

**Meeting of January 10, 2011**

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

**Monday, January 10, 2011**

Council President Louis Fontana called the meeting to order at 7:29 p.m. with the following members present: Mercedes Gonzalez, Darlene Post, Joseph Sisco and John Vantuno. Also present were Mayor Michael DeFrancisci, Township Attorney Joseph Trapanese, Township Engineer Dennis Lindsay, Municipal Clerk William Wilk and Township Administrator Matthew Kazmierczak

Absent: None

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

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

**STATEMENT OF PUBLIC NOTICE:** Take notice that adequate notice of this meeting was provided in accordance with N.J.S.A. 10:4-8 and N.J.S.A. 10:4-10 as follows: A notice of the meeting was prominently posted on the bulleting board at the Municipal Building, located at 225 Main Street, Little Falls, N.J. on January 4, 2011; a copy of the notice was faxed to the North Jersey Herald and News and The Record on the same date; additionally, a copy of the notice was filed in the office of the Township Clerk on said date.

At this time, Councilmember SISCO asked for a brief moment of silence for all of the victims in Arizona’s recent tragedy.

**REMARKS FROM CHAIR**

Council President FONTANA said the local sports teams are now in full swing, and he urged all to go out and support the kids. He explained that there were some updates to this evening’s agenda, and further noted that more would occur in the coming weeks. He also informed that they are making it a goal to get more ratables in the Township.

**COUNCIL MEMBER REPORTS**

Councilmember SISCO wished everyone a Happy New Year. He thanked the Police Department, the Fire Department and the DPW for their hard work during the recent snow storms.

Councilmember GONZALEZ thanked everyone for attending last week’s Council meeting.

Councilmember POST had no report, but also thanked the Police Department, the Fire Department and the DPW for their hard work.

Councilmember VANTUNO had nothing to report at this time.

**MAYOR’S REPORT**

Mayor DeFrancisci referred to a recent article in the Herald newspaper, stating that most of the flooding in town occurs along the Peckman River. However, he informed that most of the flooding occurs during the Passaic River. He assured that they are trying to do as much as they can to curtail flooding. He described the article to be a poor recording on behalf of the newspaper, and explained that he felt a need to address the issue.

**ATTORNEY’S REPORT**

Mr. Trapanese had no report, but requested that the Council enter Executive Session briefly to discuss developments regarding Woods Road.

**EXECUTIVE SESSION**

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

**RESOLUTION [EX]**

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

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

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

NOW, THEREFORE, BE IT RESOLVED that the Township Council of the Township of Little Falls will go into executive session for the following reason(s) as outlined in N.J.S.A 10:4-12: One (1) matter of Litigation – Schumacher and Woodland Park

\*\*\*\*\*

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

The Council President declared the motion passed.

The Council entered Executive Session at 7:36 p.m.

At 8:03 p.m., the Council returned, and it was moved by Councilmember Sisco, seconded by Councilmember Gonzalez, that the meeting return to Open Session.

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

The Council President declared the motion passed.

## Meeting of January 10, 2011

### PUBLIC PORTION

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

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

The Council President declared the motion passed.

Arnold Korotkin, Long Hill Road, was happy to see the 2010 Budget posted on the Website, as well as the report of the March 2010 flood After Action Report. He hoped the email addresses for the new Council members could be added to the website soon. He explained that someone's name, address and social security number were listed in the Minutes of a past meeting; the information has been redacted since, but he questioned what action the Council would take to protect this person's identity. He has read the After Action Report, and he questioned who is on the Task Force. He hoped residents would be included in the future, as he believes that those who were impacted should have been allowed input. He was curious about the status and appointment of a Public Information Officer. There is the need of a Continuity of Operation Plan; he asked for the status of this as well. There were several costs related to the flood, and he asked if this money has been requested and returned through FEMA. There was also information about the Fire Department equipment included in the report. He asked what the status is of getting this money back. He is still waiting for Chief Sweezy to post the 2009-2010 Annual Fire Department Report on the Website. He suggested that the town use the funds from MSU calls to pay off the principal of the bonds for equipment for the Fire Department. He explained that the report also referred to Capital Improvements for the Fire Department for 2011, including securing funding for replacement of Engine No. 2, and the cost of a Township ambulance unit. He asked if this would be incorporated in the next budget.

Frank Zimmerman, Long Hill Road, congratulated the new Council members for offering their time and energy to make Little Falls a better place to live. He pointed out that Councilmember Sisco's knowledge to this Council will be very useful, since he is the veteran of the group. He also said that President Fontana would be a good leader. He voiced concern about the Overlay Zone on Woods Road, and explained that his main purpose for attending the meetings is to correct the mistake that has been made. He questioned why, at the time that the overlay ordinance was being passed, the Council held a Council meeting on a Friday, instead of a Monday. He also questioned why the then Council was rushed into voting for the ordinance. He asked why COAH came to town to identify Woods Road. This document is before the Planning Board right now. He asked the Council to continue the effort to prevent attached housing on Woods Road, and suggested they give Mr. Trapanese the support and the resources necessary to fix this mistake. Referring to Resolution [E] from the Reorganization Meeting Agenda, concerning the appointment of a Planner, he asked why it was pulled from the agenda. He reminded that he had asked a question at the 12/30/10 meeting and is still waiting for an answer. He pointed out that they would enter Executive Session this evening to discuss Woods Road, and he questioned whether or not a decision has been made on this regarding it being a public road.

Renea Shapiro, Little Falls ABC, welcomed the new Council members, and explained that the Little Falls ABC is looking forward to working with all of them. She informed that the semi-finals for this year's talent search, which is a major fundraiser for the ABC, will be held on 2/1/11. The talent search and tasting will be held on 3/1/11. They are hoping to raise enough money to do the Concert Series this summer.

Dorothy O'Haire, Turnberry Road, referred to a quote by the Mayor during the Reorganization Meeting that "the shoe is on the other foot", and explained that this is a very big shoe that will require a lot of hard work to fill.

She explained that it cost taxpayers an additional \$400,000 to treat sewage because the neglected and broken sewer mains were allowing ground water infiltration, causing raw sewage to back up into residents' homes. The mains are being fixed now, using money from the Infrastructure Trust Fund, which has lower interest rates than bonding has. This fund was discovered and researched by the previous Council.

She also commented with regard to transparency in government and business being conducted elsewhere other than at Council meetings in the past. At that time, nothing was being done to control flooding. She had to fight to have Flood Board meetings called. Environmental Commission meetings weren't being held either.

When Mr. Trapanese was appointed Township Attorney, the first thing he had to do was draw up a "hold harmless" ordinance; previous Councils were operating without any protection from lawsuits.

Referring to the retaining wall of the complex where she resides, she had been told after Hurricane Floyd that nothing could be done to fix same because it was private property and the DEP wouldn't allow it. However, after speaking with the DEP, she found that those statements were incorrect. Three days following an inspection by the National Resource Conservation Service, a check for \$66,000 was delivered with the stipulation that repairs to the channel and bridges be made and a rock wall built in front of our retaining wall to protect it.

After the change of government, the Flood Board was disbanded; we now have a Local and a Regional board. It was the Regional Flood Board that initiated the Hazard Mitigation Plan. The previous Council then researched the plan and Mayor Kulick gave the OK to have it formulated. The resolution was just passed by the previous Council and the document received from FEMA permitting first five houses and then an additional thirty four to be raised above the level of the 100 year flood. This is a grant of \$5.9 million dollars which will cost the residents nothing, because the previous Council and Mayor had the foresight to spend \$50,000 to gain millions in FEMA aid that is there for the asking if you do what is required.

The Justice Complex has been started. It took six years of hard work by the previous Council and two Mayors.

She explained that this Council would be the stewards of all this hard work and success. She asked that they be vigilant and ask questions; she also asked that they give monthly progress and financial reports. She explained that the previous Council was criticized for indecisiveness; however, she sees it as thoroughness and due diligence.

Referring to the sale of the Rose Street property, she explained that this is the only remaining, sizable piece of town owned property; please look into this carefully. The property market is down and time is on the Township's side. The Army Corps of Engineers will eventually build a small dam in the river and a covered culvert under the recycling yard to divert flood waters, directly across the river from the Rose Street property.

She asked if the Township has been approached recently by any company in regard to the Rose Street property, and she asked if the Township will know what will be built there before it is re-zoned so as not to rule out a possible purchaser.

Referring to the billboards, she asked where exactly on Route 46 they are planned and if the Township will have any control over what the message on the billboard will be. She does not think that billboards will enhance Little Falls.

## Meeting of January 10, 2011

John Ambrosio, 239 Long Hill Road, thanked everyone for their service. He implored the Council to think outside of the box with regard to the flood zone, noting that New Jersey is becoming unaffordable due to the taxes. He pointed out that taxes in the south are dramatically less expensive. He suggested that the Mayor meet with every other Mayor twice a year to go line by line on the County Budget, since it consists of half of the Municipal Budget. He said they should be discussing regionalization. There are multiple positions everywhere; they need to combine. With regards to Singac, he suggested they get some developers in there and build three mid-rises and tear all of the houses down. He said they shouldn't disregard people who have ideas, and suggested they get other people in the field to research things. Collaboratively, they can get the taxes down.

Jeannie Gerdy, 2 Elm Street, explained that she is against the billboards, and also voiced concern about the Rose Street property. There is nothing on the table for that right now; the majority of it is wetlands, and the property is up against PVHS. The school is beautiful and has a nice setting; the property could potentially cut into the beauty of that setting. The noise, light and traffic pollution is also a concern regarding the Rose Street property; she asked them to think carefully about what will be placed there, as it will make a big impact.

Brian Reynolds, 7 Notch Road, congratulated all of the new Council members. He then commended Totowa, informing that they haven't been spending a lot of money and they are not overtaxed. They will also be making their last debt payment in May. He suggested that Little Falls review its debt and future needs as well. He explained that they should only be buying things that they need. He referred to the Mayor sitting up at the dais and pointed out that the residents of the town previously voted that the Council be seated at the dais only. He asked if they are doing away with decorum.

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

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

The Council President declared the motion passed.

Council President FONTANA asked Mr. Wilk about the social security number in the minutes. Mr. Wilk explained that the number was included in a resolution to refund money, and was accidentally not removed. Mr. Korotkin said the question was what they would do to protect the individual. Mr. Trapanese said the individual could sue the town if he wanted to, in which case, the Township would offer protection to the individual as an option; he commented further in depth. Mayor DeFrancisci said he would have the Administrator look into this matter tomorrow.

Mayor DeFrancisci said the after action report was done by his office and it was not intended for input from the residents; it was simply a review of what was done. They have learned from it what they can do better in the future. He informed that Detective Batelli had reported, at a previous meeting, that they received \$117,000 of the Township's costs back from FEMA so far.

Councilmember FONTANA said the Mayor is working on the Budget now. Mayor DeFrancisci said the funds they get from MSU for the fire calls go back into the General Treasury.

Mr. Kazmierczak said the Council members have Township emails right now and once they are instructed on how to use this, they will be on the website.

Mayor DeFrancisci pointed out that Michael Kauker has been the Township Planner for the past couple of years; however, he thought they shouldn't make an appointment yet, pending review of the other submissions that came in.

Mr. Lindsay explained that the only formal decision by the Planning Board at this time is that it is not a public road. They received further information and he made a report to the Planning Board, which was also reviewed by the Council. There was an offer of dedication made to Little Falls and an agreement filed in the County Clerk's Office. It appears as though this is a public road, which is the information before the Planning Board at this time; it is currently in the works. Mr. Trapanese explained that he cannot answer Mr. Zimmerman's questions this evening, as they are in litigation. There were a number of different statements made in the document, but Mr. Zimmerman only quoted certain ones, and left out others.

Council President FONTANA encouraged everyone to support the ABC, noting that they are a good community group.

President FONTANA said he is not aware of the town being approached regarding the Rose Street property.

Referring to billboards, Mayor DeFrancisci said there are four locations of properties that Little Falls owns on Route 46; two of these may be subject to purchase and or easement by the State of NJ when they do the Route 46 intersection work.

President FONTANA commented briefly regarding Mr. Ambrosio's comments. Mayor DeFrancisci said he has tried to do several things for taxes. He explained that he held a shared services meeting with surrounding communities two years ago; he is still waiting for a call back. He doesn't think the towns are hurting enough that they have to do something. He believes they should be doing something now before it's too late, but he pointed out that they couldn't even get the three towns to agree on a Reverse 911 System together. He recently wrote a letter to Bill Dressel of the League of Municipalities about this issue. He is well aware of the concerns, but they need other people to participate. He is on the Governor's Flood commission; there will be a report coming out shortly based on last year's flooding. Most of the people in these neighborhoods like where they live and they don't want to leave. The goals right now are short-term to try to reduce some of the flood issues; they will continue to look for long term remedies. He agreed with Mr. Ambrosio's comments fully.

President FONTANA doesn't like the billboards, but he thinks they will work for the town; it is not a done deal. They will also look carefully into Rose Street; they hope to bring in more ratables; they are working on it.

Council President FONTANA said he read about Totowa not having debt after May as well; he agreed that they do well, but explained that Little Falls is always looking for places to cut as well.

## Meeting of January 10, 2011

In response to Mr. Reynolds, Councilmember Gonzalez explained that Mr. Reynolds is trying to state that this is a Council meeting, and she assured that the Mayor is aware that this is a Council meeting, and he is up here as a guest to answer questions and help out.

### CONSENT AGENDA

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

#### REPORTS

##### Tax Collector's Report – Month of December 2010 **MONTHLY REPORT**

Municipality of the Township of Little Falls  
Office of the Tax Collector  
Revenues Collector for the Month of December 2010  
Tax Collection Account #622402226 Lakeland Bank

TO DECEMBER 29, 2010	2010 YEAR TO DATE		
2010 Taxes	\$ 220,084.52		\$39,023,299.45
2009 Taxes	0.00		314,831.27
Prepaid 2011 Taxes	56,698.90		168,033.19
Interest	7,074.67	83,140.69	
Township Tax Title Lien	0.00		1,357.11
Township Tax Title Lien Int.	0.00		203.63
Cost of Tax Sale	0.00		977.22
Outside Tax Liens	60,361.11		250,677.20
<b>Duplicate Tax Bills 5.00</b>	<b>500.00</b>		
Tax Searches	0.00	20.00	
Insufficient Check Charge	0.00		320.00
Miscellaneous Line Item Fee	0.00		50.00
6% Penalty Fee	0.00		2,935.55
Premium Outside Lien	0.00		47,600.00
Tax Sale Additional Fee	0.00	625.00	
Miscellaneous Fee/Copies	0.00		11.25
<b>GRAND TOTALS</b>		<b>\$344,224.20</b>	<b>\$39,894,581.56</b>
<b>Comparison of Years</b>			
<b>Dec. 1, 2010 to Dec. 29, 2010</b>	<b>\$344,224.20</b>	<b>\$39,894,581.56</b>	
<b>Dec. 1, 2009 to Dec. 31, 2009</b>		<b><u>304,415.10</u></b>	<b><u>37,508,716.61</u></b>
		<b>+ \$39,809.10</b>	<b>+ \$2,385,864.95</b>

2010 Refunds this month - \$121,335.77 Year-to-date refunds -\$167,797.38

Bounced checks this month \$0.00 Year-to-date bounced checks \$24,671.21

Delinquent 2010 taxes as of December 31, 2010 = \$492,627.80 (134 line items)

2009 Open Balance as of 12/31/09 = \$317,056.33 (97 line items)

##### Township Clerk's Report – Month of December 2010

##### TOWNSHIP CLERKS REPORT Month of December 2010

ABC LICENSES			
OTHER LICENSES			
Business Licenses			
Pre-paid Business Licenses	\$10,910.00		
Raffle Licenses	100.00		
			\$11,010.00
REGISTRAR OF VITAL STATISTICS			
Fees & Permits	\$520.00		
Marriage Licenses-LF	6.00		
Marriage Licenses-NJ	50.00		
			\$576.00
MRNA			
Street Maps	\$3.00		
Zoning Maps	3.00		
Zoning Ordinances			
Document Copies	10.40		
Garage Sales			
Misc. Fees & Refunds:			
- Police Storage Fees	\$1,100.00		
<b>TOTAL MRNA</b>			<b><u>\$1,116.40</u></b>
<b>TOTAL CURRENT ACCOUNT</b>			<b><u>\$12,702.40</u></b>
<b>TOTAL TO TREASURER</b>			<b><u>\$12,702.40</u></b>

##### Township Clerk's Dog/Cat License Report – Month of December 2010

##### TOWNSHIP CLERK'S DOG/CAT LICENSE REPORT Month of December 2010

<b>Dog Licenses issued 12/1/10 thru 12/31/10</b>	
Nos. 369 to 370 = 2 Licenses	
Amount due Little Falls	\$13.60
Amount due State	2.40
Total Cash Received	\$16.00

**Meeting of January 10, 2011**

Total to Treas.

\$16.00

**RESOLUTIONS**

Reimbursement to lien holder – Tax Sale of 10/21/09

**RESOLUTION [A] 11-01-10- #1**

**WHEREAS**, the Tax Collector has received the lien monies in the amount of \$32,089.05 from Gary Crimona on the property known as Block 177 Lot 38, assessed to Gary Crimona, of 63 Jacobus Avenue, and

**WHEREAS**, these lien monies redeemed Certificate #2009-13 from my October 21, 2009 tax sale; and

**WHEREAS**, the lienholder paid a \$14,400.00 premium at this sale which is currently in our Treasurer’s Trust Account; and

**WHEREAS**, the lienholder shall be reimbursed the amount of \$46,489.05; and

**WHEREAS**, the amount of \$46,489.05 shall be made payable to R. Rothman, 411 Grand Avenue, Englewood, NJ 07631; and

**WHEREAS**, Rothman’s interest/penalty amount is \$5,453.67 when the Chief Finance Officer is completing the 1099 form. Rothman’s social security number is on file with the Treasurer’s office;

**NOW, THEREFORE BE IT RESOLVED** by the Township Council of Little Falls on this 10th day of January 2011 that the above lienholder be reimbursed the total amount of \$46,489.05. This check shall be forwarded to the Tax Collector on January 11, 2010, as she must surrender the Tax Sale Certificate before he receives payment.

\*\*\*\*\*

Dennis G. Lindsay, P.E.

**RESOLUTION [B] 11-01-10 - #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:

\$525.00

payable to:

Dennis G. Lindsay, P.E.

representing payment for engineering services rendered in connection with All Purpose Enterprises, LLC – Block 101, Lot 24 – Building Reconstruction with Variances at 43 Ridge Avenue; 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.

\*\*\*\*\*

Trapanese & Trapanese, Esq.

**RESOLUTION [C] 11-01-10 - #3**

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:

\$45.00

payable to:

Trapanese & Trapanese, Esq.

representing payment for legal services rendered in connection with Soldoveri; 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.

\*\*\*\*\*

State of NJ Weights & Measures Fund

**RESOLUTION [D] 11-01-10 - #4**

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:

\$25.00

payable to:

Weights & Measures Fund  
P.O. Box 490  
Avenel, NJ 07001

representing payment of 2011 licensing fee for small scale in the Police Department.

\*\*\*\*\*

**RESOLUTION [E] 11-01-10 - #5**

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:

\$25.00

payable to:

Weights & Measures Fund  
P.O. Box 490  
Avenel, NJ 07001

representing payment of 2011 licensing fee for small scale in Public Nurse’s office.

\*\*\*\*\*

NJ Department of Health – Dog License Fees

**RESOLUTION [F] 11-01-10 - #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:

\$2.40

payable to:

NJ State Dept. of Health

representing payment of State dog license fee, license Nos. 369 to 370 for the month of December 2010.

\*\*\*\*\*

Treasurer, State of NJ – 4<sup>th</sup> Quarter 2010 Marriage License/Civil Union Fees

**RESOLUTION [G] 11-01-10 - #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:

\$375.00

payable to:

**Meeting of January 10, 2011**

representing 4<sup>th</sup> Quarter 2010 Marriage License/Civil Union Fees. Treasurer, State of NJ

\*\*\*\*\*

Little Falls Public Library – 1<sup>st</sup> Quarter 2011 Funds

RESOLUTION [H] 11-01-10 - #8

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:

\$158,473.25

payable to:

Little Falls Public Library

representing payment of 1<sup>st</sup> quarter 2011 funds.

\*\*\*\*\*

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

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

The Council President declared the motion passed.

**REGULAR AGENDA**

The following items were individually considered.

**INTERDEPARTMENTAL**

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

RESOLUTION AUTHORIZING TRANSFERS IN THE 2011 BUDGET: \$6,232.00 [I]#9

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

The Council President declared the motion passed.

**NEW BUSINESS**

Correcting Appointment at Reorganization Meeting of Flood Board Member – It was moved by Councilmember Post, seconded by Councilmember Gonzalez, that the Council approve the following:

**RESOLUTION [J] 11-01-10 - #10**

WHEREAS, Dorothy O’Haire was appointed to a three-year term as Regular Member of the Regional Flood Control Board at the Reorganization Meeting held on 1/3/2011; and

WHEREAS, Dorothy O’Haire’s term expires 12/31/12; and

WHEREAS, Nicholas Agnoli’s term expired on 12/31/10.

NOW, THEREFORE, BE IT RESOLVED, that Nicholas Agnoli be appointed to a three-year term as Regular Member of the Regional Flood Control Board correcting the Reorganization Meeting appointment of Dorothy O’Haire.

\*\*\*\*\*

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

The Council President declared the motion passed.

Correcting Appointment at Reorganization Meeting of OEM Coordinator – It was moved by Councilmember Sisco, seconded by Councilmember Post, that the Council approve the following:

**RESOLUTION [K] 11-01-10 - #11**

WHEREAS, Alfred Batelli was appointed OEM Coordinator for a one-year term at the Reorganization Meeting held on 1/3/2011; and

WHEREAS, said position is statutorily a three-year term.

NOW, THEREFORE, BE IT RESOLVED, that Alfred Batelli be appointed as OEM Coordinator for the statutory three-year term correcting the Reorganization Meeting appointment of one year.

\*\*\*\*\*

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

The Council President declared the motion passed.

Correcting Appointment at Reorganization Meeting of Environmental Commission Members – It was moved by Councilmember Sisco, seconded by Councilmember Post, that the Council approve the following:

**RESOLUTION [L] 11-01-10 - #12**

WHEREAS, Frances Schultz and David Seyer were appointed to a three year term as Regular Members of the Environmental Commission at the Reorganization Meeting held on 1/03/11; and

WHEREAS Frances Schultz’s and david Seyer’s terms expire 12/31/12; and

WHEREAS the terms of Al Glatz, Herbert Botbyl and Michael Fojut expired 12/31/10

NOW THEREFORE BE IT RESOLVED, that Al Glatz, Herbert Botbyl and Michael Fojut be appointed to three year terms a Regular Members of the Environmental Commission correcting the Reorganization Meeting appointment of Frances Schultz and David Seyer.

\*\*\*\*\*

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

The Council President declared the motion passed.

Termination of Health Services Contract with Township of Pequannock effective 6/30/11 – It was moved by Councilmember Sisco, seconded by Councilmember Gonzalez, that the Council approve the following:

**RESOLUTION [M] 11-01-10 - #13**

AUTHORIZING A TERMINATION OF THE BOARD OF HEALTH SERVICES AGREEMENT WITH THE TOWNSHIP OF PEQUANNOCK, AND AUTHORIZING THE MAYOR TO EXECUTE A REPLACEMENT BOARD OF HEALTH SERVICES AGREEMENT WITH THE CITY OF CLIFTON

## Meeting of January 10, 2011

WHEREAS, the Township of Little Falls has an ongoing need to acquire local health services, pursuant to the provisions of N.J.S.A. 26:3A2-12; and

WHEREAS, the previous local health services contractual agreement with the Township of Pequannock fulfilled this need from January 1, 2006 through December 31, 2010; and

WHEREAS, the Mayor and Business Administrator have entered into negotiations with the Township of Pequannock and other municipalities in an effort to reduce the annual cost for acquiring local health services for the residents of the Township of Little Falls; and

WHEREAS, the Township of Little Falls has previously provided the Township of Pequannock with written notice, dated December 30, 2010, that the expiring contractual agreement for local health services would not be renewed between the Township of Little Falls and the Township of Pequannock; and

WHEREAS, the provisions of N.J.S.A 26:3A2-12 permit the Township of Little Falls to withdraw from the local health services agreement with the Township of Pequannock, upon a minimum of six (6) months prior notice to the Township of Pequannock; and

WHEREAS, the Township of Pequannock has accepted the letter of termination from the Township of Little Falls, dated December 30, 2010, and the Township of Pequannock has further agreed to continue to provide local health services to the Township of Little Falls through June 30, 2011, in accordance with N.J.S.A. 26:3A2-12; and

WHEREAS, the Mayor has negotiated a replacement contractual agreement to acquire local health services from the City of Clifton, and the City of Clifton has agreed to commence providing those local health services to the Township of Little Falls on July 1, 2011;

NOW, THEREFORE, BE IT RESOLVED, that the Township Council of the Township of Little Falls hereby authorizes the Mayor to terminate the local health services agreement with the Township of Pequannock, to take effect on June 30, 2011, in accordance with N.J.S.A. 26:3A2-12; and

BE IT FURTHER RESOLVED that the Township Council of the Township of Little Falls hereby authorizes the Mayor to execute a replacement local health services agreement with the City of Clifton, in a form as prepared and/or deemed acceptable by the Legal Department for the Township of Little Falls, with said local health services from the City of Clifton to commence on July 1, 2011, and continue for a period of two (2) years, until June 30, 2013, in accordance with N.J.S.A. 26:3A2-12.

\*\*\*\*\*

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

The Council President declared the motion passed.

Appointing three (3) Per-Diem Police Dispatchers and Crossing Guards – It was moved by Councilmember Gonzalez, seconded by Councilmember Post, that the Council approve the following:

Resolution [N] 11-01-10 - #14

WHEREAS, there is a need in 2011 for additional Per-Diem Dispatchers and Crossing Guards; and

NOW THEREFORE BE IT RESOLVED, that Richard Timmerman, Paul Wendling and Jay Hardy be appointed as Per-Diem Dispatchers and Janine Hand, David Benaksas, Nicholas Campagna and Richard Timmerman be appointed as Crossing Guards.

\*\*\*\*\*

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

The Council President declared the motion passed.

Opposing New FAA Air Traffic Control Plan – It was moved by Councilmember Post, seconded by Councilmember Vantuno, that the Council approve the following:

RESOLUTION [O] 11-01-10 - #15

A RESOLUTION OPPOSING THE IMPLEMENTATION OF THE FEDERAL AVIATION ADMINISTRATIONS INTEGRATED AIRSPACE WITH THE INTEGRATED CONTROL COMPLEX (ICC) ALTERNATIVE

WHEREAS; The Federal Aviation Administration (FAA's) is scheduled to implement a new air traffic control plan in the Spring of 2011, and;

WHEREAS; The FAA's new Integrated Airspace Alternative flight plan will result in hundreds of additional commercial airliners from John F. Kennedy Airport in New York being routed over residential areas of northern and central New Jersey and;

WHEREAS; The FAA's new flight plan will result in alterations to flight patterns into and out of Newark Liberty Airport that will negatively impact residential areas, and;

WHEREAS; The FAA's plan eliminates some ocean flight routes and ignores the use of ocean routing in favor of airline routes over heavily populated residential areas, and;

WHEREAS; The FAA new flight plan will likely result in commercial airplanes flying over residential areas on the average of every three to five minutes, and;

WHEREAS; The FAA new flight plan could result in airplanes from Newark and Teterboro Airports flying over residential areas at altitudes as low as 2,000 to 8,000 feet in parts of Bergen, Essex and Passaic Counties, and

WHEREAS; The FAA has failed to conduct and publish environmental studies measuring the impact of additional noise pollution over New Jersey residential areas before adopting its Integrated Airspace plan, and;

WHEREAS; The FAA has refused to disclose reports on the impacts of its new ICC plan, including the volume of air traffic over residential areas and the altitude of airplanes over residential areas, and;

WHEREAS; The FAA's plan is opposed by the New Jersey Coalition Against Aircraft Noise because, among other concerns, the FAA reports gives excessive weight to aviation efficiency and little consideration to social and environmental impacts of residents, and

WHEREAS; The FAA plan represents a lack of balance between concerns for the airline industry and the impacts to the health and welfare of the tens of thousands of permanent residents who are harmed by the proposed airspace changes, and;

NOW, THEREFORE, BE IT RESOLVED, that the governing body of the Township of Little Falls does hereby oppose the implementation of FAA's Integrated Airspace flight plan that will increase aircraft noise and air pollution over New Jersey, and;

BE IT FURTHER RESOLVED that a copy of this resolution opposing the FAA new flight path will be transmitted by this governing body to the Port Authority of New York and New Jersey, the office of Governor Chris Christie, U.S. Senators Robert Menendez and Frank Lautenberg and the Federal Aviation Administration, members of New Jersey's House of Representatives and members of the New Jersey State Legislature.

\*\*\*\*\*

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

The Council President declared the motion passed.

### PUBLIC PORTION

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

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

The Council President declared the motion passed.

Arnold Korotkin, Long Hill Road, thanked the Mayor and Mr. Trapanese for their previous responses to his inquiries. Referring to the last resolution, he asked what the FAA Air traffic plan is.

**Meeting of January 10, 2011**

Brian Reynolds, 7 Notch Road, pointed out that the residents have been inquiring about getting information through the Township’s email notification system. He explained that he still hasn’t received anything, and asked if they could set up a timeline of when this would be done.

Jeannie Gerdy, 2 Elm Street, thanked everyone who is serving the town and urged them to be around town to talk to the residents. She wished them all luck.

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

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

The Council President declared the motion passed.

Fire Chief Jack Sweezy, explained that the Peckman River is monitored; they heard the alarm around two months ago. He will check with Detective Batelli and get more information on this. The fire horn does give warning to the residents when the Fire Department is out; they have limited it, but they plan to keep it.

Council President FONTANA explained to Mr. Korotkin that the FAA is proposing to change the air traffic pattern flowing over New Jersey.

Mr. Kazmierczak said the email notification system is ready to go, and they will be able to send the agenda out on Friday morning via email; they can also post it on the website. Council President FONTANA said posting the agenda on the website would be better than emailing it.

Council Presidnet FONTANA thanked Mrs. Gerdy for her comments.

**PAYMENT OF BILLS**

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

RESOLUTION [BL]

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

\*\*\*\*\*

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

The Council President declared the motion passed.

Verizon Wireless	General Admin.	2010	118.56
Action Data Services, Inc.	Treasurer	2010	281.93
McManimon & Scotland, LLC	Legal	2010	2606.87
McManimon & Scotland, LLC		2010	2156.29
McManimon & Scotland, LLC		2010	2633.57
McManimon & Scotland, LLC		2010	7376.46
Trapanese & Trapanese, Esqs.		2010	900.00
Trapanese & Trapanese, Esqs.		2010	825.00
Trapanese & Trapanese, Esqs.		2010	1155.00
Trapanese & Trapanese, Esqs.		2010	600.00
Trapanese & Trapanese, Esqs.		2010	1170.00
Trapanese & Trapanese, Esqs.		2010	1590.00
Trapanese & Trapanese, Esqs.		2010	1140.00
Trapanese & Trapanese, Esqs.		2010	750.00
Trapanese & Trapanese, Esqs.		2010	30.00
Trapanese & Trapanese, Esqs.		2010	694.85
Cablevision Systems Corp.	Municipal Court	2010	49.95
Poland Springs		2010	10.99
Action Interpreting LLC		2010	242.00
NJSHBP	Group Health Ins.	2010	65,893.02
Shop Rite Pharmacy			3862.58
Motorola	Aid to Volunteer Fire	2010	2899.06
Turnout Fire & Safety		2010	1659.70
Verizon Wireless		2010	127.08
UPS Store		2010	50.00
Cablevision Systems	Police	2010	84.90
Clarion Office Supply		2010	177.10
Firefighter One		2010	318.50
Murphy		2010	245.00
Rt. 46 Chrysler Jeep Dodge		2010	148.12
Verizon Wireless		2010	449.30
Verizon Wireless	Construction Code Official	2010	118.42
American Hose & Hydraulic Co.	DPW	2010	121.75
Cablevision Systems Corp.		2010	74.95
Cliffside Body Corporation		2010	22.30
Dennis Steinberger		2010	7.12
D2L Associates, Inc.		2010	250.00
Home Depot		2010	417.54
Home Depot		2010	84.54
Poland Springs		2010	17.30
R & J Control Inc.			,
			2010
			1594.17
			,
Shaun Carrig			2010
			8.24

## Meeting of January 10, 2011

Stone Industries, Inc.		2010
		372.52
Suburban Propane		2010
		684.08
Verizon Wireless		2010
		329.76
Wayne Transmission		DPW
		2010
		212.10
Gaeta Recycling Co., Inc.	Solid Waste	2010
		35,713.34
S. Rotondi & Sons, Inc.		2010
		4062.50
American Hose & Hydraulic Co.	Recycling Grant	2010
		858.46
Standard Printing & mail Services		2010
		4252.57
General Parts Group, Inc.	Vehicle Maintenance – DPW	2010
		8.50
General Parts Group, Inc.		2010
		79.05
PSE&G	Street Lighting	2010
		10,635.30
Cablevision Systems Corp.	Recreation	2010
		49.95
Cintas Corporation		2010
		167.26
R & R Pump & Control Svcs. LLC	Bond Ord. – 1046	2010
		3980.00
A&A Construction Mgmt. Corp.	Bond Ord. – 1020	2010
		21,038.00
Gaeta Recycling Co., Inc.	Bond Ord. – 1020	2010
		370.00
Comerro Coppa Arch.	Bond Ord. – 1020	2010
		3247.46
CGT Construction, Inc.	Bond Ord. – 1020	2010
		136,683.60
Verizon	Telephone	2010
		3650.00
Verizon		2010
		267.09
PSE&G	Gas & Electric	2010
		25,230.86
NJ American Water	Water	2010
		1124.62
Rachles/Michele's	Gasoline	2010
		4677.12
Treasurer, State of NJ	Other Trust DCA	2010
		1595.88
NJ American Water	Fire Hydrants	2010
		12,863.76
ODB	Clean Community	2010
		910.30
DAK Electric Comp.	Public Bldg. & Grounds	2010
		540.00

**Meeting of January 10, 2011**

George Schofield Co., Inc.	2010	
	1675.67	
Ocean Clean	2010	
	1445.00	
Little Falls Bd. of Ed.	Local School	
	2010	
	1,009,461.00	
Passaic Valley High School	Regional School	
	2010	
	528,362.18	
Passaic Valley High School	Regional School	
	2010	
	451.74	
TSUJ Corp.	Fema Acq. Of Fire Equip.	
	2010	
	26,020.00	

FINANCE COMMITTEE

\_\_\_\_\_  
Darlene Post

\_\_\_\_\_  
Louis Fontana

\_\_\_\_\_  
Joseph Sisco

**EXECUTIVE SESSION**

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

RESOLUTION [EX]

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

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

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

NOW, THEREFORE, BE IT RESOLVED that the Township Council of the Township of Little Falls will go into executive session for the following reason(s) as outlined in N.J.S.A 10:4-12: One (1) matter of Litigation – Legal Department Contract

\*\*\*\*\*

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

The Council President declared the motion passed.

The Council entered Executive Session at 9:25 p.m.

At 9:55 p.m., the Council returned and it was moved by Councilmember Vantuno, seconded by Councilmember Gonzalez, that the meeting return to Open Session.

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

The Council President declared the motion passed.

Awarding Non-Fair and Open Contract for Legal Services – It was moved by Councilmember Vantuno, seconded by Councilmember Post, that the Council approve the following:

RESOLUTION [Q] 11-01-10 - #17

AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN CONTRACT FOR SERVICES AS TOWNSHIP ATTORNEY

WHEREAS, the Township of Little Falls, has a need to acquire legal services as a non-fair and open professional services contract, pursuant to the provisions of N.J.S.A. 19:44A-20.5; and

WHEREAS, the Township Clerk and/or Qualified Purchasing Agent has determined and certified, in writing, that the value of the proposed legal services will exceed \$17,500.00 and/or Determination of Value has been filed in certification form by the Law Offices of Trapanese & Trapanese, Esqs. (i.e. Joseph S. Trapanese, Esq.); and

WHEREAS, the anticipated term of this contract is four (4) years, to retroactively run concurrent with the term of the Mayor from January 1, 2009 through December 31, 2012; and

WHEREAS, the Law Offices of Trapanese & Trapanese, Esqs. (i.e. Joseph S. Trapanese, Esq.) has submitted a proposal indicating that the law firm will provide legal services for the sums as set forth in the Determination of Value filed with the Township Clerk’s Office, and which sum will exceed the Statutory amount of \$17,500.00 on an annual basis; and

WHEREAS, the Law Offices of Trapanese & Trapanese, Esqs. (i.e. Joseph S. Trapanese, Esq.) has completed and submitted a Business Entity Disclosure Certification which certifies that the Law Offices of Trapanese & Trapanese, Esqs. (i.e. Joseph S. Trapanese, Esq.) has not made any reportable contributions to any political party or candidate committee in the Township of Little Falls in the previous one (1) year, and that the contract will prohibit the Law Offices of Trapanese & Trapanese, Esqs. (i.e. Joseph S. Trapanese, Esq.) from making any such reportable contributions throughout the full term of the contract; and

WHEREAS, the Treasurer has certified to the availability of funds for the aforesaid contract;

NOW, THEREFORE, BE IT RESOLVED, that the Township Council of the Township of Little Falls authorizes the Mayor to enter into a contract with the Law Offices of Trapanese & Trapanese, Esqs. (i.e. Joseph S. Trapanese, Esq.) as described herein; and

BE IT FURTHER RESOLVED that the Business Entity Disclosure Certification and the Determination of Value be placed on file with this Resolution; and

BE IT FURTHER RESOLVED that the Township Clerk cause a Notice of Award to be published once in the Township’s official newspaper.

\*\*\*\*\*

**Meeting of January 10, 2011**

Poll:                   Ayes:                   Post, Sisco, Vantuno and President Fontana  
                          Nays:                   Gonzalez

The Council President declared the motion passed.

There being no further business to come before the meeting, it was moved by Councilmember Vantuno, seconded by Councilmember Sisco, that the meeting be and it was adjourned at 10:00 p.m.

---

William E. Wilk  
Municipal Clerk

---

Cynthia Meyer  
Deputy Municipal Clerk