

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

Monday, June 13, 2011

Council President Louis Fontana called the meeting to order at 7:32 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 Henry Underhill.

Absent: None.

Township Employees present: 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.

APPROVAL OF MINUTES

It was moved by Councilmember Post, seconded by Councilmember Gonzalez, that the Minutes of the meeting of April 25, 2011 be and they were approved.

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

The Council President declared the motion passed.

REMARKS FROM CHAIR

Council President FONTANA explained that he attended the Memorial Day Parade; it was a very nice event followed by a ceremony. He said the Mayor spoke very well. He also pointed out that the Fire Department has a nice ceremony. He hoped more people would come out next year.

COUNCIL MEMBER REPORTS

Councilmember SISCO concurred with President Fontana's comments, and said he was proud to march with the Little Falls Fire Department; it was a great parade.

Councilmember GONZALEZ referred to the Memorial Day Parade as well, and said it was great to be a part of such a nice day. She also hoped it would be more attended next year.

Councilmember POST reiterated everyone's comments and described the ceremony to be very moving. She also informed that she recently attended the Redevelopment Parking Committee meeting. She informed that notices were sent out regarding plans for the downtown area. Mr. Jacobs will be out to discuss the details of the Business Improvement District. She also met with the Grants Committee; Mrs. Pelak from the Library attended and provided a list of needs to see if Mrs. Bergin could find grants that would be available to them. She attended the 9-11 meeting with the Fire Department; they obtained two pieces of steel from the World Trade Center. The committee is diligently to have the monument constructed for the tenth anniversary. She also met with the 300th Anniversary Committee. They are still coming up with dates and locations for all of the events they are planning. She attended the Flood Board Meeting, in which the Army Corps of Engineers gave their report on the Peckman River.

Mr. Lindsay said the Army Corps of Engineers presented their report and they are on track. They advised that their current plans provide for a trapezoidal section from the Cedar Grove border leading up to Route 46. They are not going to build any levy walls or any structures that would be on the sides of the river; they will build it all within the river. They will have a diversion tunnel around the area of the DPW, which will convey water across Paterson Avenue down toward the Passaic River. He explained that they have all the money needed to complete the feasibility report; they plan to present this to the Flood Board by October. After that, it will go for peer review and a draft report will be prepared for 2013, which will then be presented to the communities. A final report is due in 2014; at that point, they can go for plans and specs. It is possible that they could have shovels in the ground by 2015 if all goes well.

Councilmember VANTUNO had nothing to report.

MAYOR'S REPORT

Mayor DeFrancisci thanked all who came out for the Memorial Day Parade; it was a nice day. He explained that Little Falls has been invited as a community to attend the MSU fireworks display at Yogi Berra Stadium on 7/4/11. He also pointed out that there has been a lot of progress in town, noting that the new crosswalks are almost complete. He informed that they town received a grant from an anonymous donor to improve pedestrian safety. He thanked the Little Falls ABC and Ms. Shapiro for the work done at the Morris Canal. He also informed that there is a new business moving in on Paterson Avenue, and noted that they are starting to see more people coming into town with the recent improvements. He also recognized P.V.H.S. student Jess Leprotto, who is currently a contestant on *So You Think You Can Dance*. On 6/21/11 he has a meeting with DEP and the Passaic Valley Water Commission regarding the March flooding. He will report back about this. The Township recently received proposals for the Louis Street pump station, which is an ongoing project. Mr. Lindsay explained that they had a problem with funding, noting that a benefit cost analysis is required. After reviewing this with State representatives, they determined that it wasn't in their best interest to proceed through grants. They are proceeding with the project.

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Mayor DeFrancisci reminded that the ABC Farmers' Market and the concerts in the park will start up again on 6/23/11. He encouraged everyone to go out and support these events.

ATTORNEY'S REPORT

Mr. Trapanese reminded that the Governing Body had appointed Mark Semeraro at the beginning of this year as the Township's Labor Counsel. He explained that he has changed firms and a new resolution must be approved to support this change. Councilmember GONZALEZ asked if Mr. Semeraro's fees would still be the same. Mr. Trapanese agreed that the fees would remain the same and also pointed out that Mr. Semeraro would be up for re-appointment in January.

PUBLIC PORTION

It was moved by Councilmember Vantuno, seconded by Councilmember Sisco, 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.

Unidentified female, 87 Wilmore Road, referred to the bike path going through the park and said she was very upset about the trees being removed. She explained that she lives across the street and she now sees pavement instead of trees. She asked that they plant some shrubs in place of the trees.

Louis Hernandez, 54 Harrison Street, voiced frustration that he cannot get in touch with anyone at Town Hall, noting that he has left emails for the Mayor and voicemails for the Administrator, with no responses. He explained that he just had his driveway paved and couldn't park in it for two days; he wanted to be able to park in front of his house until his driveway was complete. He also informed of another issue regarding tree branches to be picked up and said he hasn't received a call back about this. Councilmember GONZALEZ assured that someone would get back to him.

Barbara Moschetta, 29 Wilmore Road, referred to Ordinance No. 1125, and questioned the total number of police personnel. She asked for a breakdown of each officer, their position and what they are paid.

Raymond Kostroski, Donato Drive, referred to some hedges on Wilmore Road and First Avenue, which are blocking drivers' sight when making a turn at the intersection. He explained that Mr. Trapanese was supposed to follow up on this. He also referred to the light pole by the post office and asked for any updates. He also asked for any status updates with regard to the possibility of solar energy in town.

Arnold Korotkin, Long Hill Road, said he is looking forward to ABC's concerts in the park this summer. He also asked for clarification regarding the disposition of some trees that PNC Bank is going to replace. The bank had said that the town wanted an agreement pertaining to this.

He also pointed out that FEMA has announced that it would not reimburse the town for recovery and clean up costs in response to this year's flooding. The total cost was between \$150,000 and \$175,000. Mayor DeFrancisci was quoted as saying that it didn't increase the cost to the taxpayers and that the town moved some monies around to pay for it. He asked for clarification of which budget lines were affected by the transfer of monies.

He reminded that the Council had voted to withdraw from the Tri-town MSU Board last month, noting that the Mayor has said he is working with the college on their issues. He asked the mayor to inform everyone of any on-going meetings and/or communications with the college.

He also pointed out that the recent announcement that NJ Transit purchased dual powered locomotives provides an opportunity to advocate for mid-town direct and weekend service. Mr. Korotkin suggested that now would be a good time to convene a meeting of the Transportation Committee to discuss certain issues and possibilities.

Referring to transparency in government, Mr. Korotkin acknowledged that the town has done a lot to increase transparency, but said a lot still needs to be done. He suggested that residents be provided with copies of all ordinances and resolutions that are under consideration at the meeting, or each one should be read aloud in its entirety prior to Council action. He also suggested that Workshop and Executive Session meeting minutes be posted on the website, as well as the minutes of all boards, commissions and committees. He said the Township should be utilizing the email notification system.

Patricia Wisnowski, 4 Hopson Avenue, explained that she had reached out to the Mayor and Councilmember Post regarding the parking issues on Hopson Avenue. She thanked them for their help, as the situation is already improving.

Renea Shapiro, Little Falls ABC, explained that the Farmers' Market will begin on 6/23/11 at 3:00 p.m. Referring to the improvements at the Morris Canal, she informed that the gazebo has been re-stained and the fencing is being worked on; landscaping will also be done next week and some new recreation equipment will be put in. She commended the Mayor and said he made these improvements possible; they are hoping for a 7/4/11 opening. They will have Shakespeare and theatre in the park during July and August, once a month. She asked if they could set up a Chamber of Commerce or a committee in order to get new information out to residents regarding what's happening in town. She questioned if Main Street and Van Ness Avenue would be paved, noting that these areas are in great need. Regarding the lighting at Wilmore Park, she asked for a discussion to be held at a future Workshop meeting. She thanked the governing body for the crosswalks at Main Street. Referring to the Transit Village issue, she suggested that they create a timeline for this so they know how things are progressing. She also informed that there is a new pizza place on Paterson Avenue and a new jewelry store in town, as well as a macaroon shop. Mrs. Shapiro also pointed out that Little Falls should have proper recognition that MSU is located in Little Falls, not Montclair.

Jennifer Garrone, 22 Hopson Avenue, thanked the Mayor for responding to the complaint about parking, and also pointed out that they have an issue with speeding on their street. She asked if they could have speed bumps on the street.

Brian Reynolds, 7 Notch Road, agreed with Mr. Korotkin about open communications and how things have improved, but said things could still be much better. He suggested upgrading the Township Website and putting more information on it to keep people informed. He voiced his opinion that more backup for ordinances and resolutions should be provided, and said Minutes should be released sooner. He questioned the 'tax anticipation notes' resolution listed on this evening's agenda. Being a part of the Transit Committee, he requested information to be sent to him; he has not received this yet. He referenced

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the \$282,000 award to Hutton Construction for Louis Street pump station on this evening's agenda, and asked if this was part of money that was previously approved, or if it was additional monies. Regarding the second reading of the salary ordinance, he asked if the ordinance will be approved before the public hearing. He suggested that there be a hearing before approval. He also questioned the police salaries.

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.

Mr. Lindsay explained that they received complaints regarding the Wilmore Road area and they went out to look at the site. He acknowledged that they need to do some replanting and informed that they contacted the DOT to see if they could do these plantings as part of the contract. The DOT agreed that this could be done; they will replant some trees in September.

Council President FONTANA explained that he had approached the Police Department about parking in front of his house when his driveway was being redone. He assured that they now have a better procedure in place. He also said he would find out why the tree branches were picked up in stages and not all at once.

Mayor DeFrancisci informed that there are 22 officers in the Police Department total, which is made up of one lieutenant, seven sergeants, one patrolman assigned to the high school, one Police Chief and the remainder being patrolmen.

Mr. Trapanese informed that he explained the issue regarding the hedges to the Construction Code Official; he is going to check on this. He further noted that the Township has been lacking a Code Enforcement Official for the past couple of months; they are rectifying this matter. He assured that Mr. Macones would speak to the homeowner about this problem. He also informed that they would review the Township Ordinance and report back at the next meeting.

Mr. Underhill informed that he didn't have any updates on the light pole at the Post Office at this time. He also said that the hedges on Wilmore Road and First Avenue would be trimmed this week.

Mr. Underhill said they will speak about solar proposals at next week's Workshop meeting; he will try to give a report before that time. There were six proposals submitted for this.

In response to Mr. Fernandez, Mayor DeFrancisci explained that there is no Police Captain, but said the position is included in the salary ordinance for the option of promoting someone to that position. He confirmed with Mr. Wilk that the position hasn't been filled in years.

Mayor DeFrancisci explained that he received an email regarding the trees at PNC Bank, but he hasn't heard anything about an agreement; new trees will be planted.

With regard to Mr. Korotkin's comments, Mr. Underhill explained that the town received money from FEMA from last year's flood, some of which was moved to offset the cost to taxpayers. He said there were several line items that were affected, and said he would have to review this in the budget. Councilmember GONZALEZ asked for a report from him on this as well.

Mayor DeFrancisci said he has been negotiating with MSU with regard to the loss of the Ward Trucking site; he cannot discuss this at this further at this time. Councilmember GONZALEZ said they would like to have some input as to what is happening with MSU and the Township. She also pointed out that there are other issues to be discussed with the college and she volunteered to be the Liaison between the Township and the college. Mayor DeFrancisci said they would discuss this.

Council President FONTANA explained to Mr. Reynolds that not all backup for resolution items are easily available; some resolutions are prepared in the Clerk's Office, while others are prepared in different office. He also noted that a lot of the backup is not in the computers. Mr. Wilk explained that upgrading the system would help, but the office has three people and these additional duties would cause other important duties with deadlines to fall behind. Councilmember GONZALEZ said the solution is for the public to question the ordinances and resolutions at a meeting. Mr. Wilk explained that most resolutions are straight forward and said anyone can question an agenda item. Referring to Workshop Minutes, Mr. Wilk said these could be posted on the Website easily, but it has never been a Council procedure to do so. He said Executive Session minutes would have to be approved and reviewed by the Legal Department before they could be posted. President FONTANA said the Workshop minutes can be posted to the site.

President FONTANA said the Farmers' Market and concerts in the park are a nice event; he encouraged all to attend. He also said they would discuss the possibility of a committee or chamber of commerce to keep residents informed. Councilmember GONZALEZ said they should be able to post events on the calendar on the website. Mr. Wilk said they have to receive the information before they can post it to the calendar. Mayor DeFrancisci said this will take some time, and Mrs. Shapiro informed that she would look for a volunteer to do this.

Mayor DeFrancisci informed that the paving is on the list to be done this year.

Referring to the new crosswalks, President FONTANA explained that the crosswalk donor wishes to remain completely anonymous.

Mayor DeFrancisci said he would talk to the Police Department with regard to the speeding on Hopson Avenue. President FONTANA said speed bumps are a complicated issue and he would have to look into this. Councilmember VANTUNO explained that Mr. Organisciak has worked with the Township's Webmaster to make it easier to upload documents and send them out; they can now continue to improve it little by little. Mr. Underhill explained that the email notification system has been activated, but they have not sent out any messages at this time.

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Regarding Louis Street pump station, Mr. Lindsay explained that there are two separate contracts for two separate things; it is all within the initial cost of the project.

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 May 2011

MONTHLY REPORT

Municipality of Township of Little Falls
 Office of the Tax Collector
 Revenues Collector for the Month of May 2011
 Tax Collection Current Account #622402226 Lakeland Bank

	<u>To May 31, 2011</u>	<u>2011 YEAR TO DATE</u>
2011 Taxes	\$5,490,317.62	\$18,738,932.36
2010 Taxes	59,840.70	322,107.48
Prepaid 2012 Taxes	0.00	0.00
Interest	11,016.82	35,285.74
Township Tax Title Lien	0.00	0.00
Township Tax Title Lien Int.	0.00	0.00
Cost of Tax Sale	1,008.45	1,139.09
Outside Tax Liens	0.00	13,736.01
Duplicate Tax Bills	10.00	170.00
Tax Searches	0.00	0.00
Insufficient Check Charge	40.00	80.00
6% Penalty Fee	0.00	2,532.05
Misc. Line Item Fee	0.00	0.00
Premium Outside Lien	0.00	0.00
Tax Sale Additional Fee	250.00	250.00
Municipal Copy Fee	0.00	0.29
GRAND TOTALS	\$5,562,483.59	\$19,114,233.02
Comparison of Years:		
May 2, 2011 to May 31, 2011	\$5,562,483.59	\$19,114,233.02
May 3, 2010 to May 28, 2010	<u>5,933,209.71</u>	<u>18,262,912.70</u>
	-\$370,726.12	+\$851,320.32

Delinquent 2011 Taxes = \$593,404.78 (1st & 2nd Qtrs.---206 line items).
 Delinquent 2010 Taxes = 188,561.20 (tax sale 06/15/11---36 line items).
 \$781,965.98

Comparison--same time last year:

Delinquent 2010 Taxes = \$509,655.82 (1st & 2nd Qtrs.—201 line items).
 Delinquent 2009 Taxes = 160,298.77 (tax sale 10/20/10---38 line items).
 \$669,954.59

Bounced checks this month = \$1,206.66 Year-to-date bounced checks = \$10,461.85
 Refunds this month = -\$311.25 Year-to-date refunds = -\$20,158.44

Township Clerk's Report – Month of May 2011

TOWNSHIP CLERKS REPORT
 Month of May 2011

ABC LICENSES		
OTHER LICENSES		
Business Licenses	\$1,690.00	
Pre-paid Business Licenses		
Raffle Licenses		
		\$1,690.00
REGISTRAR OF VITAL STATISTICS		
Fees & Permits	\$608.00	
Marriage Licenses-LF	33.00	
Marriage Licenses-NJ	275.00	
		\$916.00
MRNA		
Street Maps	\$6.00	
Zoning Maps	3.00	
Zoning Ordinances		
Document Copies	4.10	
Garage Sales	70.00	
Misc. Fees & Refunds:		
- Solar Panel Bids	305.00	
		\$388.10
TOTAL MRNA		<u>\$388.10</u>
TOTAL CURRENT ACCOUNT		<u>\$2,994.10</u>
TOTAL TO TREASURER		<u>\$2,994.10</u>

Township Clerk's Dog/Cat License Report – Month of May 2011

TOWNSHIP CLERK'S DOG/CAT LICENSE REPORT
 Month of May 2011

Dog Licenses issued 5/1/11 thru 5/31/11	
Nos. 001 to 267 = 267 Licenses	
Amount due Little Falls	\$1,808.80
Amount due State	424.20
Total Cash Received	\$2,233.00

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Cat Licenses issued 5/1/11 thru 5/31/11
Nos. 001 to 063
Licenses Issued 63
Total Cash Received \$504.00

Total to Treas. \$2,737.00

APPLICATIONS

Little Falls Fire Department Auxiliary – Yousef S. Fattah, Stevens Avenue, Eagle Hose Co. #1
- - Joshua A. Morales, 6th Street, Clifton, NJ Eagle Hose Co. #1

New Jersey State Firemen’s Association – Kenny Mah, Cherry Street, Clifton, Eagle Hose Co. #1

Blue Light Permit – Kenny Mah, Cherry Street, Clifton, Eagle Hose Co. #1

Raffles – American Legion Auxiliary Unit, On-Premise 50/50, 9/4/11, 10:00 AM – 7:00 PM; Rain Date 9/5/11; 10/1/11, 8:00 AM – 6:00 PM; Rain Date 10/2/11

- - American Legion Auxiliary Unit, Off-Premise 50/50, 9/4/11, 10:00 AM – 7:00 PM

It was moved by Councilmember Post, seconded by Councilmember Sisco, 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.

RESOLUTIONS

Return of Unused Escrow Funds

RESOLUTION [A] 11-06-13 - #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:

\$388.00

payable to:

Estate of Edythe Mirabelli
c/o Linda Walker
666 Main Street
Little Falls, NJ 07424

representing payment for return of unused escrow rendered in connection with Mirabelli Estate; 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.

Dennis G. Lindsay, PE

RESOLUTION [B] 11-06-13 - #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:

\$743.75

payable to:

Dennis G. Lindsay, PE

representing payment for engineering services rendered in connection with Friedbauer – Block 200, Lots 1.02 & 1.03 – Site Plan with Variances; 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.

Bernard B. Montalbano, Esq.

RESOLUTION [C] 11-06-13 - #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:

\$250.00

payable to:

Bernard B. Montalbano, Esq.

representing payment for legal services rendered in connection with Friedbauer/Davidson Resolution; 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 [D] 11-06-13 - #4

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:

\$1,470.00 (\$210.00 each)

payable to:

Welfare Clients #55, 58, 60, 61, 63, 66 & 68

representing payment of Self-Care for the month of June 2011 be and the same is hereby authorized and ratified.

Cancel Uncashed Checks

RESOLUTION [E] 11-06-13 - #5

WHEREAS, the treasurer has reviewed township accounts for uncashed checks over six months old; and,
WHEREAS, that review has revealed a total of 32 such checks from several municipal accounts,
NOW THEREFORE BE IT RESOLVED that the Township Council of Little falls does hereby agree to and authorize the cancellation of said 32 checks.

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Refund of 2010 Property Taxes

RESOLUTION [F] 11-06-13#6

WHEREAS, there is a State Tax Court Judgment on Block 233.01 Lot 54, known as Hiram Ramos & Jennifer Baez of 18 Woodlawn Terrace, Cedar Grove, NJ 07009 for the Year 2010 reducing the assessed value by \$44,200.00;

YEAR 2010

Original Assessment	\$479,200.00
STCJ	435,000.00
Difference	\$ 44,200.00
2010 Tax Rate	x 2.062%
	\$ 911.40

WHEREAS, the Tax Collector authorizes the CMFO/Treasurer to refund the total amount of \$911.40 for the Year 2010 payable to Hiram Ramos, et al and/or The Irwin Law Firm, P.A., as attorneys for Hiram Ramos et al. Mail to: The Irwin Law Firm, P.A. c/o Mr. Richard Danzis, 80 Main Street, Suite 410, West Orange, NJ 07052,

NOW, THEREFORE BE IT RESOLVED by the Township Council of Little Falls on this 13th day of June 2011 that the above taxpayers/attorney be refunded the total amount of \$911.40 for the overpayment of taxes due to a State Tax Court Judgment on Block 233.01 Lot 54.

RESOLUTION [G] 11-06-13#7

WHEREAS, there is a State Tax Court Judgment on Block 42 Lot 9, known as Roberto & Edith Fusco of 65 Bergen Drive, Little Falls, NJ 07424 for the Year 2010 reducing the assessed value by \$31,500.00;

YEAR 2010

Original Assessment	\$614,500.00
STCJ	583,000.00
Difference	\$ 31,500.00
2010 Tax Rate	x 2.062%
	\$649.53

WHEREAS, the Tax Collector authorizes the CMFO/Treasurer to refund the total amount of \$649.53 for the Year 2010 payable to Roberto & Edith Fusco and McKirdy & Riskin, P.A., as attorneys for Roberto & Edith Fusco. Mail to: McKirdy & Riskin, P.A., 136 South Street, P.O. Box 2379, Morristown, NJ 07962-2379;

NOW, THEREFORE BE IT RESOLVED by the Township Council of Little Falls on this 13th day of June 2011 that the above taxpayers and attorney be refunded the total amount of \$649.53 for the overpayment of taxes due to a State Tax Court Judgment on Block 42 Lot 9.

NJ Dept. of Health – State Dog License Fees

RESOLUTION [H] 11-06-13 - #8

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:

\$424.20

payable to:

NJ State Dept. of Health

representing payment of State dog license fee, license Nos. 001 to 267 for the month of May 2011.

NJ Motor Vehicle Commission

RESOLUTION [I] 11-06-13 - #9

WHEREAS, the Little Falls Fire Department has purchased a 2011 Boat Trailer for its use; and

WHEREAS, said trailer needs to be registered to the Township of Little Falls; and

NOW, THEREFORE, BE IT RESOLVED, that the Township Council does hereby authorize the Treasurer to issue a check in the amount of \$23.00 to the New Jersey Motor Vehicle Commission for registration of this trailer.

REGULAR AGENDA

The following items were individually considered.

INTERDEPARTMENTAL

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

RESOLUTION [J] 11-06-13 - #10

WHEREAS, the Township of Little Falls accepted proposals for Improvements to Kingwood Drive, Houston Road, to Francisco Avenue; and, **WHEREAS**, the bids received were as follows:

Key-Tech
Keyport, NJ 07735
\$1,800.00

Bureau Veritas North
America
Rahway, NJ 07065
No Response

SOR Testing Laboratories, Inc.
Cedar Grove, NJ 07009
\$2,500.00

and,

WHEREAS, the submitted lowest bid from Key-Tech was reviewed by the Township Engineer for technical sufficiency and found to be in compliance; and,

WHEREAS, the Township Engineer has recommended award of the contract to

Key-Tech
210 Maple Place
P.O. Box 48
Keyport, NJ 07735

NOW, THEREFORE, BE IT RESOLVED, that the Township of Little Falls hereby awards a contract to Key-Tech for Improvements to Kingwood Drive, Houston Road, to Francisco Avenue in the amount of \$1,800.00.

BE IT FURTHER RESOLVED, 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.

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Council President FONTANA said they have approved similar resolutions in the past, but he didn't recall them all having core samples. Mr. Lindsay clarified that this is a requirement from the DOT.

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

The Council President declared the motion passed.

Finance – It was moved by Councilmember Vantuno, seconded by Council President Fontana, that the Council approve the following:

**RESOLUTION [K] 11-06-13 - #11
RESOLUTION AUTHORIZING THE ISSUANCE OF NOT EXCEEDING \$5,000,000 TAX ANTICIPATION NOTES OF 2011 OF THE
TOWNSHIP OF LITTLE FALLS,
IN THE COUNTY OF PASSAIC, NEW JERSEY**

BE IT RESOLVED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF LITTLE FALLS, IN THE COUNTY OF PASSAIC, NEW JERSEY (not less than the majority of the full membership of the governing body) AS FOLLOWS:

Section 1. In anticipation of the collection of taxes during the current fiscal year, there are hereby authorized to be issued tax anticipation notes of the Township of Little Falls, in the County of Passaic, New Jersey (the "Township"), each to be known as "Tax Anticipation Note of 2011", in amounts not exceeding \$5,000,000. The proceeds of such notes shall be applied only to purposes provided for in the budget or for which taxes are levied for the current year.

Section 2. The following certificate has been prepared by the Chief Financial Officer and is filed in the office of the Township Clerk.

Mr. Underhill explained that the Finance Officer has gone through cash needs for the next three months and they have bills to pay. The tax bills have not been sent out yet. Because the State has not certified the Budgets, they cannot pay these bills. There is no surplus in the accounts to cover everything until the budgets are certified. This amount will cover these bills until the next tax bills come in around August. The entire \$5 million is not necessarily what is needed, and they anticipate to get this money back through taxes. Interest will be paid in January or February of 2012 and it will be based on the amount borrowed. Right now the interest rate is one and a half percent, which will be up to \$50,000 in interest. This problem has been brought on by the State, since they have not been approving their budget until July. Before that time, there is no certification of State Aide. Mr. Wilk informed that they have had anticipated tax bills in the last four years and they did TANs last year as well.

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

The Council President declared the motion passed.

CORRESPONDENCE

It was moved by Councilmember Vantuno, seconded by Councilmember Post, that the Council approve the following: LETTER FROM THE TOWNSHIP OF MONTCLAIR REQUESTING GOVERNING BODY APPROVAL FOR A FOURTH OF JULY FIREWORKS DISPLAY AT YOGI BERRA STADIUM. (R)#12

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

The Council President declared the motion passed.

NEW BUSINESS

Authorizing Tax Collector to Issue Estimated Tax Bills for 3rd Quarter 2011 – It was moved by Councilmember Sisco, seconded by Councilmember Gonzalez, that the Council approve the following:

RESOLUTION [L] 11-06-13-#13

WHEREAS, N.J.S.A. 54:4-66.3, pursuant to Section 3 of P.L. 1994 c.72 and 54:4-66.2 the Township Council of the Township of Little Falls has determined that the Tax Collector will be unable to complete the mailing and delivery of the tax bills by June 14, 2011 due to the absence of a certified tax rate; and

WHEREAS, without a 2011 certified tax rate, the Tax Collector of the Township of Little Falls will be unable to issue 2011 tax bills on a timely basis, and

WHEREAS, the Tax Collector and the Chief Financial Officer have reviewed and computed an estimated tax levy in accordance with N.J.S.A. 54:4-66.3, and they have both signed a certification showing the tax levies for the previous year, the tax rates and the range of permitted estimated tax levies;

WHEREAS, in accordance with Chapter 72, P.L. 1994, the Tax Collector requests the Council to approve the estimated tax levy of \$40,869,603.85 @ 2.132%; which is between the mandated estimated range proposed by the Local Government Services. Approval will enable the Township to meet its financial obligations, maintain the tax collection rate, and provide uniformity for tax payments and save the unnecessary cost of interest expenses in borrowing;

NOW, THEREFORE BE IT RESOLVED that the Township Council of the Township of Little Falls, County of Passaic, State of New Jersey, hereby authorizes that:

1. The Tax Collector of the Township of Little Falls is hereby authorized and directed to prepare and issue estimated tax bills for the Township of Little Falls for the third quarter installment of 2011.
2. The entire estimated tax levy for 2011 is hereby set at \$40,869,603.85. The estimated tax rate for 2011 is hereby set at 2.132%.
3. In accordance with law, the third quarter installment of 2011 taxes shall

not be subject to interest until the later of August 10 or the twenty-fifth calendar day after the date the estimated bills were mailed. The estimated tax bills shall contain a notice specifying the date on which interest may begin to accrue.

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

The Council President declared the motion passed.

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

RESOLUTION [M] 11-06-13 - #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 tax year; 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 tax appeal pending before the Tax Court of New Jersey as hereinafter enumerated be and the same is hereby authorized, approved and ratified:

Meeting of June 13, 2011

29 Wilmore Road Block 121 Lot 5

		Original	County Board	Requested Tax	
		Assessment		Judgement	Court Judgment
Land:		\$228,000		\$228,000	\$228,000
Improvements:	\$382,900	\$382,900		\$322,000	
Total:		\$610,900	\$610,900	\$550,000	

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.

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

The Council President declared the motion passed.

Renewal of Municipal Liquor Licenses for License Term 7/1/11 – 6/30/12 – It was moved by Councilmember Post, seconded by Councilmember Sisco, that the Council approve the following:

RESOLUTION [N] 11-06-13 - #15

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

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

<u>License No.</u>	<u>License and/or t/a name</u>	<u>Fee</u>
1605-33-002-004	Brinker New Jersey Inc. t/a Chili's Southwest Grill & Bar Rte. 46 @ Browertown Road	\$2,200.00
1605-33-009-005	LMC Caterers, LLC t/a Victor's Chateau 215 Newark Pompton Tpke.	''
1605-44-010-004	3C, LLC, Inc. t/a Shoprite Liquors of Little Falls Corner Browertown Road & Rose Street	''
1605-33-114-010	Rare the Steakhouse LLC t/a/ Rare the Steakhouse LLC 440 Main Street	''
1605-33-015-007	GMS Diner Corp t/a Six Brothers Diner Route 46E @ Clove Road	''
1605-33-004-001	First Russian Nat'l Home of Singac NJ Inc. t/a New Russian Hall 4-6 Woodhull Avenue	''
1605-33-008-004	Little Falls Beverages and Bar Inc. t/a Little Falls Discount Liquors 315 Main Street	''
1605-33-001-010	Golden Garden Limited Liability Corp t/a Mizu Restaurant 68 Newark Pompton Tpke.	''
1605-33-013-006	Maggie's Place, LLC t/a Maggie's Town Tavern 10 Van Ness Avenue	''
1605-33-007-009	Top Cucina Corporation Bella Nottes Alta Cucina 112 Stevens Avenue	''
1605-33-011-012	Bask 2 Inc. t/a 381 Main 381 Main Street	''
1605-33-006-003	Just Kash, Inc. t/a The Phone Booth 117 Route 23	''
1605-33-005-008	A4M, LLC t/a Tilted Kilt Pub 131 Newark Pompton Tpke.	''
1605-31-016-001	Singac Memorial Post 108, Inc. American Legion Post 108 591 Main Street	\$165.00
1605-31-017-001	Henry Buikema Post 121, Inc. America Legion 55 Van Ness Avenue	''

and WHEREAS, it appears that all of the said applications are in satisfactory form; that the applicants have complied with all necessary requirements; that all applications are for renewals by the same persons for the same stands; and that no objections, in writing or otherwise, have been made or filed to any of said applications; and

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

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, 2011 and expire on June 30, 2012.

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Mr. Wilk explained that the license that is missing has been seized by the State and we will notify them that the application for the new license year has not been renewed.

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

The Council President declared the motion passed.

Contract with Hendricks Appraisal Company, LLC – It was moved by Councilmember Sisco, seconded by Councilmember Gonzalez, that the Council approve the following:

RESOLUTION [O] 11-06-13 - #16

WHEREAS, the Township of Little Falls has received a tax appeal for 2010 from 75 Harrison Street, Block 218, Lots 8 & 8.04; and,

WHEREAS, the Township requires the services of an expert appraiser for these tax appeals; and,

WHEREAS, the Township Tax Assessor has recommended Hendricks Appraisal Company, LLC of West Orange, NJ to perform said services: and,

WHEREAS, the Township Council has received and reviewed a proposal from Hendricks Appraisal Company to be our expert appraiser for a cost of \$2,000,

NOW THEREFORE BE IT RESOLVED, the Township Council of the Township of Little Falls does hereby authorize the Mayor to enter into a contract with Hendricks Appraisal Company, LLC to perform the required expert appraisal services relative to the above noted 2010 tax appeal.

Councilmember GONZALEZ asked why they need an expert appraiser. Mr. Trapanese explained that there are times when they require the services of an expert appraiser for tax appeals; this is for commercial properties only.

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

The Council President declared the motion passed.

Ordinance No. 1125 – It was moved by Councilmember Sisco, seconded by Councilmember Gonzalez, that the Ordinance No. 1125, “**2011 LITTLE FALLS SALARY ORDINANCE**”, be and it was opened.

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

The Council President declared the motion passed.

Barbara Moschetta, 29 Wilmore Road, asked if Police Sergeants also patrol the town, or if they are strictly a supervisor position. She also asked for clarification regarding longevity.

Al Attianese, 27 Dewey Avenue, referred to the position of Court Security Attendant in the salary ordinance, and said it is a good idea to have this, as it would provide the opportunity of freeing up an officer from court attendance, therefore, lowering overtime costs. He asked if every officer who attends court is paid overtime. He suggested they consider a retired officer for this position, since they are already licensed to carry a firearm. Referring to the position of the Business Administrator, he explained that the Township doesn’t have a paper copy of the job description, but it is listed online. He was concerned as to the duties of the B.A., noting that they are very similar to those of the Mayor. If the position was created to improve the efficiency of government, he would like to know how. He pointed out that Mr. Underhill was quoted in the newspaper saying that he will make cost savings. Mr. Attianese said the Township officials should be paying strict attention, as the B.A. is fairly new in the job; he suggested that some bench marks be set to make sure the town is getting their money’s worth for this position.

Arnold Korotkin, Long Hill Road, referred to hourly employees and pointed out that the salary ordinance states their hourly rates of pay, but not their annual maximum. He asked if there is a CAP for these employees.

Brian Reynolds, 7 Notch Road, referenced longevity pay and voiced his understanding that the Police Chief is getting his ten percent increase from the time he was a patrolman and not from the time he was appointed Chief. He asked if a public hearing would lead to the adoption of the ordinance. Mr. Wilk clarified that this is the public hearing now.

Louis Fernandez, 54 Harrison Street, voiced his opinion that the salary increases were too high, noting that many people are out of jobs; the Township is being extremely generous.

No one further having come forward to be heard, it was moved by Councilmember Gonzalez, seconded by Councilmember Vantuno, that the public hearing on Ordinance No. 1125 be and it was closed.

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

The Council President declared the motion passed.

Mayor DeFrancisci explained that the Police Sergeants do patrol; they are supervisors on the road. Corporals are also patrolling. Regarding longevity, he explained that they negotiated three percent increases for the employees and the employees gave back one and a half percent for health benefits, making the increase one and a half percent. New hires will no longer be eligible to receive longevity, as this is something that was negotiated a long time ago. However, it does go back to when the Chief was hired as a patrolman; longevity starts the day you are sworn in. He further noted that any new rules only apply to new hires. Lengthy discussion ensued between Mayor DeFrancisci and Mr. Reynolds. Mr. Trapanese explained that the Township is dealing with the PBA bargaining unit, noting that there are more difficulties when negotiating for Police and Fire. He explained that arbitrators are hired by these agencies, and when the Township refuses to bargain in good faith, they are subject to very expensive and time consuming lawsuits. In response to Mr. Altianese, Mayor DeFrancisci informed that there is also a Teamsters Union for DPW employees. He also explained that the remaining employees are receiving the same increase to be fair; it would not be fair to give a percentage increase to those who are represented by a bargaining unit and not to others. He further noted that there are 16 other towns in Passaic County whose employees have much higher salaries.

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Councilmember GONZALEZ said these increases are already final and pointed out that they are very different from other towns. Mr. Reynolds said it doesn't take seven Sergeants and a Lieutenant to manage 13 people. Councilmember GONZALEZ explained that she researched this issue and the department should have 31 officers. She said they should have 31 officers – she researched it. She acknowledged that they are going through hard times.

Mayor DeFrancisci referred to the position of a Court Security Attendant and said it is a good idea and they are looking to do this to try to cut down on overtime. He informed that the Police are paid overtime for court time. He also explained that the Administrative Officer of the Courts has some say as to who attends court. According to the State, they must have at least one Police Officer present in court.

Mr. Trapanese said they were required to reorganize the government; they are now under the Faulkner Act. One department under this form is the Department of Administration; he clarified this further. He further noted that the Mayor is not full-time; therefore, you need a Business Administrator who reports directly to the Mayor. Under the Faulkner act the Administrator mirrors the Mayor's duties and reports back to the Mayor.. Trapanese explained this matter further, noting that they must have these positions in place in order to get things done.

Council President FONTANA referred to hourly employees and Mr. Underhill said the only cap would be what is put in the budget for that function. Arnold said there should be a cap on these employees – how can it be in the budget? Mr. Underhill explained that the amount is in the budget. Mike said you cannot exceed the limit that is placed in the budget. Mr. Trapanese said a salary ordinance is designed by law to set the salaries of the employees.

These employees are part time and they get paid hourly. You then need to refer to the budget to find out what has been allocated in the budget for that line item for the year. The salary ordinance is the rate that is set for an employee to be paid.

It was moved by Councilmember Vantuno, seconded by Council President Fontana, that the Ordinance No. 1125 be and it was adopted.

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

The Council President declared the motion passed.

Ordinance No. 1126 – It was moved by Councilmember Post, seconded by Councilmember Gonzalez, that the public hearing on Ordinance No. 1126, **“BOND ORDINANCE PROVIDING FOR THE PAVING OF STANLEY STREET IN AND BY THE TOWNSHIP OF LITTLE FALLS, IN THE COUNTY OF PASSAIC, NEW JERSEY, APPROPRIATING \$192,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$192,000 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF”**, be and it was opened.

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

The Council President declared the motion passed.

No one having come forward to be heard, it was moved by Councilmember Sisco, seconded by Councilmember Post, that the public hearing on Ordinance No. 1126 be and it was closed.

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

The Council President declared the motion passed.

It was moved by Councilmember Sisco, seconded by Councilmember Post, that the Ordinance No. 1126 be and it was adopted.

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

The Council President declared the motion passed.

Authorizing Mayor to Execute a Developer's Agreement with Lexus – It was moved by Councilmember Sisco, seconded by Councilmember Vantuno, that the Council approve the following:

RESOLUTION [P] 11-06-13 - #17

WHEREAS, the Township Attorney has prepared a Developer's Agreement between the Township of Little Falls and Tri-County Lexus – Bob Ciasulli Auto Group; and

WHEREAS, said agreement must be executed by the Mayor; and

NOW, THEREFORE, BE IT RESOLVED, that the Township Council of the Township of Little Falls hereby authorizes the Mayor to execute the Developer's Agreement between the Township of Little Falls and Tri-County Lexus – Bob Ciasulli Auto Group.

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

The Council President declared the motion passed.

Authorizing Award of Contract to Hutton Construction for Louis Street Pump Station – It was moved by Councilmember Sisco, seconded by Council President Fontana, that the Council approve the following:

RESOLUTION [Q] 09-05-18-#16

WHEREAS, N.J.S.A. 54:4-66.3, pursuant to Section 3 of P.L. 1994 c.72 and 54:4-66.2 the Township Council of the Township of Little Falls has determined that the Tax Collector will be unable to complete the mailing and delivery of the tax bills by June 14, 2009 due to the scheduling of Township's appearance before the Local Finance Board; and

WHEREAS, without a 2009 certified tax rate, the Tax Collector of the Township of Little Falls will be unable to issue 2009 tax bills on a timely basis, and

WHEREAS, the Tax Collector and the Chief Financial Officer have reviewed and computed an estimated tax levy in accordance with N.J.S.A. 54:4-66.3, and they have both signed a certification showing the tax levies for the previous year, the tax rates and the range of permitted estimated tax levies;

WHEREAS, in accordance with Chapter 72, P.L. 1994, the Tax Collector requests the Council to approve the estimated tax levy of 105% @ 1.988%. Approval will enable the Township to meet its financial obligations, maintain the tax collection rate, and provide uniformity for tax payments and save the unnecessary cost of interest expenses in borrowing;

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NOW, THEREFORE BE IT RESOLVED that the Township Council of the Township of Little Falls, County of Passaic, State of New Jersey, hereby authorizes that:

- 4. The Tax Collector of the Township of Little Falls is hereby authorized and directed to prepare and issue estimated tax bills for the Township of Little Falls for the third quarter installment of 2009.
- 5. The entire estimated tax levy for 2009 is hereby set at \$38,231,571.28. The estimated tax rate for 2009 is hereby set at 1.988%.
- 6. In accordance with law, the third quarter installment of 2009 taxes shall not be subject to interest until the later of August 10 or the twenty-fifth calendar day after the date the estimated bills were mailed. The estimated tax bills shall contain a notice specifying the date on which interest may begin to accrue.

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

The Council President declared the motion passed.

Ordinance No. 1127 – It was moved by Councilmember Gonzalez, seconded by Councilmember Post, that there be introduced and the meeting of July 11, 2011 set as the date and the time for the public hearing on the following:

BOND ORDINANCE NO. 1127

BOND ORDINANCE AMENDING BOND ORDINANCE NUMBERED 1098 OF THE TOWNSHIP OF LITTLE FALLS, IN THE COUNTY OF PASSAIC, NEW JERSEY FINALLY ADOPTED JULY 12, 2010 IN ORDER TO AMEND THE AMOUNT ALLOCATED TO COSTS OF THE PURPOSE OR IMPROVEMENT UNDER N.J.S.A. 40A:2-20.

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. Section 6(d) of Bond Ordinance numbered 1098 of the Township of Little Falls, in the County of Passaic, New Jersey (the "Township") finally adopted July 12, 2010, is hereby amended in its entirety to read as follows:

“(d) An aggregate amount not exceeding \$130,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the purpose or improvement.”

Section 2. The Township hereby certifies that it has adopted a capital budget or a temporary capital budget, as applicable. The capital or temporary capital budget of the Township is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith. To the extent that the purposes authorized herein are inconsistent with the adopted capital or temporary capital budget, a revised capital or temporary capital budget has been filed with the Division of Local Government Services.

Section 3. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

Mr. Lindsay provided a brief explanation of this ordinance.

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

The Council President declared the motion passed.

Mr. Wilk advised that the Council take a vote on the resolution appointing Mr. Semeraro at this time.

Appointing Mark J. Semeraro, Esq. as Labor Counsel – It was moved by Councilmember Post, seconded by Councilmember Vantuno, that the Council approve the following:

**RESOLUTION [S] 11-06-13 - #19
RESOLUTION OF THE BOROUGH COUNCIL OF THE TOWNSHIP OF LITTLE FALLS, COUNTY OF PASSAIC,
STATE OF NEW JERSEY APPOINTING MARK J. SEMERARO, ESQ. AS LABOR & EMPLOYMENT COUNSEL**

WHEREAS, McManimon and Scotland, LLC is currently the labor and employment counsel for the Township of Little Falls; and
WHEREAS, Mark J. Semeraro, Esq. is the attorney primarily responsible for labor and employment matters within the Township of Little Falls;
and

WHEREAS, Mark J. Semeraro, Esq. is transferring his legal practice from McManimon and Scotland, LLC to Kaufman, Semeraro, Bern, Duetsch & Liebman; and

WHEREAS, the Township of Little Falls desires have Mark J. Semeraro, Esq. to continue representing it in labor and employment matters while associated with Kaufman, Semeraro, Bern, Duetsch & Liebman at the hourly rate of \$150.00 per hour.

WHEREAS, this contract is awarded without competitive bidding as a "Professional Service" accordance with the Local Public Contracts Law, N.J.S.A. 40A:11-5(1)(a)(i), because it is for services performed by persons authorized by law to practice a recognized profession; and

WHEREAS, the Township of Little Falls further finds and declares that the New Jersey Local Unit "Pay to Play" Law, N.J.S.A. 40A:20-4, *et seq.*, governs the award of this contract because its value is anticipated to be in excess of the sum of \$17,500; and

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE TOWNSHIP OF LITTLE FALLS, here does:

The appointment of Mark J. Semeraro, Esq. of Kaufman, Semeraro, Bern, Duetsch & Liebman to the position of labor and employment counsel for a term the balance of calendar year 2011 or until a successor is appointed at an hourly rate of \$150.00 per hour.

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

The Council President declared the motion passed.

PUBLIC PORTION

It was moved by Councilmember Vantuno, seconded by Councilmember Sisco, 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.

Louis Fernandez, 54 Harrison Street, recently read an article that Little Falls received money to fix the tennis courts; he asked if there is any progress. Mr. Lindsay informed that they are working on this now; there are certain requirements that have to be met. It will take some time; they still have to go out to bid.

Meeting of June 13, 2011

Arnold Korotkin, Long Hill Road, thanked the governing body for the opportunity to have an open dialogue about the salary ordinance. Referring to the upcoming MSU fireworks at Yogi Berra Stadium, he pointed out that they refer to the stadium as being located in Montclair, when it is actually located in Little Falls. This matter should be addressed with MSU. He asked for the status of the Clove Road project. He also questioned the status of the Route 46 project and asked if there was a projected start date for the project.

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.

Council President FONTANA said there are currently no updates on Clove Road.

Mr. Lindsay informed that he and Mr. Underhill attended a meeting in April regarding the Route 46 project. He explained that they had the final design work but didn't have the financing to do the work yet; he clarified further. Mr. Underhill said 2014 was the earliest they thought they could get the Route 46 project started.

PAYMENT OF BILLS

It was moved by Councilmember Post, seconded by Councilmember Gonzalez, 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.

AM/PM Services	General Admin.	1000.00
Clarion Office Supply		`126.98
Eric J. Goodman, Esq.		`1500.00
Mc Master's Florist		`75.00
Passaic River Coalition		`125.00
Shred-It USA, Inc.		`55.00
Verizon Wireless		`178.92
Bergin Consulting LLC	A & E	2520.00
Cablevision Systems Corp.		`134.31
Integrated Document Technologies		`59.50
NJ State League of Municipalities		`176.00
Pitney Bowes		`125.98
Rutgers, State University of NJ		`92.00
William E. Wilk		`267.22
Poland Spring	Treasurer	28.14
Clarion Office Supply	Tax Collector	44.44
Clarion Office Supply		`80.58
MGL Printing Solutions		`835.00
West Group		`125.00
Trapanese & Trapanese, Esq.	Legal	12,500.00
Trapanese & Trapanese, Esq.		`1030.00
Trapanese & Trapanese, Esq.		`1260.00
Trapanese & Trapanese, Esq.		`915.00
Trapanese & Trapanese, Esq.		`2190.00
Trapanese & Trapanese, Esq.		`3890.00
Trapanese & Trapanese, Esq.		`765.00
Trapanese & Trapanese, Esq.		`5656.50
Trapanese & Trapanese, Esq.		`975.00
Cablevision Systems Corp.	Municipal Court	49.95
N P C		`716.13
Poland Spring		`10.99
North Jersey Media Group	Planning Board	36.49
Delta Dental Plan of NJ	Group Health Ins.	2825.75
Delta Dental Plan of NJ		`3186.63
NJSHBP		`74,775.14
Teamsters Local 97 Benefit Fund		`1450.00
Teamsters Local 97 Benefit Fund		`1500.00
Shop Rite Pharmacy		`11,584.43
Ally	Aid to Volunteer Fire	534.69
Ally		`534.69
Approved Fire Protection		`147.85
Approved Fire Protection		`32.75
Approved Fire Protection		`3114.75
Clarion Office Supply		`102.97
Communications Specialists, Inc.		`302.00
Dan Stratthaus	2010	500.00
ESI Equipment, Inc.		`59.00
Guard Line Fire & Safety, Inc.		`79.95
Jonathan Cespedes	Aid to Volunteer Fire	150.00
Michael Onder		`15.66
Nick Brown		`70.00
Pinnacle Wireless, Inc.		`152.50
Teknikat, Inc.	2010	850.00
Turnout Fire & Safety, Inc.		`3262.71
Turnout Fire & Safety, Inc.		`15.00
Turn Out Uniforms Inc.		`2105.67
Verizon Wireless		`86.35
Verizon Wireless		`171.23

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Clarion Office Supply	Fire Life Hazard	170.39
Warnock Fleet	Police 2010	739.76
Apollo Flag Co., Inc.		24.60
Clarion Office Supply		8.99
Clarion Office Supply		75.98
Clarion Office Supply		199.96
Cablevision Systems Corp.		74.90
Cartridge World		108.54
Creative Graphics AC		1425.00
Essex Cty. College/Police Academy		90.00
Galls Incorporated		154.99
Galls Incorporated		419.97
IRA Rubin Fire Dept. Supplies		220.00
Konica Minolta Premier Finance		183.16
Law Soft Inc.		675.00
Mobile Mini Inc.		262.00
Pinnacle Wireless, Inc.		75.00
Pinnacle Wireless, Inc.		75.00
R & R Radar, Inc.		110.95
Shred-It USA, Inc.		55.00
Verizon Wireless		392.57
Verizon Wireless		160.04
Warnock Fleet		512.03
Warnock Fleet		143.00
Integrated Document Technologies	Construction Code Official	26.00
Konica Minolta Premier Finance		203.99
Verizon Wireless		66.01
American Hose & Hydraulic Co.	DPW	527.95
American Wear		391.25
Cablevision Systems		74.90
D2L Associates, Inc.		250.00
Home Depot		79.70
Home Depot		18.74
Home Depot		260.98
Home Depot		56.28
Integrated Document Technologies		13.00
Northeastern Arborist Supplies		406.04
Outstanding Service Co., Inc.		29.95
Pinnacle Wireless, Inc.		11.50
Rossi Decorating Center, Inc.		32.36
Rossi Decorating Center, Inc.		106.42
Rossi Decorating Center, Inc.		17.96
Stone Industries, Inc.		109.62
Suburban Propane		96.00
Tilcon New York, Inc.		240.58
Verizon Wireless		338.03
Walker's Hardware		6.27
Cablevision Systems Corp.	Emergency Mgmt.	49.95
Verizon Wireless		26.20
Gaeta Recycling Co.	Solid Waste	35,713.34
Konica Minolta Premier Finance		91.99
Absolute Fire Protection Co.	Vehicle Maintenance Fire	20.36
Dave Stern Inc.		408.60
Fire Design Goldleaf & Graphic Murphy		135.00
New Jersey Emergency Veh's		622.00
New Jersey Emergency Veh's		4798.21
TFI Fleet Maintenance		1580.25
Airgas East	Vehicle Maintenance DPW	2316.92
Associated Truck Parts		31.80
General Parts Group, Inc.		368.09
General Parts Group, Inc.		40.87
General Parts Group, Inc.	Vehicle Maintenance Police	119.14
General Parts Group, Inc.		34.90
Guaranteed Rebuilders, Inc.		32.90
Schumacher Chevrolet		100.00
Wayne Ford Auto Sales		1585.84
Wayne Ford Auto Sales		188.72
Murphy		99.41
Adam Quazza	Recreation	160.00
Cablevision Systems Corp.		280.00
Ball and Chain Printers		166.92
Cintas Corporation		430.00
Effective Alarm System, Inc.		83.63
Integrated Document Technologies		120.00
Konica Minolta		26.00
Rossi Decorating Center, Inc.		189.99
Sanjay Shah		157.31
Explore Science Inc.		200.00
Jen Slaw		885.00
Party Time Rentals, Inc.		500.00
The Magical Songwriter		1668.75
Essex County Emerald Society	Celebration Public Events	600.00
AIM Tank Services Company	Bond Ord. - 1020	1000.00
CGT Construction	Bond Ord. - 1020	2590.00
Comerro Coppa Architects	Bond Ord. - 1020	157,622.52
Godwin Pumps of America Inc.	Bond Ord. - 1046	3750.00
TD bank, NA	Bond Ord. - 1020	6714.00
Warnock Fleet	Bond Ord. - 1094	4355.00
North Jersey Media Group	Bond Ord. - 1121	1850.00
Paul Schilling & Son	Bond Ord. - 1110	48.43
Paul Schilling & Son	Bond Ord. - 856	80.77
North Jersey Media Group	Capital Ord. - 1119	1804.23
MCI Communications	Telephone	45.67
Verizon		57.35
Verizon		3785.68
Hess Corporation	Gas & Electric	240.00
		99.79

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Hess Corporation			2251.84
Hess Corporation			4351.50
PSE&G			8000.00
PSE&G	Street Lighting		9000.00
NJ American Water	Water		1022.81
Rachles/Michelle's	Gasoline		4429.03
National Terminal, Inc.	Diesel		3210.00
Veolia Environmental Services	Tipping Fees		29,176.02
Veolia Environmental Services	Recycling Taxes		1376.25
NJ American Water	Fire Hydrants		13,469.04
Apollo Flag Co., Inc.	Public Bldg. & Grounds		99.50
Arrow Elevator, Inc			140.00
Cedar Grove Garden Center			348.50
Environmental Renewal LLC			256.00
Gro-Rite, Inc.			203.20
Gro-Rite, Inc.			190.25
L & K Mechanical Service Inc.			150.00
Millennium Mechanical, LLC			969.10
Ocean Clean Inc.			1445.00
Spot-A-Way Inc.			105.00
Totally Secure, Inc.			629.71
United Automatic Fire Sprinkle			250.00
Little Falls Board of Ed.	Local School		1,029,652.00
Little Falls Board of Ed.			148,262.50
Passaic Valley Regional HS	Regional School		476,675.30
Passaic Valley Regional HS			58,775.54
Deborah Gessler	Widows		416.66
Andrea Kornberg	Municipal Alliance	2010	700.00
Elisabeth T. Billig		2010	700.00
Kathleen Radcliffe			49.99
Kristy Gregory		2010	700.00
Lynn Donovan		2010	700.00
New Life Recovery Center		2010	300.00
Cathy Lyons			850.00
Joan Mac Mullen			850.00
Linda Crossman			1700.00
Pam Porter			106.88
Susan Eckrote			1700.00
Linda Crossman			200.00
Linda Crossman			54.95
Veolia Environmental services	Tipping Fees Flood		963.86
Ford Motor Credit Co.	Acq. Of Police Car		1341.27
Draeger Safety Diagnostics Inc.	Appropri. Reserves DWI		142.00
Watch Guard Digital Video			88.00
TD Bank, NA	Bond Principal		118,000.00
TD Bank, NA	Interest on Bond		94,483.60
Depository Trust Company			101,718.75
Precision Elec. Motor Works	Flood Fire		138.00
Galls Incorporated	Flood Police		103.92

FINANCE COMMITTEE

Darlene Post

Louis Fontana

Joseph Sisco

There being no further business to come before the meeting, it was moved by Councilmember Sisco, seconded by Councilmember Post, that the meeting be and it was adjourned at 10:21 p.m.

William E. Wilk
Municipal Clerk

Cynthia Meyer
Deputy Municipal Clerk