing for the funding of the Township's 2011 emergency appropriation in connection with the costs of Hurricane Irene and related flooding;

**WHEREAS**, the Township believes that:

- (a) it is in the public interest to accomplish such purposes;
- (b) said purposes are for the health, welfare, convenience or betterment of the inhabitants of the Township;
- (c) the amounts to be expended for said purposes are not unreasonable; and
- (d) the proposals are an efficient and feasible means of providing services for the needs of the inhabitants of the Township and will not create an undue financial burden to be placed upon the Township;

**NOW, THEREFORE, BE IT RESOLVED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF LITTLE FALLS, IN THE COUNTY OF PASSAIC, NEW JERSEY** as follows:

Section 1. The Application to the Local Finance Board by the Township is hereby approved, and McManimon & Scotland, L.L.C., Township Bond Counsel, and Lerch, Vinci & Higgins, LLP, Township Auditor, are hereby authorized to participate in the preparation of such application and represent the Township in matters pertaining thereto.

Section 2. The Clerk of the Township is hereby directed to prepare and file a copy of this resolution and the introduced Refunding Bond Ordinance with the Local Finance Board as part of such application.

Section 3. The Local Finance Board is hereby respectfully requested to consider such application and to record its findings, recommendations and/or approvals as provided by the applicable New Jersey Statute.

\*\*\*\*\*

Mr. Jessup provided an explanation of this resolution as well, noting that his is in connection with Ordinance No. 1150.

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

The Council President declared the motion passed.

Authorizing Open Space Trust Fund Tax Levy of .5 Cent – It was moved by Councilmember Vantuno, seconded by Councilmember Gonzalez, that the Council approve the following:

**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**, the first year of the Open Space Trust Fund will be 2012 and the actual amount to be levied must be determined by resolution of the Council; and,

**WHEREAS**, in the future, at the beginning of each year the Council will consider how much shall be levied for that year– but the amount cannot exceed 2 cents per \$100 of assessed property value without going back to the voters for approval.

**NOW THEREFORE BE IT RESOLVED**, the Township Council of the Township of Little Falls approves a 2012 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.

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

The Council President declared the motion passed.

Authorizing to Execute Agreement with FEMA for Hazard Mitigation Grant Program – It was moved by Councilmember Gonzalez, seconded by Councilmember Sisco, that the Council approve the following:

RESOLUTION [Q] 12-02-27 - #17

WHEREAS, The Township of Little Falls is actively engaged in the implementation of FEMA flood mitigation programs to elevate and/or acquire flood-prone properties; and,

WHEREAS the Township has received a grant award from FEMA to mitigate 11 flood-prone properties through elevation or acquisition under the Hazard Mitigation Grant Program; and,

WHEREAS, the total project cost outlined in this agreement is \$3,924,800, 75% of which will be paid through the grant agreement provided by FEMA in the amount of \$2,943,600 with the remaining 25% as a non-federal share to come from the NJDEP Blue Acres Program; and,

WHEREAS, the agreement has been reviewed and approved by the Township Attorney and FEMA Program Administrator for accuracy.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Municipal Clerk are hereby authorized to execute the Hazard Mitigation Grant Agreement.

\*\*\*\*\*

Mrs. Bergin provided an explanation of this resolution.

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

The Council President declared the motion passed.

Appointing Joanne Bergin as Township Business Administrator – It was moved by Councilmember Sisco, seconded by Councilmember Vantuno, that the Council approve the following:

RESOLUTION [R] 12-02-27 - #18

RESOLUTION APPOINTING BUSINESS ADMINISTRATOR

WHEREAS, Joanne Bergin was nominated by Mayor Darlene Post for the position of Business Administrator of the Township of Little Falls; and

WHEREAS, the appointment of a Business Administrator is a mayoral appointment pursuant to the Ordinances of the Township of Little Falls, as well as the Faulkner Act, with the advice and consent of the Little Falls Township Council; and

WHEREAS, the position of Business Administrator has been established at the salary rate of \$85,000.00 annually, plus health and dental insurance coverage, identical to all other full time employees, in accordance with her eligibility of benefits as set forth under the Township's policies; and

WHEREAS, Joanne Bergin's commencement date of appointment will be February 28, 2012, to fill the position of Little Falls Township Business Administrator, which term shall run concurrent with the term of the Mayor;

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

1. Joanne Bergin be and she is hereby appointed as the Business Administrator for the Township of Little Falls effective February 28, 2012, at an annual salary of \$85,000.00 until the salary ordinance is amended; inasmuch as her salary will include grant writing and FEMA coordinator services (saving the Township at least \$43,000.00.) Thereafter, her salary will be adjusted retroactively to \$86,900.00, plus health and dental insurance coverage, and pension benefits identical to all other full time employees, in accordance with her eligibility for benefits as set forth under the Township's policies; and further

2. The Mayor, Township Clerk and/or Township Council President and/or other members of the Township Council be and they are hereby authorized to execute any and all forms and/or paperwork necessary in order to accomplish the foregoing.

\*\*\*\*\*

Councilmember Gonzalez said although they are very happy to have Mrs. Bergin take this position, she thought it should have been approached in a more professional manner. She also questioned how the town will be saving money. Mayor Post gave a breakdown of this cost savings at this time, noting that Mrs. Bergin will be waiving insurance benefits. The Township will be saving over \$43,000. Councilmember SISCO pointed out that the Attorney's contract was executed under the former mayor, and asked Mayor Post what she will do about this position, noting that it must be addressed. Mayor Post said they will be discussing this.

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

The Council President declared the motion passed.

At this time, Mayor Post administered the Oath of Office to the Business Administrator, Joanne Bergin.

Appointment of Vincent Cestone to the Municipal Ethics Board – It was moved by Councilmember Vantuno, seconded by Councilmember Sisco, that the Council approve the following:

RESOLUTION TO APPOINT VINCENT CESTONE TO THE MUNICIPAL ETHICS BOARD [S]#19

Councilmember GONZALEZ said this is a Council appointment, but pointed out that this never came before the Council when Mayor Post was serving as Council President. Mayor Post said at the time, she wasn't aware that she had to provide this information to the Council. Mr. Wilk explained that this was always done as a mayoral appointment, but informed that there is a Local Finance Notice, which states that it is in fact a Council appointment. Councilmember GONZALEZ explained that she looked into this, and informed that there is a law that provides for this to be a Council appointment. She explained that there is now an inconsistency. Mr. Trapanese said it has been a mayoral appointment historically and further noted that there is some confusion as to what kind of appointment this is at this time. Councilmember GONZALEZ said there are things that must be reviewed to make sure they are in compliance with the law. She further noted that there was an idea mentioned by Councilmember Vantuno that the Council should be interviewing any person in any office. She said she would like the Council to have a chance to read the resumes of the individuals they are considering to take on board for CMFO. Mayor Post advised that the Council could review the applications, but said the interview process is strictly the Mayor. They can offer the opportunity for the Council to speak to these candidates in Executive Session.

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

The Council President declared the motion passed.

### **PUBLIC PORTION**

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

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

The Council President declared the motion passed.

Louis Fernandez, 54 Harrison Street, congratulated Mrs. Bergin on her appointment this evening. Referring to the previous Business Administrator, he voiced his understanding that he was paid an annual salary of \$85,000 without benefits. Councilmember FONTANA clarified that Mr. Underhill was given the option of benefits, but not pension.

Fire Chief Sweezy, congratulated Mrs. Bergin on her appointment. He referred to Mr. Reynolds' question from earlier and explained that Little Falls residents will not be billed anything other than what is provided by their insurance company. He informed that there are currently 17 EMT applications, seven of which are for the Coordinator position. They are hoping to conduct interviews and get the system running shortly, noting that this is a system that must be put in place.

Brian Reynolds, 7 Notch Road, referred to the Township's internet and email notification systems, and said the reason why this has not been upgraded is because the budget line item was denied. He asked that the Council revisit this. Regarding the paid EMS matter, he asked if the Township gets help from other towns when needed. He also asked what other alternatives have been looked into, and said he is against hiring 18 more employees. Regarding the refund of property taxes on tax appeal settlements, he voiced his opinion that the town should be getting money back from the County and the schools for this as well.

Arnold Korotkin, Long Hill Road, also congratulated Mrs. Bergin on her appointment as Business Administrator. Referring to the recent appointment of an Ethics Board member, he asked if this was due to a vacancy and questioned the last time the board convened a meeting. He also asked for the status of the cell tower investigation. He informed that MSU has EMS services, and suggested that the town consider this in an emergency situation.

Brian Reynolds, 7 Notch Road, referred to the appointment of a new Treasurer/Finance Officer, and said that shared services would be a good alternative to reduce costs. He also congratulated Mrs. Bergin.

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

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

The Council President declared the motion passed.

Councilmember FONTANA thanked Fire Chief Sweezy for his comments.

Councilmember VANTUNO said the email notification system is a pending order of business and informed that he will discuss this with Mrs. Bergin tomorrow.

Fire Chief Sweezy informed that the town has a mutual aid agreement for EMS with MSU, Cedar Grove, Woodland Park, etc. They can also use St. Joseph's ambulance during the day. He explained that PULSE will not leave an ambulance in service and waiting all day long. Councilmember GONZALEZ said nothing has been done to save Company #1, and said she learned of a recent suspension in the company. Chief Sweezy said this was a separate issue and explained that there are people who have hesitated to put this in place, even though it is much-needed for the emergency medical services. Councilmember GONZALEZ said she would not mind reconsidering her stand on the paid EMS system if Chief Sweezy provided more concrete background information.

Councilmember FONTANA questioned possible reimbursement from the school, and Mr. Trapanese said he will look into this.

Mr. Jessup said the municipality has the benefit of collecting 100% of every dollar, but they have the responsibility of giving the County and the School Board 100% of what they are owed. If there is a shortfall, it falls on the Township, not on the County or the School board; they collect 100% of taxes no matter what.

Councilmember FONTANA informed that a member of the Ethics Board has resigned. Mr. Trapanese explained that they are now required to fill this vacancy. He wasn't aware as to the last time the board met, but said it may have been close to a year ago.

Mr. Trapanese said the cell tower investigation is still proceeding, which is still in the office of the Passaic County Prosecutor. He explained that this would be made available to the public when the matter is closed.

### **PAYMENT OF BILLS**

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

RESOLUTION [BL]

**Meeting of February 27, 2012**

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: Fontana, Gonzalez, Sisco and Vantuno  
Nays: None

The Council President declared the motion passed.

**EXECUTIVE SESSION**

It was moved by Councilmember Vantuno, seconded by Councilmember Gonzalez, that the Council approve the following:

RESOLUTION [EX]

WHEREAS, N.J.S.A. 10:4-12 allows for a Public Body to go into executive session during a Public Meeting;  
and

WHEREAS, the Governing Body of the Township of Little Falls has deemed it necessary to go into executive session to discuss certain matters which are exempted from the Public; and

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

NOW, THEREFORE, BE IT RESOLVED that the Township Council of the Township of Little Falls will go into executive session for the following reason(s) as outlined in N.J.S.A 10:4-12: Discussion of Litigation relative to the Justice Complex.

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

The Council President declared the motion passed.

Mr. Trapanese said action will be taken after the meeting.

The Council entered Executive Session at 9:48 p.m.

At 10:32 p.m., the Council returned and it was moved by Councilmember Gonzalez, seconded by Councilmember Sisco, that the meeting return to Open Session.

Ordinance No. 1149 – It was moved by Councilmember Gonzalez, seconded by Councilmember Vantuno, that the public hearing on Ordinance No. 1149, **“BOND ORDINANCE PROVIDING A SUPPLEMENTAL APPROPRIATION OF \$100,000 FOR THE CONSTRUCTION OF THE NEW JUSTICE COMPLEX BUILDING IN AND BY THE TOWNSHIP OF LITTLE FALLS, IN THE COUNTY OF PASSAIC, NEW JERSEY, AND AUTHORIZING THE ISSUANCE OF \$95,000 BONDS OR NOTES OF THE TOWNSHIP FOR FINANCING PART OF THE APPROPRIATION”**, be and it was opened.

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

The Council President declared the motion passed.

No one having come forward to be heard, it was moved by Councilmember Gonzalez, seconded by Councilmember Sisco, that the public hearing on Ordinance No. 1149 be and it was closed.

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

The Council President declared the motion passed.

It was moved by Councilmember Fontana, seconded by Councilmember Vantuno, that the Ordinance No. 1149 be and it was adopted.

Poll: Ayes: Fontana, Gonzalez, Sisco and 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 Gonzalez, seconded by Councilmember Sisco, that the meeting be and it was adjourned at 10:36 p.m.

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William E. Wilk  
Municipal Clerk

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Cynthia Meyer  
Deputy Municipal Clerk