

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

Monday, March 10, 2014

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

Absent: None

Township Employees present: Police Chief John Dmuchowski, Fire Chief Jack Sweezy, DPW Superintendent Phillip Simone and Deputy Registrar 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, 2014; 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.

PUBLIC HEARING ON TOWNSHIP'S APPLICATION TO THE PASSAIC COUNTY OPEN SPACE AND FARMLAND PRESERVATION TRUST FUND FOR IMPROVEMENTS TO RAILROAD PARK

Mrs. Bergin said the purpose of this hearing is to obtain public comment regarding the Township's application to the Passaic County Open Space and Farmland Preservation Trust Fund for Improvements to Railroad Park. These improvements include dugouts, bleachers with railings, a half-moon backstop, new fencing and upgrades to the playground area. Interested parties are invited to contribute any comment on this application. The project is part of the Township's overall plans for improvements to parks and recreation using funds from the Passaic County Open Space Trust Fund. The Township made its first application to the trust fund in 2009 and received funds for new backstops and field improvements at the Paterson Avenue recreation complex. Since then, the Township has used its Open Space Committee to identify projects; this has proven to be successful so far. They expect to focus on Louis Street playground next year. She described the improvements in detail, noting that they address safety issues. Council President FONTANA clarified that this project mostly consists of safety improvements.

It was moved by Councilmember Vantuno, seconded by Councilmember Organisciak, that the public hearing be and it was opened.

Poll: Ayes: Maceri, Organisciak, Porter, 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 Vantuno, seconded by Councilmember Organisciak, that the public hearing be and it was closed.

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

The Council President declared the motion passed.

REMARKS FROM CHAIR

Council President FONTANA informed that the Annual Easter Egg Hunt will be held at the Recreation Center on 4/19/14 from 10:00 a.m. until 12:00 p.m.; he encouraged all to come out for this. He read a letter of commendation,

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which was received from NJAPE (New Jersey All People Equal), which is a new program at the Recreation Center. President FONTANA commended Mr. Pace.

Council President FONTANA informed that Administrator Joanne Bergin is leaving the Township. There have been a lot of questions raised as to what will happen next and who will fill the position. They decided that it would be best to split this spot to get the job done in the interim; Mr. Simone and Chief Dmuchowski will split the responsibilities as follows: Mr. Simone will be handling PEOSH and OSHA, Regional Flood Board member, Town Council assistant and liaison to the Mayor; Chief Dmuchowski will handle budget and Finance, Joint Insurance Fund Issues, Office of Legislative Services and human resources. Mr. Macones will be handling the Rent Leveling Board. Mrs. Bergin has agreed to stay as the FEMA Coordinator. She also agreed to handle some of the grant writing and the CRS Program.

Council President FONTANA read the following comments into the record: Joanne Bergin was a rare find. She is someone who genuinely cares about the town of Little Falls, our employees, and our residents. She works unbelievably hard and her work has always been outstanding. She honestly sees us all as her family. She is an answer person. When a problem occurs, she rallies the troops, gets the team together and comes up with the needed result. The town employees have stepped up in a big way to make our town the best that it can be. This is a credit to how Joanne manages the town. She has implemented positive, informative and calculated processes that have improved the way Little Falls resolves issues. Joanne has been outstanding at providing the facts, communicating to all stakeholders and analyzing most every situation. One great example is, prior to Joanne's involvement, preparing the budget was an ad hoc process. Now the budget process is informative and calculated and allows all involved to make the most educated decision possible. She works tirelessly for us all. A typical day for her ends after 7:00 p.m. during the week; plus, she works countless hours at home on the weekends too.

Little Falls has become nationally known for our FEMA work and successful grants, for which we have received millions of dollars, and that is completely because of Joanne's knowledge and writing abilities. Joanne is honest and fair and consistent in dealing with absolutely everything in town. She educates the Council to help us make the most informed decision we can and she is always positive while getting us through some very tough decisions. We simply will not be able to replace Joanne Bergin – it's that simple! We all want the very best for her and we wish her well. Joanne has been an exceptionally hard working and caring employee and manager, and I am very proud to call her my friend. We will all miss her dearly. I hope her next employer understands that they are getting a priceless gem and treats her as such. She will be severely missed by all of Little Falls.

COUNCIL MEMBER REPORTS

Councilmember ORGANISCIAK said he cannot thank Mrs. Bergin enough for all of the work she has done. He expressed his appreciation for all she has done and said she will be missed.

Councilmember VANTUNO thanked Mrs. Bergin for everything she has done, explaining that she has worked tirelessly to move this town forward. He agreed that she would be greatly missed.

Councilmember MACERI said he has had the pleasure of working with Mrs. Bergin, who he commended for all of her hard work as a public servant to the town. He voiced his appreciation for all she has done, noting that she will be missed.

Councilmember PORTER read her comments into the record as follows:

Joanne, you have been an amazing gift to Little Falls. Your passion for this town, your insistence on perfection, your knowledge and the wonderful way you have of making people feel comfortable were made evident with anyone that had any contact with you. Not only are you the best BA any town could ever ask for, you did your job with integrity and kindness every step of the way. I can't tell you how many people in town have expressed to me how much they love you. The amount of people you have touched is truly astounding. How many Business Administrators would take the time to visit residents and/or employees in the hospital – even on your days off and the fact that you travel so many miles each day? Zero; only you would do that. Little Falls is a better place because of you, Joanne, and all that you have done for this town. Your wisdom, many talents, negotiation and communication skills have helped each and every one of us in one way or another. You have been a rock to this Council, keeping us informed of everything we need to know – even on weekends. I know that I will feel a horrible emptiness inside when I walk into this building knowing that you are not here. I will miss that contagious laugh of yours so very much. We will all miss you in a way that words can't describe. You brought us sunshine, even when there wasn't any. There's always a spark of enthusiasm that only you can ignite when you enter a room.

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Joanne, we will never be able to replace you in your work ethic or in our hearts. I feel very blessed to have worked with you and even more blessed to know that I have gained a lifelong friend – actually two, as I consider Liam a friend as well. Thank you for loving Little Falls and for all that you've done. I wish you all the best in your new position and know without a doubt that the people of your new town will quickly realize that you are the best! You are classic!

MAYOR'S REPORT

Mayor Post explained that she has worked with Mrs. Bergin for more than two years, adding that they have accomplished many things together. On behalf of the Township of Little Falls, she thanked Mrs. Bergin for her service.

ATTORNEY'S REPORT

Mr. Northgrave agreed that the Township was very blessed to have Mrs. Bergin, adding that she is very unique.

ADMINISTRATOR'S REPORT

Mrs. Bergin provided an update on PSE&G's Northeast Grid Reliability Project, and provided the following website where residents could find updated information on the project: www.pse&g.com/negrid. Last week the Army Corps of Engineers and the NJDEP held a Passaic River main stream flood risk management meeting in Pequannock, where they discussed recommendations for solutions to the flood problem in the Passaic River Basin. She thanked Dorothy O'Haire for attending this meeting. There will be the following additional meetings, which she will also include on the website: 3/25/14, 3/27/14 and 4/3/14.

At this time, Mrs. Bergin provided explanations of each agenda item. She also gave a presentation regarding Resolution [K].

Mrs. Bergin presented a Power Point report on the budget at this time.

Resolution Authorizing Self Examination of the 2014 Municipal Budget – It was moved by Councilmember Organisciak, seconded by Councilmember Vantuno, that the Council approve the following:

RESOLUTION [A] 14-03-10 - #1

RE: Self Examination of Budget

WHEREAS, N.J.S.A. 40A:4-78b has authorized the Local Finance Board to adopt rules that permit municipalities in sound fiscal condition to assume the responsibility, normally granted to the Director of the Division of Local Government Services, of conducting the annual budget examination; and

WHEREAS, N.J.A.C. 5:30-7 was adopted by the Local Finance Board on February 11, 1997; and

WHEREAS, pursuant to N.J.A.C. 5:30-7.2 through 7.5 the Township of Little Falls has been declared eligible to participate in the program by the Division of Local Government Services, and the Chief Financial Officer has determined that the Township meets the necessary conditions to participate in the program for the 2014 budget year.

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Little Falls, that the 2014 annual budget be examined in accordance with N.J.A.C. 5:30-7.6a & b and based upon the Chief Financial Officer's certification. The governing body has found the budget has met the following requirements:

1. That with reference to the following items, if applicable, the amounts have been calculated pursuant to law and appropriated as such in the budget.
 - a. Payment of interest and debt redemption charges
 - b. Deferred charges and statutory expenditures
 - c. Cash deficit of preceding year
 - d. Reserve for uncollected taxes
 - e. Other reserves and non-disbursement items
 - f. Any inclusions of amounts required for school purposes
2. That the provisions relating to limitation on increases of appropriations pursuant to N.J.S.A. 40A:4-45.2 and appropriations for exceptions to limits on appropriations found at 40A:4-45.3 et seq. are fully met. (Complies with the "CAP" law).
3. That the budget is in such form, arrangement and content as required by the Local Budget Law and N.J.A.C. 5:30-4 and 5:30-5.
4. That pursuant to the Local Budget Law:
 - a. All estimates of revenue are reasonable, accurate and correctly stated;
 - b. Items of appropriations are properly set forth
 - c. In itemization, form, arrangement and content, the budget will permit the exercise of the comptroller function within the municipality.
5. The budget and associated amendments have been introduced, publicly advertised, and adopted in accordance with the relevant provisions of the Local Budget Law, except that failure to meet the deadlines of N.J.S.A. 40A:4-5 shall not prevent such certification.
6. That all other applicable statutory requirements have been fulfilled.

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BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Director of the Division of Local Government Services.

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

The Council President declared the motion passed.

Introduction of 2014 Municipal Budget – It was moved by Councilmember Vantuno, seconded by Councilmember Porter, that the Council approve the following:

RESOLUTION [B] 14-03-10 - #2

Re: Introduction of 2014 Budget

BE IT RESOLVED, that the following statements of revenues and appropriations attached hereto constitute the local Budget of the Township of Little Falls, Passaic County, New Jersey for the year 2014.

BE IT FURTHER RESOLVED, that the said budget be published in the Herald News in the issue of March 14, 2014, and that a hearing on the Budget will be held at the Municipal Building on April 7, 2014 at 7:30 o'clock (P.M.) or as soon thereafter as the matter may be reached.

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

The Council President declared the motion passed.

PUBLIC PORTION

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

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

The Council President declared the motion passed.

Phyllis Dillon, Ryker Avenue, explained that she had initially planned to write a letter to the Council, but she believes this next topic deserves more attention than that. She reminded of the horrible winter they had this year, and pointed out what a magnificent job Mr. Simone and the entire DPW did to make sure the snow and ice was cleared from roads and sidewalks. She explained that Mr. Simone helped to clear snow from the entrance to her driveway so she could get out. She thanked him and the entire DPW staff for their hard work. She also wished Mrs. Bergin luck in her future endeavors.

Joe Bottazzi, formerly 66 William Street, came back to say goodbye and thank Mrs. Bergin, adding that she is the best employee this town has ever had. He explained that he purchased his home 24 years ago in the flood zone, and although flood mitigation is a vicious circle, Mrs. Bergin got the job done; there were many obstacles. If it wasn't for her, many would be in the same situation right now. He thanked her and wished her well.

Mike Corbosiero, 2 Louis Street, said Mrs. Bergin was definitely a worker of the people. He is happy to hear that she will be staying on part-time. He is proud of all of the coordination the town has had during inactive periods to keep improving. He thanked Mrs. Bergin for all of the work she has done and wished her luck.

Louis Fernandez, Harrison Street, said Mrs. Bergin will be missed by all and wished her luck.

Brian Reynolds, Notch Road, said Mrs. Bergin is amazing and thanked her for inspiring this town to do things.

Dorothy O'Haire, Turnberry Road, said she attended the meeting with the Army Corps of Engineers last week; the impression she got is that they are back to the tunnel. They have not made a definite decision. After the meeting, she addressed the Kernel regarding the status of Beattie's Dam. They are not planning to fix the dam at all. She advised everyone to attend one of these meetings at some point. She can't imagine where the state is getting the money for this tunnel. The next day she was with the Army Corp regarding the Peckman River; it looks like 2019 is when they will commence. The Regional Flood Board applied for a \$150,000 grant from the state; they received the grant. They are working to make this go a long way.

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

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

The Council President declared the motion passed.

Council President FONTANA thanked Mrs. O'Haire for the update she provided.

Mrs. Bergin said she cannot get her head around saying goodbye. It feels like a lifetime ago that she attended grant training and sat next to John Agostinelli who was running for Mayor in Little Falls. He wanted the Township to be more aggressive in pursuing grants and she was a grant writer. When Mr. Agostinelli lost the election, she expected her role to fade away; however, shortly after, she received a call from Mayor Mike DeFrancisci. Everyone's hopes and dreams for the Township really inspired her and she wanted to be a part of this. From this point, the Township went full force applying for grants and lobbying for funds to help the residents. Any success she had was because of the leaders on the dais. Then came Hurricane Irene and Mayor DeFrancisci forced her to go the flood area with him to talk to the residents. Mayor DeFrancisci taught her to recognize her commitment to people in good times and in bad and to be there for them no matter what. This motivated her to do whatever she could to help these residents. She has been told that her passion for this town is remarkable. She hopes she has served everyone well. She was recently asked about what she considers to be her professional strength and her professional weakness, and it was on in the same. She comes in every day and tries to do the best she can; one thing that sets her apart from a lot of her colleagues is that this job has never been just a job to her. She wants to get things done to benefit the town, she takes things on her plate instead of outsourcing to save money, she tries to shield the employees from the bad parts of working for Municipal Government. Everything she does is with 100 percent of her heart. Every employee who works for this town or who has worked for this town during her time has given something to the tax payers. She commended many of the employees for their hard work and professionalism. She also commended the Mayor and Council members for being public officials of the Township, noting that they contribute hours of their time to the town. She thanked the Township professionals for all of their hard work as well. She commended the Fire and Police Departments for their contributions to the Township, noting how valuable they all are. The people in this town have touched her heart and she hopes she has given something in return.

Council President FONTANA glossed over the responsibilities of the Administrator's position. He explained that it is a big deal for Mr. Simone and Chief Dmuchowski to take on these duties, adding that they are stepping up in a big way.

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 – Bradley Hornstra, Gould Street, Clifton, Enterprise Co. #2

REPORTS

Municipal Clerk's Report – Month of February 2014

MUNICIPAL CLERKS REPORT Month of February 2014

| | | |
|-------------------------------|------------|------------|
| ABC LICENSES | | |
| OTHER LICENSES | | |
| Business Licenses | \$2,810.00 | |
| Pre-paid Business Licenses | | |
| Raffle Licenses | 20.00 | |
| | | \$2,830.00 |
| REGISTRAR OF VITAL STATISTICS | | |
| Fees & Permits | \$456.00 | |
| Marriage Licenses-LF | 18.00 | |
| Marriage Licenses-NJ | 150.00 | |
| | | \$624.00 |
| MRNA | | |

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| | | |
|-----------------------|---------|-------------------|
| Street Maps | | |
| Zoning Maps | | |
| Zoning Ordinances | | |
| Document Copies | \$76.95 | |
| Garage Sales | 10.00 | |
| Misc. Fees & Refunds: | | |
| TOTAL MRNA | | \$86.95 |
| TOTAL CURRENT ACCOUNT | | <u>\$3,540.95</u> |
| TOTAL TO TREASURER | | <u>\$3,540.95</u> |

Municipal Clerk's Dog/Cat License Report – Month of February 2014 MUNICIPAL CLERK'S DOG/CAT LICENSE REPORT Month of February 2014

| | | |
|---|--|---------------|
| Dog Licenses issued 02/01/2014 thru 02/28/2014 | | |
| Nos. -- to -- = 0 Licenses | | |
| Amount due Little Falls | | \$0.00 |
| Amount due State | | 0.00 |
| Total Cash Received | | \$0.00 |
| Cat Licenses issued 02/01/2014 thru 02/28/2014 | | |
| Nos. -- to -- | | |
| Licenses Issued | | |
| Total Cash Received | | <u>\$0.00</u> |
| Total to Treas. | | <u>\$0.00</u> |

Tax Collector's Report – Month of February 2014 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 February 2014

| Categories | February 3-28, 2014 | 2014 Year to Date |
|-------------------------------|-----------------------|------------------------|
| 2014 Taxes | \$6,671,139.47 | \$10,306,790.22 |
| 2013 Taxes | 62,078.78 | 119,489.85 |
| 2010 Taxes | 0.00 | 250.00 |
| Prepaid 2015 Taxes | 0.00 | 0.00 |
| Interest | 8,061.03 | 10,664.61 |
| Township Tax Title Lien | 0.00 | 0.00 |
| Township Tax Title Lien Int. | 0.00 | 0.00 |
| Township Tax Title Lien 6% PE | 0.00 | 0.00 |
| Cost of Tax Sale | 0.00 | 0.00 |
| Outside Tax Liens | 0.00 | 0.00 |
| Duplicate Tax Bills | 15.00 | 75.00 |
| Tax Searches | 0.00 | 10.00 |
| Insufficient Check Charge | 20.00 | 60.00 |
| 6% Penalty Fee | 1,347.86 | 2,605.90 |
| Misc. Line Item Fee | 0.00 | 0.00 |
| Premium Outside Lien | 0.00 | 0.00 |
| Tax Sale Additional Fee | 0.00 | 0.00 |
| Municipal Copy Fee | 0.00 | 0.00 |
| GRAND TOTALS | \$6,742,662.14 | \$10,439,945.58 |

| | |
|-------------------------------|--|
| Delinquent 2014 Taxes | \$430,507.25 (260 line items) 1 st Qtr. 02/01/14. |
| Delinquent 2013 Taxes | <u>\$189,993.84</u> (56 line items) Tax Sale this year. |
| Total Delinquent Taxes | \$620,501.09 |

Comparison same time last year:

| | |
|-------------------------------|--|
| Delinquent 2013 Taxes | \$460,925.88 (225 line items) 1 st Qtr. 02/01/13. |
| Delinquent 2012 Taxes | \$228,780.34 (63 line items) Tax Sale 04/19/12. |
| Delinquent 2011 Taxes | <u>1,236.85</u> (1Bankruptcy/1 Senior '11 Disallow) |
| Total Delinquent Taxes | \$690,943.07 |

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2014 Refunds this month = -\$2,179.36
 2014 Year to date refunds = -\$2,179.36
Breakdown of refunds for years 2011-2014 completed in 2014(see attached).

2014 Insufficient check charge backs (year to date) = -\$3,318.70

REFUNDS IN THE YEAR 2014

| Months | 2011 STCJ | 2012 STCJ | 2013 STCJ | 2014 STCJ | 2014 CBJ | Regul ar 2014 | 2014 Vetera n/ Widow | 2014 Senior/ Disabl ed | Exemp t 2014 | 2014 Homest ead Benefit | Total by Months |
|---------------|------------------------|---------------|---------------|---------------|---------------|------------------------|-------------------------------|---------------------------------|--------------------|----------------------------------|------------------------|
| January | \$1,072. 50 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$1,072.5 0 |
| February | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$2,17 9.36 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$2,179.3 6 |
| Totals | \$1,072. 50 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$2,17 9.36 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$3,251.8 6 |

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.

Municipality of Township of Little Falls
 Office of the Tax Collector
 Township of Little Falls Tax Collector Trust 2 (Lien Premium Monies), Lakeland Bank
 Revenues for the Month of February 2014

| | Liens with Premiums <u>Redeemed/(-)</u> | <u>Bal./Dep.(+)</u> |
|---|---|---------------------|
| Balance Brought Forward (January 1, 2014) | | \$170,000.00 |
| January 2014 | \$0.00 | \$170,000.00 |
| February 2014 | \$0.00 | \$170,000.00 |
| Ending Balance as of February 28, 2014 | | \$170,000.00 |

Municipality of Township of Little Falls
 Office of the Tax Collector
 Township of Little Falls Tax Collector Trust 1 (Lien Monies), Lakeland Bank
 Revenues for the Month of February 2014

| | 2014 <u>Deposit</u> | <u>Year-to-Date</u> |
|---|------------------------|---------------------|
| January 2014 | \$0.00 | \$0.00 |
| February 2014 | \$0.00 | \$0.00 |
| Total Collected as of February 28, 2014 | | \$0.00 |

RESOLUTIONS

NJ Dept. of Health – State Dog License Fees

RESOLUTION [A] 14-03-10 - #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:

\$10.80

payable to:

NJ State Dept. of Health

representing payment of State dog license fee, license Nos. 455 to 458 for the month of February 2014.

Reserve Account – Postage Meter

RESOLUTION [B] 14-03-10 - #2

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BE IT RESOLVED by the Township Council of the Township of Little Falls, the Treasurer having certified to the availability of funds therefor that the Mayor, Clerk and Treasurer be and they are hereby authorized and directed to issue a check in the amount of:
\$2,000.00

payable to:

Reserve Account

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

Settlement of Property Tax Appeal

RESOLUTION [E] 14-03-10 - #5

WHEREAS, the Mayor and Council of the Township of Little Falls have been advised of the proposed settlement of a property Tax Appeal filed by Local 464 Welfare & Pension Bldgs (hereinafter the "Tax Appeal"), under Docket Numbers 007319-2009, 001529-2010, 000281-2011, 000408-2012 and 005066-2013, and;

WHEREAS, the aforesaid Tax Appeal involves a parcel of land containing two office buildings located at 219 and 245 Paterson Avenue, and which is also designated as Block 89 Lot 5.01 on the tax assessment map of the Township (hereinafter the "subject property"), and;

WHEREAS, the said Governing Body has been advised as to the merits of the subject Tax Appeal by legal counsel, the Township Appraiser and the Township Tax Assessor, and;

WHEREAS, the proposed Tax Appeal settlement components are set forth in the Schedule "A" attached hereto and made a part hereof, and;

WHEREAS, this settlement will result in the issuance of Tax Court Judgments that will require the payment of a taxpayer refunds in the following amounts:

| | |
|----------|----------------------------|
| | 245 Paterson Avenue |
| | Block 89 Lot 5.01 |
| | 2009: \$21,941.48 |
| | 2010: \$23,405.76 |
| | 2011: \$24,347.90 |
| | 2012: \$26,107.30 |
| 2013: \$ | <u>0.00</u> |
| | Total: \$95,802.44 |

WHEREAS, it is in the best interest of the Township to settle the subject Tax Appeal in accordance with the settlement proposal set forth hereinabove.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Township of Little Falls, that the proposed settlement of the aforesaid Tax Appeal be approved, and;

BE IT FURTHER RESOLVED, that with respect to same, the Mayor, Township Administrator, Township Tax Attorney, Township Tax Assessor, Tax Collector, Treasurer and/or any other appropriate Township official is hereby authorized to perform any act necessary to effectuate the purposes set forth in this Resolution, and;

BE IT FURTHER RESOLVED, that upon the issuance of Tax Court Judgments requiring the issuance of refunds for the above-referenced tax years, the Township Tax Collector hereby authorizes the Township Treasurer to refund the total amounts stated herein within 60 days of the date of receipt of the aforementioned Tax Court Judgments.

SCHEDULE "A"

A. The terms of the aforesaid tax appeal settlement shall consist of the following:

| | |
|--|----------------------------|
| | 245 Paterson Avenue |
| | Block 89 Lot 5.01 |
| | 2009: \$7,478,500 |
| | 2010: \$7,478,500 |
| | 2011: \$7,478,500 |
| | 2012: \$7,478,500 |
| | 2013: \$7,478,500 |

B. The total assessment for the subject property shall be further adjusted to an amount not to exceed \$6,400,000 in the 2014 tax year.

Weights & Measures Fund

RESOLUTION [F] 14-03-10 - #6

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

\$25.00

payable to:

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

representing payment of 2014 licensing fee for small scale in Public Nurse's office.

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Borough of Glen Ridge

RESOLUTION [G] 14-03-10 - #7

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

\$1,248.00

payable to:

The Borough of Glen Ridge
825 Bloomfield Avenue
P.O. Box 66
Glen Ridge, NJ 07028-0066

representing payment of 2014 Assessment of Partners of Third River Little Falls.

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

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

The Council President declared the motion passed.

REGULAR AGENDA

The following items were individually considered.

NEW BUSINESS

Submittal of FY2014 Passaic County CDBG Application – It was moved by Councilmember Organisciak, seconded by Councilmember Maceri, that the Council approve the following:

RESOLUTION [H] 14-03-10 - #8

**RESOLUTION OF THE TOWNSHIP OF LITTLE FALLS,
COUNTY OF PASSAIC, STATE OF NEW JERSEY, AUTHORIZING THE SUBMITTAL OF THE FISCAL YEAR 2014 PASSAIC
COUNTY
COMMUNITY DEVELOPMENT BLOCK GRANT APPLICATION**

WHEREAS, it is the desire of the Mayor and Township Council to authorize the submittal of a FY 2014 Passaic County Community Development Block Grant application to the Passaic County Department of Economic Development for replacement of windows in the Little Falls Public Library, ensuring safety and energy efficiency;

WHEREAS, at a meeting held March 10, 2014, the Township Council of the Township of Little Falls adopted a resolution authorizing the application for and use of funds from the Passaic County Community Development Block Grant Program for activities described in the proposal and, if awarded funds, shall implement the activities in a manner to ensure compliance with all applicable federal, state and local laws and regulations.

NOW, THEREFORE BE IT RESOLVED that Mayor Darlene J. Post and Township Council of the Township of Little Falls, Passaic County, State of New Jersey, support the application to the Passaic County Community Development Block Grant program.

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

The Council President declared the motion passed.

Authorizing DPW Supt. & Police Chief to Sign Checks, Access Online Banking & Initiate Wire Transfers – It was moved by Councilmember Vantuno, seconded by Councilmember Organisciak, that the Council approve the following:

RESOLUTION [I] 14-03-10 - #9

**RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF LITTLE FALLS,
COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING THE DPW
SUPERINTENDENT TO SIGN TOWNSHIP CHECKS, ACCESS ON-LINE BANKING AND
INITIATE WIRE TRANSFERS**

BE IT RESOLVED by the governing body of the Township of Little Falls (“Township”) that the funds of the Township deposited in banks and/or financial institutions be subject to withdrawal upon checks or other orders for the payment of money when signed by any two of the three following officials, to wit:

Mayor
DPW Superintendent

Phillip Simone

Darlene Post

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Treasurer
Police Chief

Nicholas Fargo
John Dmuchowski

BE IT FURTHER RESOLVED that the funds of the Township deposited in banks and/or financial institutions be subject to withdrawal by wire transfer when authorized by the following official, to wit:

Treasurer Nicholas Fargo

BE IT FURTHER RESOLVED that access to on-line banking on all accounts with banks and/or financial institutions of the Township be accorded the following official, to wit:

Treasurer Nicholas Fargo

BE IT FURTHER RESOLVED that the banks and/or financial institutions holding funds of the Township are hereby authorized to pay any such orders and also to receive the same for credit of or in payment from the payee or any other holder without inquiry as to the circumstances of issue, or the disposition of the proceeds even if drawn to the individual order of any signing official; and

BE IT FURTHER RESOLVED that the Clerk of the Township be and is hereby authorized to certify the within resolution and that the provisions thereof are in conformity with the provisions of law.

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

The Council President declared the motion passed.

At this time, Mrs. Bergin provided an explanation of Resolution [J].

Authorizing Increase in Deferred School Taxes for Regional High School Taxes – It was moved by Councilmember Vantuno, seconded by Councilmember Porter, that the Council approve the following:

RESOLUTION [J] 14-03-10 - #10

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

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

WHEREAS, the Township desires to increase Deferred School Taxes to the amount permitted under State statutes and to be effective at December 31, 2013.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Township Council that the following Deferred School Taxes be hereby increased for the year ended December 31, 2013 as follows:

| | Deferred Regional High School Taxes |
|--------------------------|--|
| Amount Deferred 12/31/13 | \$3,807.872 |
| Amount Deferred 12/31/12 | <u>3,632.905</u> |
| Amount of Increase | <u>\$ 174.967</u> |

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

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

The Council President declared the motion passed.

Requesting Passaic County to Provide Assistance with Potential Open Space Acquisition – It was moved by Councilmember Maceri, seconded by Councilmember Vantuno, that the Council approve the following:

RESOLUTION [K] 14-03-10 - #11

WHEREAS, the Township of Little Falls has been approached by the New Jersey Conservation Foundation to acquire that organization's approximate six (6) acres of undeveloped land near Francisco Avenue (also known as Block 301, Lots 1 and 2) in the Township; and

WHEREAS, municipal staff recently met with a representative from New Jersey Conservation Foundation and Passaic County Planning staff to discuss this possible acquisition, where it was determined that the existing trails on this property, which lead to the West Essex Trail in Cedar Grove, are an important connection to the Lenape and Liberty Trails, which also are part of the larger September 11 Memorial Trail, an "1,100 mile symbol of resiliency and character that links the World Trade Center in New York, the Pentagon in Washington D.C and the Flight 93 Memorial in Shanksville, Pennsylvania...[which] serves as a tribute to the fallen men and women who perished on September 11,

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2011*”), and this mode of multi-purpose transportation is identified and supported by the Transportation Element of the County’s Master Plan; and

WHEREAS, the Township is interested in exploring the potential acquisition of this property and now requests assistance from the Passaic County Board of Chosen Freeholders by considering approval of funding from the County Open Space Trust Fund initially for a title report and a possible subsequent appraisal of the property in order to proceed with negotiations on the acquisition; and

WHEREAS, the Township has an Open Space Trust Fund for the purpose of acquiring open space parcels which it may use for this project; and

WHEREAS, the Passaic County Board of Chosen Freeholders and the County Open Space & Recreation Advisory Committee may be asked to partner on this acquisition in the future as the discussions proceed;

NOW, THEREFORE, BE IT FURTHER RESOLVED the governing body/board resolves that Darlene J. Post or the successor to the office of Mayor is hereby authorized to:

- (a) submit a formal letter to the Passaic County Freeholder Director to request funding assistance for the title report and appraisal on the basis that acquiring this property is of interest to the Township, the County and the Region.

*from <http://911memorialtrail.org/>

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

The Council President declared the motion passed.

Appointing Fund Commissioner for the Township under the Statewide Joint Insurance Fund – It was moved by Councilmember Organisciak, seconded by Councilmember Vantuno, that the Council approve the following:

RESOLUTION [L] 14-03-10 - #12
STATEWIDE INSURANCE FUND
RESOLUTION APPOINTING FUND COMMISSIONER

WHEREAS, the Township of Little Falls (hereinafter “Local Unit”) is a member of the Statewide Insurance Fund (hereinafter “Fund”), a joint insurance fund as defined in N.J.S.A. 40A:10-36 *et seq.*, and

WHEREAS, the Fund’s Bylaws require participating members to appoint a Fund Commissioner;

NOW, THEREFORE, BE IT RESOLVED, by the Governing Body of the Township of Little Falls, that John Dmuchowski is hereby appointed as the Fund Commissioner for the Local Unit for the year 2014; and

BE IT FURTHER RESOLVED, that Phillip Simone is hereby appointed as the Alternate Fund Commissioner for the Local Unit for the year 2014; and

BE IT FURTHER RESOLVED, that the Local Unit’s Fund Commissioner is authorized and directed to execute all such documents as required by the Fund.

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

The Council President declared the motion passed.

Ordinance No. 1190 – It was moved by Councilmember Vantuno, seconded by Councilmember Maceri, that the public hearing on Ordinance No. 1190, “**ORDINANCE OF THE TOWNSHIP OF LITTLE FALLS, IN THE COUNTY OF PASSAIC, STATE OF NEW JERSEY, TO AMEND SECTIONS F AND L OF THE ORDINANCE ENTITLED, ‘APPOINTMENT OF MEMBERS; APPLICATIONS FEES’**”, be and it was opened.

Poll: Ayes: Maceri, Organisciak, Porter, 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 Vantuno, seconded by Councilmember Maceri, that the public hearing on Ordinance No. 1190 be and it was closed.

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

The Council President declared the motion passed.

It was moved by Councilmember Organisciak, seconded by Councilmember Vantuno, that the Ordinance No. 1190 be and it was adopted.

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

The Council President declared the motion passed.

Ordinance No. 1191 – It was moved by Councilmember Maceri, seconded by Councilmember Vantuno, that the public hearing on Ordinance No. 1191, “**ORDINANCE OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF LITTLE FALLS, IN THE COUNTY OF PASSAIC, STATE OF NEW JERSEY, AMENDING THE TOWNSHIP CODE TO AUTHORIZE THE CONSTRUCTION CODE OFFICIAL TO ENFORCE THE TOWNSHIP SNOW AND ICE REMOVAL ORDINANCE**”, be and it was opened.

Poll: Ayes: Maceri, Organisciak, Porter, 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 Vantuno, seconded by Councilmember Maceri, that the public hearing on Ordinance No. 1191 be and it was closed.

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

The Council President declared the motion passed.

It was moved by Councilmember Vantuno, seconded by Councilmember Organisciak, that the Ordinance No. 1191 be and it was adopted.

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

The Council President declared the motion passed.

Ordinance No. 1192 – It was moved by Councilmember Organisciak, seconded by Councilmember Vantuno, that there be introduced and the meeting of March 24, 2014 set as the date and time for the public hearing on the following:

**ORDINANCE NO. 1192
TOWNSHIP OF LITTLE FALLS
PASSAIC COUNTY, NEW JERSEY
CALENDAR YEAR 2014 ORDINANCE TO EXCEED
THE MUNICIPAL BUDGET COST OF LIVING ALLOWANCE
AND TO ESTABLISH A CAP BANK
(N.J.S.A. 40A-4-45.14)**

WHEREAS, the Local Government Cap Law, N.J.S. 40A:4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget up to 0.5% unless authorized by ordinance to increase it to 3.5% over the previous year’s final appropriations, subject to certain exceptions; and,

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

WHEREAS, the Township Council of the Township of Little Falls in the County of Passaic finds its advisable and necessary to increase its CY 2014 budget by up to 3.5% over the previous year’s final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

WHEREAS, the Township Council hereby determines that a 3.5% increase in the budget of said year, amounting to \$313,610 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

WHEREAS, the Township Council hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

NOW, THEREFORE BE IT ORDAINED, by the Township Council of the Township of Little Falls, in the County of Passaic, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2014 budget year, the final appropriations of the Township of Little Falls shall, in accordance with this ordinance and N.J.S.A. 40A:4-45.14, be increased by 3.0%, amounting to \$313,610, and that the CY 2014 municipal budget for the Township of Little Falls be approved and adopted in accordance with this ordinance; and,

BE IT FURTHER ORDAINED, that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

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

The Council President declared the motion passed.

PAYMENT OF BILLS

It was moved by Councilmember Porter, seconded by Councilmember Vantuno, 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: Maceri, Organisciak, Porter, Vantuno and President Fontana
 Nays: None

The Council President declared the motion passed.

There being no further business to come before the meeting, it was moved by Councilmember Organisciak, seconded by Councilmember Vantuno, that the meeting be and it was adjourned at 9:06 p.m.

Cynthia Kraus
Municipal Clerk