

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

Monday, July 8, 2013

Council President John Vantuno called the meeting to order at 7:30 p.m. with the following members present: Louis Fontana, Joseph Maceri and Joseph Rento (7:35 p.m.). Also present were Mayor Darlene Post, Township Attorney William Northgrave, Township Engineer Dennis Lindsay, Municipal Clerk Cynthia Kraus and Township Administrator Joanne Bergin.

Absent: Councilmember Pamela Porter

Township Employees present: Construction Official Joseph Macones, Recreation Director John Pace, CMFO/Treasurer William Schaffner, DPW Superintendent Phillip Simone, Police Chief John Dmuchowski, Fire Chief Jack Sweezy and Assistant to Municipal Clerk Marlene Simone.

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

STATEMENT OF PUBLIC NOTICE: Take notice that adequate notice of this meeting was provided in accordance with N.J.S.A. 10:4-8 and N.J.S.A. 10:4-10 as follows: A notice of the meeting was prominently posted on the bulletin board at the Municipal Building, located at 225 Main Street, Little Falls, N.J. on January 8, 2013; a copy of the notice was faxed to the North Jersey Herald and News and The Record on the same date; additionally, a copy of the notice was filed in the office of the Township Clerk on said date.

APPROVAL OF MINUTES

It was moved by Councilmember Fontana, seconded by Councilmember Maceri, that the Minutes of the Regular meetings of April 22, 2013 and May 6, 2013 be approved

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

The Council President declared the motion passed.

REMARKS FROM CHAIR

Council President VANTUNO informed that tonight's agenda includes discussion of a communication tower, which will take place after the public portion. After the presentation is made by Verizon, the public will have the opportunity to ask questions. He also read a letter from the Passaic Fire Department addressed to Chief Sweezy, thanking the Little Falls Fire Department for their help with a recent five alarm fire. Councilmember VANTUNO thanked the Little Falls Fire Department as well.

COUNCIL MEMBER REPORTS

Councilmember FONTANA informed that he and Mrs. Bergin gave an Open Space presentation to the County Board on 6/13/13; they did a great job in the little time they were given. They expect to hear back about this in a couple of months. The Recreation Department currently has their annual day camp for kids; over 200 kids of all ages are signed up this year.

Councilmember MACERI informed that today was the first day he was able to witness the Recreation Summer Program. He commended the program and thanked Mr. Pace for all he does. He also thanked everyone who participated in the 4th of July Street Fair, adding that each year is a success. He informed that the Regional Flood Board meetings concluded and will resume in September. The committee has been very active this year and he is very satisfied with all of the work the board has done. They are currently working on a detection system for the Peckman River; he will present further when he has more information.

Councilmember RENTO had nothing to report.

MAYOR'S REPORT

Mayor Post offered her condolences to the family and friends of Ella Fillipone from the Passaic River Coalition, noting that she will be sorely missed. Through the efforts of the Passaic River Coalition and Hauser Bush, trees were donated and planted along the Woodcliffe Avenue properties. She thanked them for the trees, plantings and volunteers who helped out. She had the pleasure of opening the Annual St. George Festival and meeting their new Minister Father Dimitri on 6/14/13. On 6/20/13 the LFFD hosted a firemen's memorial to pay tribute to those firemen who have lost their lives and their families; it was a great service. Our Township hosted two Master Plan public meetings, which included the Township Planner and a representative of the Passaic County Planning Department. She informed that the meetings were well attended and a considerable amount of feedback was given. This week she received a call from the Governor's Office that Police Department was awarded \$74,000.00 for the Safe Corridor Grant for their patrolling along Route 46. She also congratulated Joanne Bergin for graduating from Rutgers in the New Jersey Certified Public Management Program. The Township is very lucky to have her, as she is an asset to the Township.

ATTORNEY'S REPORT

Mr. Northgrave referred to Resolution [L] on the agenda and explained that this was prepared today, as it was recently brought to his attention. He asked that the Council approve this tonight pending a revision to remove the Fire Department, as they are a separate corporation and should not be included in the resolution.

PUBLIC PORTION

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

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

The Council President declared the motion passed.

Howard Lipoff, President of Little Falls Tenants Association, explained he is here to ask the Council to approve the renewal of the Rent Control Ordinance, which has been in Little Falls for over 40 years. He is also a member of the Rent Leveling Board. He believed that the ordinance would meet the requirements and feelings of the Council. This will protect tenants, but also give landlords the ability to renew rent amounts. He thanked them for their consideration.

Mrs. Bergin clarified that the percentage increase he referred to is only for tenants from 2005 and prior.

Al Attianese, 27 Dewey Avenue, asked for clarification regarding Resolution [K].

Renea Shapiro, ABC, voiced concern regarding notification that was sent out recently about houses that were broken into. She questioned why the public was notified so many days after it occurred. She also referred to an accident on Route 46 in which the residents were not notified until days after as well. She questioned when the new telecommunication system will be in place for all to use and who it will accommodate. Referring to a tornado that recently took place in Berkley Heights, she asked if the town could have a signal for notification purposes if something like this were to happen in town. She informed that a couple of committees were formed earlier in the year, and asked if committee reports could be given. She also informed that the Morris Canal has not been maintained, noting that there is a dead tree and two fences are broken. She notified the County of this and asked when these things will be fixed. Referring to the capital improvement ordinance that was pulled from the agenda tonight, she explained that curbs and sidewalks need to be fixed on Main Street and suggested that they consider these items this year.

Arnold Korotkin, Long Hill Road, was curious about the status of the DPW and PBA negotiations. He also questioned the status of the Rose Street property. He informed that he attended both visioning sessions regarding the Master Plan, and pointed out that Hopson Avenue going east was neglected. He feels he was neglected as a resident of Great Notch. One of the main gateways into Little Falls is coming in from Notch Road. He understands people filled out the visioning questionnaire, and he suggested that all comments be included in the appendix of the Master Plan; not just a summary.

Brian Reynolds, Notch Road, said he also attended the Master Plan visioning meetings, and questioned why they were all about architecture. He explained that there are many accidents that occur at the Notch Road intersection, many of which are not reported. He suggested that more traffic lights be installed around town. He asked for further information regarding Ordinance No. 1178. Council President VANTUNO informed that this ordinance is being pulled from the agenda this evening.

Council President VANTUNO thanked Howard for his comments.

Regarding traffic accidents and house break-ins, Chief Dmuchowski advised that residents should rely on the news or weather service for traffic and weather alerts, as they are much more accurate and timely than the Reverse 911 System. Regarding the burglaries, he informed that they release the information when they believe it will no longer compromise the situation. Also, two messages went out regarding the accident on Route 46.

Chief Dmuchowski also referred to the telecommunications system; he said they will have the capability to dispatch Police and Fire from one facility once they figure out how this will work.

Mr. Lindsay said they have not heard anything further since the last meeting with NJDOT. They had provided some plans at the time and they are moving ahead. There will be a number of meetings in the future. They will get more information as they get closer to the construction and will continue to provide updates. Council President VANTUNO said they will provide committee reports.

Mrs. Bergin said the maintenance of the Morris Canal is an agreement based on a grant that is not the Township's and there are other things of importance. Mr. Simone said the Morris Canal sees just as much, if not more attention than all of the other properties in town. They will do a major overhaul a few times a year. He already spoke to someone about the fence, and he was supposed to provide a quote.

Mr. Simone said Main Street is a County Road, noting that this falls to the property owners to maintain the property in front of their building including grass right up to the curbside.

Mr. Northgrave said it is not appropriate to discuss the PBA and DPW negotiations at this time, as they are still in progress.

Mrs. Bergin said she conducted a site visit on Rose Street with the environmentalist who did the flagging. The mapping is complete; it has been sent to the NJDEP for their approval. When the DEP responds, they will know how much of that is buildable.

Mrs. Bergin explained that she did have a couple of follow up meetings. The consensus is that this is a reexamination of the current master plan; not meant to be a new plan. They held visioning sessions and the County offered to do these at no cost. They were glad to do it this way to save money. The visioning sessions should provide a visioning on a broader spectrum. What is it that the town as a whole and all of the residents say they want to see the town – this is the purpose of the visioning. They will take all of the visioning questionnaires and present them back to the public. If there are areas that are generic or vague, they will have another session. They are staying true to the process.

Council President VANTUNO said the objective of the visioning was not for traffic control. Chief Dmuchowski informed that the LFPD conducts targeted enforcement as time and resources allow, in addition to the regular patrol duties. They would love to have a radar sign, but they do not have the money to fund it at this time. They do run radar on different roads in town.

Mrs. Bergin informed that they are pulling Ord. No. 1178 to redefine and reduce.

PROCLAMATION REMEMBERING AND HONORING DR. ELLA FILIPPONE

Mayor Post read the proclamation at this time and presented it to the family of Mrs. Filippone.

Mrs. Filippone's son, Joe thanked everyone for the proclamation. He also extended an invitation to everyone, explaining that they will be honoring her at the Passaic River Coalition Headquarters this Saturday from 12:00 p.m. to 4:00 p.m.

PRESENTATION BY DIANE ENRIGHT OF VERIZON RE PROPOSAL TO TOWNSHIP OF LITTLE FALLS FOR BID FOR TELECOMMUNICATIONS SITE

Ms. Enright thanked the Mayor and Council for having her this evening. She informed that she works for Network Building and Consulting, which is a consulting company retained by Verizon Wireless to identify and acquire sites for their network. She would like to go over a proposal with the Township regarding what Verizon would like to do

here. She explained that their goal is to provide reliable wireless service to the areas in which they are licensed. When Verizon chooses an area that needs coverage, it is developed from a network engineering team. When Verizon establishes a need to cover a gap in service area, they give this to a service team. They like to look at how they can invest back into the community.

The benefits to the Township: Verizon would be able to provide excellent wireless coverage to the indicated area. The structure they are interested in putting in this location is a 155 foot monopole; it would be on the property here at Town Hall. They would pay revenue to the town in the form of a 25-year lease agreement. They would build a structure strong enough to accommodate all emergency communications in town. It would also eliminate the need for the town to go to private property and go through a separate zoning proceeding. She provided a sample lease agreement to the Governing Body, as well as a photo of a typical monopole. They would like to build a shelter that would house Verizon equipment, an emergency generator, and a space for the Police Department to store their equipment. She also went over the benefits and statistics of wireless. The industry is trying to create a network where nothing falls through the cracks; the way to do so is with cell towers. She brought a couple of sample plans of a standard design of a monopole.

Chief Dmuchowski clarified some points regarding the system and the coverage. This would also create a revenue stream; it can work well for everyone.

Louis Fernandez, 54 Harrison Street, asked if this will eliminate the Pinnacle system. He also question if the tower is solely and exclusively toward Verizon.

Chief Dmuchowski clarified; the state system they are considering would give them the ability to put a radio antenna on there to access that system. It is not exclusively for Verizon.

Mike Sica, asked if this will solve the Police Department's issues. Chief Dmuchowski said this tower does provide the opportunity to enhance what they are already dealing with, without having to spend the money.

Mrs. Bergin said they will try to use what they own, but they are not building a system around that.

Brian Reynolds, 7 Notch Road, asked if the Township will share in any of the new added services that Verizon leases out; Ms. Enright said yes.

At this time, Mrs. Bergin asked for the Council to authorize the preparation of an RFP for a telecommunication tower through the Administrator's Office and Rich Conroy.

It was moved by Councilmember Fontana, seconded by Councilmember Maceri, to approve the preparation of an RFP for a telecommunication tower.

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

The Council President declared the motion passed.

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.

APPLICATIONS

Little Falls Fire Department Auxiliary – Nicholas Gencarelli, Lower Notch Road, Enterprise Fire Co. #2

Raffle – Holy Cross Church, Off-Premise 50/50, 10/25/13, 6:00 p.m. – 10:00 p.m.

Holy Cross Church, Tricky Tray, 10/25/13, 6:00 p.m. – 10:00 p.m.

REPORTS

Municipal Clerk's Report – Month of June 2013

MUNICIPAL CLERKS REPORT
Month of June 2013

ABC LICENSES
OTHER LICENSES

\$20,130.00

Business Licenses	\$1,210.00	
Pre-paid Business Licenses		
Raffle Licenses	40.00	
		\$1,250.00
REGISTRAR OF VITAL STATISTICS		
Fees & Permits	\$800.00	
Marriage Licenses-LF	15.00	
Marriage Licenses-NJ	125.00	
		\$940.00
MRNA		
Street Maps	\$	
Zoning Maps		
Zoning Ordinances		
Document Copies	7.70	
Garage Sales	70.00	
Misc. Fees & Refunds:		
TOTAL MRNA		\$77.70
TOTAL CURRENT ACCOUNT		\$22,397.70
TOTAL TO TREASURER		\$22,397.70

Municipal Clerk's Dog/Cat License Report – Month of June 2013

MUNICIPAL CLERK'S DOG/CAT LICENSE REPORT
Month of June 2013

Dog Licenses issued 06/01/13 thru 06/30/13
Nos. 322 to 358 = 37 Licenses
Amount due Little Falls
Amount due State
Total Cash Received

\$251.60
53.40
\$305.00

Cat Licenses issued 06/01/13 thru 06/30/13
Nos. 43 to 47
Licenses Issued 5
Total Cash Received

\$40.00

Total to Treas.

\$345.00

Tax Collector's Report – Month of June 2013

MONTHLY REPORT

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

Categories	June 1-28, 2013	2013 Year to Date
2013 Taxes	\$508,259.06	\$21,407,521.76
2012 Taxes	0.00	498,470.93
2011 Taxes	0.00	250.00
Prepaid 2014 Taxes	0.00	0.00
Interest	3,074.01	52,091.18
Township Tax Title Lien	0.00	0.00
Township Tax Title Lien Int.	0.00	0.00
Township Tax Title Lien 6% PE	0.00	0.00
Cost of Tax Sale	0.00	4,046.00
Outside Tax Liens	54,767.77	161,696.13
Duplicate Tax Bills	0.00	185.00
Tax Searches	0.00	10.00
Insufficient Check Charge	0.00	220.00
6% Penalty Fee	0.00	3,611.24
Misc. Line Item Fee	0.00	0.00

Premium Outside Lien	0.00	296,000.00
Tax Sale Additional Fee	0.00	1,875.00
Municipal Copy Fee	0.00	0.00
GRAND TOTALS	\$566,100.84	\$22,425,977.24

Delinquent 2013 Taxes \$377,193.44 (137 line items) 1st & 2nd Qtrs.
Delinquent 2011 Taxes 986.85 (1 line item)
Total Delinquent Taxes \$378,180.29

2007-2010 Open Items due to State of NJ \$250.00 deduction audit (due 06/01/14):

2010 Taxes = \$1,750.00 (7) line items
2009 Taxes = 750.00 (3) line items
2008 Taxes = 750.00 (3) line items
2007 Taxes = 1,000.00 (4) line items
\$4,250.00

Comparison same time last year:

Delinquent 2012 Taxes \$390,389.74 (144 line items) 1st Qtr. & 2nd Qtrs.
Delinquent 2011 Taxes 1,236.85 (1) Bankruptcy/1 Sr. Disallowance
Total Delinquent Taxes \$391,626.59

2013 Refunds this month = -\$5,295.17
2013 Year to date refunds = -\$7,451.99

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

2013 Insufficient check charge backs (year to date) = -\$14,795.90.

REFUNDS IN THE YEAR 2013

Months	2010 STCJ	2011 STCJ	2012 STCJ	2013 STCJ	2013 CBJ	Regular 2013	2013 Veteran/Widow	2013 Senior/Disabled	Exempt 2013	2013 Homestead Benefit	Total by Months
January	\$0.00	\$23,972.52	\$83,908.60	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$107,881.12
February	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
March	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$69.00	\$0.00	\$0.00	\$0.00	\$0.00	\$69.00
April	\$0.00	\$5,877.31	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$5,877.31
May	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$2,087.82	\$0.00	\$0.00	\$0.00	\$0.00	\$2,087.82
June	\$0.00	\$31,555.10	\$33,835.30	\$0.00	\$0.00	\$5,295.17	\$0.00	\$0.00	\$0.00	\$0.00	\$70,685.57
July											
August											
September											
October											
November											
December											
Totals	\$0.00	\$61,404.93	\$117,743.90	\$0.00	\$0.00	\$7,451.99	\$0.00	\$0.00	\$0.00	\$0.00	186,600.82

Note: The above figures represent the months that the Tax Collector did the adjustments in the computer; the Resolution(s) may have been adopted in the next month.

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

RESOLUTIONS

NJ Dept. of Health – Dog License Fees

RESOLUTION [A] 13-07-08 - #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:

\$53.40

payable to:

NJ State Dept. of Health
representing payment of State dog license fee, license Nos. 322 to 358 for the month of June 2013.

Refund of Overpayment of 2013 Property Taxes

RESOLUTION [B] 13-07-08 #2

WHEREAS, the property known as Block 149 Lot 23 assessed to John W & Kathleen Rich of 1 Fourth Avenue, Little Falls, NJ has an overpayment on the 2nd quarter 2013 taxes; and

WHEREAS, HLC Settlement Services and Chase both paid the 2nd quarter 2013 taxes in the amount of \$2,708.82; and

WHEREAS, HLC Settlement Services has requested the Tax Collector to refund Chase in c/o Corelogic Real Estate Tax Service the amount of the overpayment of \$2,708.82; and

WHEREAS, the Tax Collector authorizes the Treasurer to refund the amount of \$2,708.82 made payable to Corelogic Real Estate Tax Service, Attn: Refund Department, P.O. Box 961250, Fort Worth, TX 76161-9887;

NOW, THEREFORE BE IT RESOLVED by the Township Council of Little Falls on this 8th day of July 2013 that Corelogic Real Estate Tax Service on behalf of Chase be refunded the total amount of \$2,708.82 due to an overpayment of the 2013 2nd quarter taxes.

RESOLUTION [C] 13-07-08 #3

WHEREAS, the property known as Block 240.02 Lot 20 assessed to William & Joanne Morton of 608 Highland Avenue, Little Falls, NJ has an overpayment on the 1st quarter 2013 taxes; and

WHEREAS, Service Link and Wells Fargo Real Estate Tax Services, LLC both paid the 1st quarter 2013 taxes in the amount of \$2,586.35; and

WHEREAS, Wells Fargo Real Estate Tax Services, LLC has requested in writing to the Tax Collector to refund to them the amount of the overpayment of \$2,586.35; and

WHEREAS, the Tax Collector authorizes the Treasurer to refund the amount of \$2,586.35 made payable to Wells Fargo Real Estate Tax Services, LLC, Attn: Financial Support Unit-Region 1, 1 Home Campus, MAC X2302-04D, Des Moines, IA 50328-0001;

NOW, THEREFORE BE IT RESOLVED by the Township Council of Little Falls on this 8th day of July 2013 that Wells Fargo Real Estate Tax Services, LLC be refunded the total amount of \$2,586.35 due to an overpayment of the 2013 1st quarter taxes.

Murphy McKeon, P.C.

RESOLUTION [D] 13-07-08 - #4

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:

\$150.00

payable to:

Murphy McKeon, P.C.
representing payment for legal services rendered in connection with Damiano – Complete resolution and revise; 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.

RESOLUTION [E] 13-07-08 - #5

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 Print Flex – telephone conference with Engineer regarding issues with application; and

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

Welfare

RESOLUTION [F] 13-07-08 - #6

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

\$2,298.00

payable to:

Welfare Clients #55, 61, 71, 73, 74 & 75
representing payment of Self-Care for the month of June 2013 be and the same is hereby authorized and ratified.

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

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

The Council President declared the motion passed.

REGULAR AGENDA

The following items were individually considered.

INTERDEPARTMENTAL

Finance - - It was moved by Councilmember Rento, seconded by Councilmember Fontana, that the Council approve the following:

RESOLUTION [G] 13-06-08 - #7

WHEREAS, the Director of the Division of Local Government Services has formally directed all municipalities to adopt a Corrective Action Plan as part of their annual audit process; and

WHEREAS, this Corrective Action Plan shall be submitted to the Director of Local Government Services upon adoption of the Governing Body and it shall be kept on file with the Township Clerk; and

WHEREAS, the Plan shall cover all audit findings and recommendations and be prepared in accordance with the Single Audit Act OMB Circular 128 and Local Finance Notice of 92-15; and

NOW, THEREFORE, BE IT RESOLVED that the Township Council hereby approves the attached Corrective Action Plan for the 2012 Annual Audit;

BE IT FURTHER RESOLVED that the Township Clerk is hereby directed to maintain said Plan in Township files, available to the public.

BE IT FURTHER RESOLVED that a certified copy of this Resolution, including the Corrective Action Plan, be forwarded to the Director of the Division of Local Government Services.

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

The Council President declared the motion passed.

- It was moved by Councilmember Fontana, seconded by Councilmember Rento, that the Council approve the following:

RESOLUTION [H] 13-07-08 - #8

SPECIAL ITEMS OF REVENUE AND APPROPRIATION

WHEREAS, NJS 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount was not determined at the time of the adoption of the budget; and

WHEREAS, the Director may also approve the insertion of an item of appropriation for equal amount;

NOW, THEREFORE, BE IT RESOLVED, that the Township Council of the Township of Little Falls in the County of Passaic, New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2013 in the sum of \$2,744.00, which is now available from Miscellaneous Revenues – Section F – Special Items of General Revenue Anticipated with prior written consent of Director of Local Government Services - Public & Private Revenues Offset with Appropriations – Alcohol Education and Rehabilitation Fund in the amount of \$2,744.00;

BE IT FURTHER RESOLVED, that the like sum of \$2,744.00 is hereby appropriated under the caption:
General Appropriations

(A) Operations – Excluded from “CAPS”
Public & Private Programs Offset by Revenues
Alcohol Education and Rehabilitation Fund \$2,744.00

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

The Council President declared the motion passed.

NEW BUSINESS

Ordinance No. 1177 – It was moved by Councilmember Maceri, seconded by Councilmember Fontana, that there be introduced and the meeting of August 12, 2013 set as the date and time for the public hearing on the following:

ORDINANCE NO. 1177

AN AMENDING ORDINANCE EXTENDING AN ORDINANCE ENTITLED “AN ORDINANCE TO REGULATE, CONTROL AND STABILIZE RENTS AND CREATE A RENT LEVELING BOARD OF THE LITTLE FALLS CODE IN THE TOWNSHIP OF LITTLE FALLS, PASSAIC COUNTY”, AS AMENDED AND INCORPORATED UNDER RENT CONTROL IN CHAPTER 178 AND EXTENDING THE SAID ORDINANCE FOR A PERIOD OF FOUR YEARS

WHEREAS, on May 21, 1973, the Township of Little Falls (the “**Township**”) governing body (the “**Township Council**”) declared that an emergency for rental housing existed due to the scarcity of rental units and lack of available land in the Township and adopted a rent control ordinance entitled “An Ordinance to Regulate, Control and Stabilize Rents and Create a Rent Leveling Board in the Township of Little Falls, Passaic County”; and

WHEREAS, the Township Council has subsequently determined that the emergency for rental housing continued in the Township and extended the rent control ordinance on several occasions; and

WHEREAS, most recently, the Township’s existing rent control ordinance codified in Chapter 178 (the “**Rent Control Ordinance**”) was scheduled to expire on September 20, 2013 by Ordinance 1078; and

WHEREAS, the Township Council has reviewed the information and recommendations provided by the Township Rent Leveling Board evidencing the continued need for rent controls in order to secure and maintain an inventory of rental units that are affordable in light of the continued scarcity of available land to create new rental units; and

WHEREAS, as a result of the scarcity of affordable rental units and the lack of available land to build additional affordable rental units in the Township, there is a strong likelihood that landlords in the Township could take advantage of such rental unit scarcity and charge exorbitant rents to tenants; and

WHEREAS, due to the lack of affordable rental units in the Township, emergency circumstances continue to exist that warrant the extension of the Township’s Rent Control Ordinance to protect the health, safety and welfare of the citizens of the Township; and

WHEREAS, under the police powers granted to the Township Council, in order to protect and promulgate the health, safety and welfare of the citizens of the Township, a rent control ordinance is determined to be necessary within the Township; and

WHEREAS, it is in the best interest of the Township that the present ordinance entitled “An Ordinance to Regulate, Control and Stabilize Rents and Create a Rent Leveling Board in the Township of Little Falls, Passaic County” be extended for a period of four years, unless amended by further action of the Township Council.

NOW, THEREFORE BE IT ORDAINED by the Township Council of the Township of Little Falls in the County of Passaic and the State of New Jersey as follows:

Section 1 - Recitals.

The foregoing recitals are incorporated herein by reference.

Section 2 - Emergency Findings.

The Township Council does hereby declare that a current emergency for rental housing exists due to the scarcity of rental units, lack of available land in the Township and a strong likelihood that landlords in the Township could take advantage of such rental unit scarcity and charge exorbitant rents to tenants. The Township Council further determines that the conditions that were present and required the adoption of a Rent Control Ordinance in 1973 continue to the present and hereby reaffirms the findings of fact and emergency then made.

Section 3 – Extension of Rent Control Ordinance.

The ordinance to which this ordinance is an amendment is hereby extended for a period of four years from the date of notice of final passage of the within ordinance, unless amended by further action of the Township Council.

Section 4 - Legal Effect of Rent Control Ordinance.

All of the remaining provisions in the ordinance entitled “An Ordinance to Regulate, Control and Stabilize Rents and Create a Rent Leveling Board in the Township of Little Falls, Passaic County” as amended and incorporated under Rent Control in Chapter 178 of the Little Falls Code, shall remain unchanged and have full force and legal effect.

Section 5 - Severability.

If any section, paragraph, subdivision, clause, sentence, phrase or provision of this ordinance is declared unconstitutional or invalid by a court of competent jurisdiction, such decision shall not affect the remaining portions of this ordinance.

Section 6 - Repealer and Merger.

All Township ordinances and parts or ordinances inconsistent with this ordinance are hereby repealed.

Section 7 - Effective Date.

This ordinance shall take effect after twenty (20) days of its final passage by the Township Council, upon approval by the Mayor, and publication as required by law.

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

The Council President declared the motion passed.

Ordinance No. 1178 – This ordinance was pulled from the agenda.

Amend the 2013 Capital Budget to Reflect the Supplemental Appropriation for Various Capital Improvements – This resolution was pulled from the agenda.

Ordinance No. 1179 – It was moved by Councilmember Rento, seconded by Councilmember Maceri, that there be introduced and the meeting of August 12, 2013 set as the date and time for the public hearing on the following:

**ORDINANCE NO. 1179
ORDINANCE OF THE TOWNSHIP OF LITTLE FALLS COUNTY OF PASSAIC, STATE
OF NEW JERSEY AUTHORIZING THE PERMANENT INSTALLATION OF TRAFFIC
SIGNS NEAR THE INTERSECTION OF MAIN STREET (CR 631) AND FAIRFIELD
AVENUE IN THE TOWNSHIP**

WHEREAS, pursuant to the powers granted under *N.J.S.A. 39:4-197*, the Township may adopt regulations affecting the stopping or starting of street cars at special places, including railroad stations, or on certain congested street corners or other designate points; and

WHEREAS, the Township previously adopted Resolution [O]#15 on June 10, 2013, to authorize the temporary installation of traffic signs to prohibit left turns by commercial vehicles weighing 30,000 lbs or more on to Fairfield Avenue from east bound Main Street (CR 631) in order to prevent any further collisions at such intersection; and

WHEREAS, the Township, pursuant to its powers under *N.J.S.A. 39:4-197* and *N.J.S.A. 40:48-2.46*, seeks to authorize the permanent installation of signs prohibiting commercial vehicles weighing 30,000 lbs or more from making left turns on to Fairfield Avenue from east bound Main Street (CR 631); and

WHEREAS, the Township will coordinate with other government entities to adjust, if necessary, the placement of appropriate or additional signs and to ensure that the signs and any other traffic controls conform to the state standards and the Manual on Uniform Traffic Control Devices for Streets and Highways and any other applicable laws and regulations relating thereto.

NOW THEREFORE BE IT ORDAINED, by the Municipal Council of the Township of Little Falls, in the County of Passaic, State of New Jersey, as follows:

Section 1. The Township hereby authorizes the permanent installation of signs prohibiting commercial vehicles weighing fifteen (15) tons or more from making left turns on to Fairfield Avenue from east bound Main Street (CR 631) in the Township of Little Falls. All signs or traffic controls shall conform to the Manual on Uniform Traffic Control Devices for Streets and Highways and any other applicable laws and regulations relating thereto.

Section 2. To the extent necessary, the Township Police Department, Public Works Department and other officials and employees are authorized to coordinate with any and all other government entities, as required by law, in order to ensure the proper compliance of such signs with all applicable laws.

Section 3. This Ordinance shall take effect in accordance with all applicable laws.

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

The Council President declared the motion passed.

Approving Renewal of Certain Township Liquor Licenses – It was moved by Councilmember Fontana, seconded by Councilmember Maceri, that the Council approve the following:

RESOLUTION [J] 13-07-08 - #9

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

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

<u>License No.</u>	<u>License and/or t/a name</u>	<u>Fee</u>
1605-33-004-001	First Russian Nat'l Home of Singac t/a New Russian Hall 4-6 Woodhull Avenue	\$2,200.00
1605-33-006-003	Just Kash, Inc. t/a The Phone Booth 117 Newark Pompton Turnpike	“
1605-33-001-010	Golden Garden, LLC t/a Mizu Restaurant 68 Newark Pompton Turnpike	“

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

WHEREAS, the Township Council is familiar with the aforementioned applicants and the places for which they apply and sees no objection;

NOW, THEREFORE, BE IT RESOLVED that the above-listed applications be and the same are hereby granted; and
BE IT FURTHER RESOLVED that licenses be issued accordingly, to become effective on July 1, 2013 and expire on June 30, 2014.

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

The Council President declared the motion passed.

Authorizing the Award of a Fair and Open Contract to Crossroad Construction for Improvements to Ridge Avenue –
It was moved by Councilmember Rento, seconded by Councilmember Fontana, that the Council approve the following:

RESOLUTION [K] 13-06-08 - #10
AUTHORIZING THE AWARD OF A FAIR AND OPEN CONTRACT
FOR IMPROVEMENTS TO RIDGE AVENUE

WHEREAS, on June 25, 2013, the Township of Little Falls received proposals for Improvements to Ridge Avenue:

CRC General Contractors, Inc. Bid: \$139,654.00	Arnold's Roads, Inc. Bid: \$157,861.75
4 Clean-Up, Inc. Bid: \$159,405.50	Mark Paving Co., Inc. Bid: \$166,471.86
A Takton Concrete Corp. Bid: \$167,458.00	AJM Contractor's, Inc. Bid: \$172,424.00
Crossroad Pavement Maintenance Bid: \$181,141.20	D&L Paving Contractors, Inc. Bid: \$188,342.75

DLS Construction, Inc.
Bid: \$252,230.00

WHEREAS, the Treasurer has provided a Certification of the Availability of Funds (a copy of which is appended to the original of the with Resolution) pursuant to Rule 5:30-1.10 of the Local Finance Board; and

WHEREAS, the Township Engineer has reviewed the proposals for technical sufficiency, and the Township Attorney has reviewed the proposals for legal sufficiency and recommends that a contract be awarded to Crossroad Construction, Inc. (CRC General Contractors, Inc.); and

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

1) That the proposal of

Crossroad Construction, Inc.
137 ½ Washington Avenue
Belleville, NJ

in the amount of

\$139,654.00

be and the same is hereby accepted; and

2) That the Mayor and Clerk be and they are hereby authorized to execute a contract in a form prepared and approved by the Township Attorney for the purchase of the within designated services subject to the successful contractor's filing the required New Jersey Employee Information Report (Form AA302) or providing a Certificate of Employee Information to the Township.

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

The Council President declared the motion passed.

Authorizing Execution of a Refunding Agreement Concerning a Distribution to the Police Department from the Estate of Catherine Wanat – It was moved by Councilmember Fontana, seconded by Councilmember Rento, that the Council approve the following:

RESOLUTION [L] 13-07-08 - #11

RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF LITTLE FALLS, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING THE EXECUTION OF A REFUNDING AGREEMENT CONCERNING A DISTRIBUTION TO THE POLICE DEPARTMENT FROM THE ESTATE OF CATHERINE WANAT

WHEREAS, Catherine Wanat was a resident of the Township who is now deceased (the "Decedent"); and

WHEREAS, during her lifetime, the Decedent established a Trust (the "Trust") which, among other things, set forth how her assets would be distributed upon settlement of the Trust after her death; and

WHEREAS, pursuant to the Fourth Amendment to the Agreement that established the Trust dated June 4, 2003, the Decedent provided for a distribution from the Trust's assets to the Little Falls Police Department in the amount of Five Percent (5%) of the Trust's assets; and

WHEREAS, the trustee of the Trust, Wells Fargo Bank, N.A., requires a "Refunding Agreement" to be executed by the Township as a condition of the distribution of the aforementioned assets which has as its purpose

the Township's agreement to refund to the trustee any excess monies not properly distributed to the Township pursuant to the settlement of the Trust.

WHEREAS, the Township is desirous of signing the Refunding Agreement in order to permit the Little Falls Police Department to receive those portions of the Trust's assets directed by the Decedent.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF LITTLE FALLS, PASSAIC COUNTY, NEW JERSEY,

1. The Mayor is hereby authorized to execute the Refunding Agreement, substantially in the form as attached hereto as **Exhibit A**, subject to such additions, deletions, modifications or amendments deemed necessary by the Mayor in his discretion in consultation with counsel, which additions, deletions, modifications or amendments do not alter the substantive rights and obligations of the parties thereto, and to take all other necessary and appropriate action to effectuate the Refunding Agreement.

2. This Resolution shall take effect immediately.

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

The Council President declared the motion passed.

PAYMENT OF BILLS

It was moved by Councilmember Maceri, seconded by Councilmember Fontana, that the Council approve the following:

RESOLUTION [BL]

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

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

The Council President declared the motion passed.

There being no further business to come before the meeting, it was moved by Councilmember Maceri, seconded by Councilmember Rento, that the meeting be and it was adjourned.

Cynthia Kraus
Municipal Clerk