

Meeting of March 19, 2012

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

Monday, March 19, 2012

Council President Louis Fontana called the meeting to order at 7:31 p.m. with the following members present: Mercedes Gonzalez, Pamela Porter and Joseph Sisco. Also present were Mayor Darlene Post, Township Attorney Associate Jeffrey Trapanese, Township Engineer Dennis Lindsay, Municipal Clerk William Wilk and Township Administrator Joanne Bergin.

Absent: Councilmember John Vantuno

Township Employees present: DPW Superintendent Phillip Simone and Deputy Municipal Clerk Cynthia Meyer

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

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

REMARKS FROM THE CHAIR

Council President FONTANA announced the passing of several people from the area this past weekend, including Paterson firefighter Pellegrino, Little Falls Firefighter Sal Iuspa and Mary-Louise Helwig Rodriguez of the Library. Council President FONTANA also informed of the annual Easter egg hunt, which will be held on 4/7/12 from 10:00 a.m. to Noon at the Recreation Center. He informed that there is a baseball/softball parade on 4/21/12 at 9:30 a.m., and encouraged everyone to go out for the kids.

COUNCIL MEMBER REPORTS

Councilmember SISCO said he performed both wake services for the firemen who passed away this weekend. It was nice to see the wonderful turnout of firemen who came and prayed for these individuals. He also said has known Mary-Louise all of her life, noting that it was a sad weekend.

He explained that he has some questions about the Budget, and he asked if they could all get together to discuss some of these things. Regarding Pinnacle, he voiced his understanding that this equipment was paid for and never delivered to the Township, and said they need to review this. He also referred to the investigation of the cell tower and asked for the status of this.

Councilmember GONALEZ also expressed sincere sorrow for the loss of Mrs. Rodriguez and the two firemen. Referring to the upcoming egg hunt, she asked for this to be posted on the Website. Mrs. Bergin agreed to do so after receiving more information. Councilmember GONZALEZ also asked Mayor Post if they could discuss the Budget in depth in the near future.

Councilmember PORTER also expressed her sorrow for the recent loss of three individuals in town. She described Mary-Louise to be an amazing person who gave so much to the town, noting that every town should have someone like her. She also reminded that her first meeting had been a few weeks ago and pointed out that she continuously abstained from voting at that meeting. She wished to clarify that she had abstained because she didn't feel it was right to vote on items she was fully knowledgeable about.

MAYOR'S REPORT

Mayor POST reiterated everyone else's comments regarding the recent losses in town. She extended her condolences to each of the families and friends, noting that these people will be missed. She informed that she will be attending the NJ League of Municipalities Seminar for newly elected mayors this Saturday. She will share this information with her fellow colleagues. She said she will also be meeting with Jack Shannon of MSU; she will report on this in the future. Mayor Post also said she would sit down with Councilmember Gonzalez whenever she is available to discuss the Budget.

ATTORNEY'S REPORT

Mr. Trapanese had nothing to report.

ADMINISTRATOR'S REPORT

Mrs. Bergin referred to the construction of the Justice Complex and informed that she would be presenting a report to the Council at the next Workshop meeting to address additional costs that were not included in the original bond for this. They would like to address all of these now so they may pass one bond ordinance to cover all items. She said she would be working with Chief Dmuchowski on this and assured that he would be at the meeting to answer any questions. She also said she will be able to address which items are State mandated and which are not. With regard to the paid EMS service, she informed that she has met with the Fire Chief to try to have a better understanding of this. She said she would continue to meet with him in order to provide a report to the cCouncil and the public before entering into a contract.

Councilmember SISCO said there are revenues being anticipated in the 2012 Budget for EMS and it is still something they don't have. Mrs. Bergin informed that the Auditor recommended doing this until they know what

Meeting of March 19, 2012

will be done with the EMS. Councilmember GONZALEZ said they could discuss this at the Workshop meeting of 4/16/12, where they could be more prepared with questions.

Mr. Simone informed that the lids for the recycling containers were received last week and they are planning to start giving them out this Saturday. He explained that residents could come to pick them up at the Recycling Center by providing proof of address. They are proposing a system of handing out the cans as opposed to paying DPW workers to deliver them; however, the DPW staff will deliver containers upon request. He also informed that residents could request additional recycling pails at a fee of \$15 each. The Council was in agreement with this. Mr. Simone said they would post information to the Website to inform residents. In response to Councilmember PORTER Mr. Simone said they would send out additional notifications to residents if all of the pails have not been collected after a certain period of time.

Mr. Lindsay said he would like to give a few highlights of some projects in town and said he would be happy to answer any questions anyone has. There are a number of Municipal Aid projects that are taking place. They are finishing up on the Morris Canal project and on Viewmont and Brookhill Place, as well as Kingwood Drive. He informed that the design for Stanley Street is complete and they have met with the County about this; they are sending the final plans out for review now so they can go out to bid. They plan to start on this when school is out. There are also some local projects, which include Stanley Road and Veranda Place, as well as William, Barbara and Louis Streets. He looked at this with Mr. Simone and they have determined that this is a road and drainage project; they are working on a design for this. The Louis Street pump station is going up now, and they are also working on the installation details for the Fairfield Avenue pump station.

Regarding the Route 46/Route 3 project, he said there will be a meeting held to get an update for the progress that has been made on this. He has received permission from the Mayor to attend this meeting and he will report back to the Council on this. He referred to the joint sewer force main and said this work will be ongoing. They will be getting word on this shortly.

Councilmember PORTER referred to Stanley Street and pointed out that there has always been an issue with the ownership of the parking spaces near the fence. Mr. Lindsay said the property lines in that area are difficult, and informed that they are only trying to construct the road at this point.

PUBLIC PORTION

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

Poll: Ayes: Gonzalez, Porter, Sisco and Council President Fontana
 Nays: None

The Council President declared the motion passed.

Donald Radcliffe, 239 Long Hill Road, expressed several concerns he had regarding the proposed 2012 Budget, noting that the town has a significant amount of debt, which is a concern for the future of the town. He questioned several of the line items in the Budget, and said legal expenses should be reduced.

With regard to the recycling containers recently purchased, he said they could have used this money for something that would have reduced taxes instead. He also had many questions and concerns regarding flood loss and mitigation and how bonding for this would have a burden on the taxpayers.

Rosemarie Bello-Truland, High Court, explained that she has some questions regarding ambulance fees. She asked how the estimate was made. She also voiced her understanding that insurance will not cover ambulance fees if they do not deem it as an emergency. She asked if this was considered in coming up with an estimate. She also referred to the 2012 Budget and said there is an item for the replacement of an ambulance unit, noting that the Township only owns one ambulance. The other is owned by the Rescue Squad. She also explained that leasing or renting from the Rescue Squad would cause issues, since it would prevent volunteers from being able to answer to daytime calls. She also wished to recognize the work done along the Morris Canal, noting that it looks fantastic.

Al Attianese, 27 Dewey Avenue, referred to the Pinnacle radio system and informed that he had filed an OPRA request about four months ago to obtain a copy of the transmittal of this to an outside attorney. He was informed by Mr. Trapanese that the matter was in litigation and had been sent to the Prosecutor's Office. He asked when the public would have access to this. Regarding the paid EMS service, he said there was some problem with regard to our intention to pay the volunteers of the department. He asked how this issue was resolved. If it was resolved that this department takes precedence, how does this fit into the anticipated income in the budget. Referring to the two bond ordinances on tonight's agenda, he asked if the Council had any idea of how much the taxpayers would be affected by this.

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

Poll: Ayes: Gonzalez, Porter, Sisco and Council President Fontana
 Nays: None

The Council President declared the motion passed.

Mayor Post pointed out that this Budget was introduced as Mr. Underhill's budget, and said that she is working alongside Mrs. Bergin to dissect each line item to see what can be reduced. She addresses some of Mr. Radcliffe's concerns regarding specific line items and reiterated that they would be reviewing these things further. Mrs. Bergin said they were advised by the Auditor to leave the ambulance in the budget. She also clarified some of Mr. Radcliffe's concerns regarding bonding for flood mitigation, noting that the town will be submitting reimbursement requests on a daily basis.

Meeting of March 19, 2012

Municipal Clerk's Dog/Cat License Report – Month of February 2012
MUNICIPAL CLERK'S DOG/CAT LICENSE REPORT
Month of February 2012

Dog Licenses issued 2/1/12 thru 2/29/12
Nos. 447 to 450 = 4 Licenses
Amount due Little Falls \$27.20
Amount due State 4.80
Total Cash Received \$32.00

Cat Licenses issued 2/1/12 thru 2/29/12
Nos. 102 to 103
Licenses Issued 2
Total Cash Received \$16.00

Total to Treas. \$48.00

APPLICATIONS

Little Falls Fire Department Auxiliary – Anthony Pier, Main Street, Eagle Hose Co. #1

NJ State Firemen's Association – Timothy J. Conti, Brookhill Place, Enterprise Fire Co. #2

Raffles – Little Falls Alliance for a Better Community, On-Premise 50/50, 4/4/12, 7:00 p.m. – 10:00 p.m.

RESOLUTIONS

Riddick Associates, P.C.

RESOLUTION [A] 12-03-19 - #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:

\$1,035.00

payable to:

Riddick Associates, P.C.

representing payment for engineering services rendered in connection with Ciasulli/Lexus – Lots 7 & 8 – Inspection and administrative requirements in connection with approved site plan; and

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

RESOLUTION [B] 12-03-19 - #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:

\$765.00

payable to:

Riddick Associates, P.C.

representing payment for engineering services rendered in connection with Ciasulli/Lexus – Lots 7 & 8 – Inspection and administrative requirements in connection with approved site plan; and

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

NJ Dept. of Health – Dog License Fees

RESOLUTION [C] 12-03-19 - #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:

\$4.80

payable to:

NJ State Dept. of Health

representing payment of State dog license fee, license Nos. 447 to 450 for the month of February 2012.

Welfare

RESOLUTION [D] 12-03-19 - #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:

\$210.00

payable to:

Welfare Clients #66

representing payment of Self-Care for the month of March 2012 be and the same is hereby authorized and ratified.

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

Poll: Ayes: Gonzalez, Porter, Sisco and Council President Fontana
Nays: None

The Council President declared the motion passed.

REGULAR AGENDA

The following items were individually considered.

Meeting of March 19, 2012

INTERDEPARTMENTAL

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

RESOLUTION AUTHORIZING TRANSFERS IN THE 2011 BUDGET: \$8,710.00 [E]#5

Poll: Ayes: Gonzalez, Porter, Sisco and Council President Fontana
 Nays: None

The Council President declared the motion passed.

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

RESOLUTION AUTHORIZING A TEMPORARY EMERGENCY APPROPRIATION FOR THE 2012 MUNICIPAL BUDGET: \$3,926,479.00 [F]#6

Mr. Wilk provided an explanation of this resolution.

Poll: Ayes: Gonzalez, Porter, Sisco and Council President Fontana
 Nays: None

The Council President declared the motion passed.

CORRESPONDENCE

There was an affirmative consensus from the Council to approve the following:

LETTER FROM SINGAC FIRE CO. #3 REQUESTING PERMISSION TO HANG A BANNER ACROSS MAIN STREET NEAR CENTER AVENUE FROM MAY 20, 2012 THROUGH JULY 21, 2012 TO COMMEMORATE THE COMPANY'S 100TH ANNIVERSARY.

Ordinance No. 1150 – It was moved by Councilmember Porter, seconded by Councilmember Sisco, that the public hearing on Ordinance No. 1150, “**REFUNDING BOND ORDINANCE OF THE TOWNSHIP OF LITTLE FALLS, IN THE COUNTY OF PASSAIC, NEW JERSEY, PROVIDING FOR THE FUNDING OF COSTS IN CONNECTION WITH HURRICANE IRENE AND RELATED FLOODING, APPROPRIATING \$675,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$675,000 REFUNDING BONDS OR NOTES OF THE TOWNSHIP FOR FINANCING THE COST THEREOF**”, be and it was opened.

Poll: Ayes: Gonzalez, Porter, Sisco and Council President Fontana
 Nays: None

The Council President declared the motion passed.

Councilmember SISCO asked for confirmation that they expect to get this money back. Mrs. Bergin agreed that they would receive reimbursement of 75%. Council President FONTANA said they will find out how much this will cost the taxpayers.

Al Attianese, 27 Dewey Avenue, said the Council should be aware of the cost to the taxpayers before they approve this.

No one further having come forward to be heard, it was moved by Councilmember Gonzalez, seconded by Councilmember Sisco, that the public hearing on Ordinance No. 1150 be and it was closed.

Poll: Ayes: Gonzalez, Porter, Sisco and Council President Fontana
 Nays: None

The Council President declared the motion passed.

In response to Councilmember SISCO, Mrs. Bergin provided a more detailed explanation of this ordinance and also gave some background information on same.

It was moved by Councilmember Gonzalez, seconded by Council President Fontana, that the Ordinance No. 1150 be and it was adopted.

Poll: Ayes: Gonzalez, Porter, Sisco and Council President Fontana
 Nays: None

The Council President declared the motion passed.

Ordinance No. 1151 – It was moved by Councilmember Gonzalez, seconded by Councilmember Porter, that the public hearing on Ordinance No. 1151, “**BOND ORDINANCE PROVIDING FOR THE FEDERAL EMERGENCY MANAGEMENT AGENCY MITIGATION FLOOD PROJECT IN AND BY THE TOWNSHIP OF LITTLE FALLS, IN THE COUNTY OF PASSAIC, NEW JERSEY, APPROPRIATING \$3,924,800 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$715,000 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF**”, be and it was opened.

Poll: Ayes: Gonzalez, Porter, Sisco and Council President Fontana
 Nays: None

The Council President declared the motion passed.

Donald Radcliffe, 239 Long hill Road, asked for clarification as to how long the Township will pay interest on this bond ordinance. Mrs. Bergin informed that the cost to the town is the interest on the bond.

Meeting of March 19, 2012

No one further having come forward to be heard, it was moved by Councilmember Gonzalez, seconded by Councilmember Porter, that the public hearing on Ordinance No. 1151 be and it was closed.

Poll: Ayes: Gonzalez, Porter, Sisco and Council President Fontana
Nays: None

The Council President declared the motion passed.

Councilmember SISCO informed that the current interest rate is unknown and said the Council shouldn't be approving this without that information. Mrs. Bergin explained that the Bond Counsel is aware of the interest cost.

It was moved by Councilmember Gonzalez, seconded by Councilmember Sisco, that the Ordinance No. 1151 be and it was adopted.

Poll: Ayes: Gonzalez, Porter, Sisco and Council President Fontana
Nays: None

The Council President declared the motion passed.

Award of Fair & Open Contract to Grinnell Recycling for Vegetative Waste – It was moved by Councilmember Sisco, seconded by Councilmember Fontana, that the Council approve the following:

RESOLUTION [G] 12-03-19 - #7
AUTHORIZING THE AWARD OF A FAIR AND OPEN CONTRACT FOR
TRANSPORTATION AND DISPOSAL OF VEGETATIVE WASTE

WHEREAS, on February 24, 2012, the Township of Little Falls received proposals for transportation and disposal of vegetative waste services as follows:

S. Rotondi & Sons, Inc. Summit, NJ	Nature's Choice Jersey City, NJ
Proposal: \$231,000.00 – 3 year contract \$404,680.00 – 5 year contract	Proposal: \$No Response

Grinnell Recycling
Sparta, NJ
Proposal: \$266,250.00 – 5 year contract

and, WHEREAS, the Department of Public works Superintendent has reviewed the bids for technical sufficiency and it is subject to legal review; and

WHEREAS, the award is subject to the Availability of Funds and certification of same in Solid Waste, O/E;
NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Little Falls that the firm of:

Grinnell Recycling
Sparta, New Jersey

be awarded a five year (1/1/2012 to 12/31/2016) contract for recycling services in the amount of
\$266,250.00

and that the Clerk be and is hereby authorized and directed to advertise the within award of contract; and

2) That the Mayor and Clerk be and they are hereby authorized to execute a contract in a form 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.

Council President FONTANA reminded that this was discussed during the previous meeting, at which time Mr. Simone provided a report on same. Mr. Trapanese advised that this should be approved subject to legal review.

Poll: Ayes: Gonzalez, Porter, Sisco and Council President Fontana
Nays: None

The Council President declared the motion passed.

PUBLIC PORTION

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

Poll: Ayes: Gonzalez, Porter, Sisco and Council President Fontana
Nays: None

The Council President declared the motion passed.

Al Attianese, 27 Dewey Avenue, asked if the public would have answers to the questions raised by Mr. Radcliffe at the next meeting.

Louis Fernandez, 54 Harrison Street, voiced his disappointment that the Township Attorney never gives a straight answer to questions that are raised. He asked for the Attorney's office to have better communication so they can be more information to the public.

Donald Radcliffe, 239 Long Hill Road, pointed out that there will be changes made to the Budget, and asked if these will be made available to the public prior to the public hearing.

Brian Reynolds, 7 Notch Road, explained that there are a number of programs in this year's budget that have not been appropriated for, and asked if they have been eliminated. He referred to Resolution [G] and asked what vegetative waste is for; he asked why so much money is being spent on this. He was disappointed in this year's Budget, and explained that it includes Fire Department salaries this year, which is new; he asked why. Regarding the paid EMS service, he said he is against the hiring of employees for this purpose.

Meeting of March 19, 2012

Larry D’Astolfo, William Street, voiced concern regarding the properties in the flood zone that will be acquired. He was concerned that the town would lose property taxes, which would result in a tremendous burden to the other taxpayers. He also pointed out that many of these homes will be elevated and will acquire more square footage.

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

Poll: Ayes: Gonzalez, Porter, Sisco and Council President Fontana
 Nays: None

The Council President declared the motion passed.

Council President FONTANA assured that he would get answers for Mr. Attianese.

Council President FONTANA agreed with Mr. Fernandez’s comments.

Mayor POST said these are all grants, noting that it is not something that is appropriated every year. She further noted that it is something that is drawn from; not added to.

Mr. Simone explained that vegetative waste is for the trucking and disposal of the leaves, the grass and the brush, noting that most of the companies who submitted a bid have their own recycling facilities, which makes it easier. Mr. Wilk added that this also makes it cheaper.

Mrs. Bergin said she doesn’t know if this line item has anything to do with the EMS, but assured that she would look into it.

Councilmember GONZALEZ agreed with Mr. Reynolds’ comments and said she is still puzzled by the EMS situation. She explained that she has been doing a lot of research and giving alternative information to the Fire Chief, who doesn’t show any interest. She informed that she spoke to the Mayor and Administrator about the safety of the town be jeopardized and said they must do something to settle this problem. She explained that this must be studied thoroughly, and said she hopes they can regenerate the volunteer department.

Councilmember SISCO wished to clarify that he was not concerned about the Mitigation Plan, but because the Council doesn’t have facts; they need to know this information.

PAYMENT OF BILLS

It was moved by Councilmember Gonzalez, seconded by Councilmember Sisco, 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, Porter, Sisco and Council 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 Sisco, seconded by Councilmember Gonzalez, that the meeting be and it was adjourned at 8:40 p.m.

William E. Wilk
Municipal Clerk

Cynthia Meyer
Deputy Municipal Clerk