

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

**Monday, March 21, 2011**

Council President Louis Fontana called the meeting to order at 7:30 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 Auditor Gary Higgins, Municipal Clerk William Wilk and Township Administrator Henry Underhill.

Absent: Township Engineer Dennis Lindsay

Township Employees present: Police Chief John Dmuchowski, Fire Chief Jack Sweezy, Fire Department President Michael Burke 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 Sisco, that the Minutes of the meeting of January 24, 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 referred to the flooding that took place last week and commended all departments and everyone else who helped out in every way possible. He voiced his understanding that residents cannot continue to live under these conditions, and said he is frustrated that they cannot fix it. He suggested drafting a letter to state representatives asking for support of the community and asking them to focus their energy on attacking this situation. He explained that they must put pressure on these representatives to send money to help fix this. He suggested sending the letter out to neighboring communities to ask for their support as well. There was an affirmative consensus to draft said letter. Mayor DeFrancisci suggested that he address the letter to the communities in the Passaic County Basin as well.

**COUNCIL MEMBER REPORTS**

Councilmember SISCO commended all those involved in helping through the flood. He expressed his gratitude and described the flooding to be a terrible situation.

Councilmember GONZALEZ commended the organization of the town throughout the flood. She also reported that she met with the Senior Advisory Board, noting that they are aiming to get something together for 4/20/11; they are trying to get in touch with the Historical Society. She also met with the Tri-town MSU Board; there is nothing to report at this time. She referred to Mr. Nowak's recent article in the newspaper and thanked him for his statements. She explained that she is here to represent the people of Little Falls and assured that she does her research on all topics before voting at a meeting; she is here to work for everyone.

Councilmember POST was sympathetic to all of the victims of the flood; however, she pointed out that the town is blessed with its amount of emergency response. She commended all of them for their services. She pointed out that the stop sign at Paterson Avenue and Main Street was installed. She also explained that she met with the Grants Committee; Kathleen Karen from Passaic County attended and provided more resources on how to pursue an Open Space Fund for Little Falls. She also met with the Finance Committee; she thinks this year's budget is a good one. She commended Mayor DeFrancisci for all of his hard work on the budget. She also informed of the new Little Falls Art Council, which is a new community group created by Erin Anthony; her contact information is on the Website. Our Garden Club is going to be participating in the Montclair Art Museum, where they have created a centerpiece to go with a piece of art that was elected by the museum; this will take place from 5/11/11 to 5/15/11.

Councilmember VANTUNO voiced his support of the letter regarding flooding. He informed that he will be meeting with the Board of Education in April regarding the budget. On 3/31/11, MSU is having a function for surrounding towns to talk about issues regarding what is going on at MSU.

**MAYOR'S REPORT**

Mayor DeFrancisci also commended all who helped throughout the flood, and pointed out that Councilmember Gonzalez helped cook. He thanked Shop Rite for their donations and for the help of their employees as well. He said that any support will help to move this along, and pointed out that there is no better time than now to keep pressure on this subject. He informed that he recently met with representatives of the Army Corps of Engineers; studies have been completed and they are now ready to take further action. He was also sympathetic to the flood victims, assuring that they will try to find a solution. He informed that the elevation project is not scheduled to begin until this time next year. He further noted that this is not a simple process, but they are doing all they can.

**ATTORNEY'S REPORT**

**Meeting of March 21, 2011**

Mr. Trapanese explained that the Brownstone apartment units filed suit against the town with regard to the Rent Control Ordinance; the Township has successfully resisted this. He informed that the landlord has requested to have a meeting with the Council to discuss certain issues, and further noted that they would need to establish a committee to meet with the landlords. Council President FONTANA said he would speak to the rest of the Council to set this up.

**ENGINEER’S REPORT**

Mr. Wilk explained that Mr. Lindsay had asked for a consensus from the Council to allow him to go out to bid on the Louis Street pump station. He explained that this was proposed several years ago and clarified further, noting that they have already bonded for this. There was a general consensus to allow Mr. Lindsay to go out to bid for this.

Council President FONTANA explained that he had a letter from Phil Simone, explaining that a pump was destroyed during the recent flood. He informed that there are emergency backup pumps on site and they will continue to use them until the new pump is installed, which could be up to five months. The entire pump was destroyed and Mr. Simone declared this to be an emergency, which allows the town to move quickly to award a contract to replace the pump.

Gary Higgins, Township Auditor, explained he was in attendance this evening to give some background on the 2011 Municipal Budget. He explained, in depth, the details of the proposed budget, and pointed out that the Mayor has spent many hours working to prepare the budget within a two percent tax levy CAP. He informed that there is a new alarm fee revenue coming in from the college, which is offsetting increased taxes. He also pointed out that three full-time positions were made part-time, noting that many other matters were reviewed and changed to achieve this year’s budget. He explained that every department and its expenses were closely inspected in order to find savings and make changes. With respect to the tax levy 2% CAP, this budget is \$245,914.00 beneath the 2% tax levy cap. The budget is \$301,462.00 below the appropriation CAP, which is another substantial amount. The tax rate, which was 57.2 cents in 2010 for Municipal purposes only, will rise to 58.2 cents, which equates to a \$38 increase per home. They sat with the Finance Committee to review this. As a group between the Mayor and the Council, this was done as a joint effort and there is a great product. Four weeks from now, when they do the public hearing, there will potentially be an amendment to deal with the flooding costs.

Authorizing the 2011 Municipal Budget to be Read by Title – It was moved by Councilmember Vantuno, seconded by Councilmember Sisco, that the Council approve the following:

RESOLUTION [T] 11-03-14 - #1

Resolution Re: Waiver of Reading in Full of the 2011 Budget

WHEREAS, N.J.S. 40A:4-8 permits that the Budget as advertised may be read by its title providing that at least one week prior to the date of the hearing a complete copy of the approved budget shall

- a) be posted in a public place where public notices are customarily posted and at the free public library, and
- b) is made available to each person requesting the same during said week and during the public hearing, and

WHEREAS, the Township of Little Falls has complied with the aforesaid requirements.

NOW, THEREFORE, BE IT RESOLVED, by the Governing Body, the reading in full of the 2011 Budget be dispensed with.

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

The Council President declared the motion passed.

Ordinance No. 1118 – It was moved by Councilmember Post, seconded by Councilmember Gonzalez, that there be introduced and the meeting of April 11, 2011 set as the date and time for the public hearing on the following:

**CALENDAR YEAR 2011 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 2.0% 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 2011 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 1.5% increase in the budget of said year, amounting to \$140,211 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 2011 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 1.5%, amounting to \$140,211, and that the CY 2011 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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Mr. Higgins explained that there is a cost of living adjustment that is determined by the NJ Division of Local Government Services, which is two percent this year. This does not initiate additional spending; it merely provides an additional bank for future years in case they need to go beyond the CAP within the next two years. It is not a commitment to spend. He recommended that this be part of the budget package approval.

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

The Council President declared the motion passed.

## Meeting of March 21, 2011

Introduction of the 2011 Municipal Budget – It was moved by Councilmember Sisco, seconded by Councilmember Post, that the Council approve the following:

RESOLUTION [U] 11-03-21 - #2

Re: Introduction of 2011 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 2011.

BE IT FURTHER RESOLVED, that the said budget be published in the Herald News in the issue of April 14, 2011, and that a hearing on the Budget will be held at the Municipal Building on April 25, 2011 at 7:30 o'clock (P.M.) or as soon thereafter as the matter may be reached.

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

The Council President declared the motion passed.

### PUBLIC PORTION

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

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

The Council President declared the motion passed.

Eugene Kulick, was interested in finding out the cost of the new Justice Complex, noting that a lot of changes have been made. He questioned where they will be regarding cost when the building is completed. He also questioned the bonding situation in connection with the project.

Mr. Higgins explained that as of 12/31/10, the outstanding serial bonds are \$16,430,000. This budget has nothing to do with the Justice Complex, other than the debt that is being paid on the ordinance. As of 12/31/10, there was \$171,000 of available balance in that ordinance. He reiterated that his inquiries are not related to this budget document.

Mr. Kulick was happy to hear about the Lewis Street pump station, and noted that this was passed a couple of years ago. He hopes they will start to raise these homes. He asked Joanne Bergin to address this matter. He commended the DPW for clearing out the area so quickly; he also thanked everyone else who was involved.

Victor Nowak, 8 Stephen Place, addressed his recent letter in the newspaper regarding Councilwoman Gonzalez; he explained it was a compliment to her.

Arnold Korotkin, Long Hill Road, pointed out that the clock in front of the Municipal Building has been set and they are back on time. He thanked Councilmember Post for mentioning the Art in Bloom Event, which takes place every other year at the Montclair Art Museum. He also thanked Councilmember Vantuno for mentioning the MSU meeting. He agreed with the attorney regarding the support of the rent control ordinance. He was curious as to whether or not the Reverse 911 System was used in the recent flood; he also questioned if the email notification system was used. Since they are talking about the elevation of homes, he suggested that they put the matter of the Beattie's Dam on a future agenda for discussion. He also pointed out that the Mayor's After Action Report should include citizens' input. Last Wednesday, the NJ State Assembly Budget Committee held a public hearing on the campus of MSU in University Hall regarding the State Budget and focused on several other issues, including education and local government issues. Many people spoke at the hearing; the Mayors of Paterson and East Orange were in attendance. He suggested that the Mayor and Council write a letter to this committee expressing its opinions about remediation for having a university in the Township.

Dorothy O'Haire, Turnberry Road, said she came here this evening to request the Council to pass a resolution to send a letter to the Governor and to our Congressmen, stating that something must be done with Beattie's Dam. She explained that Beattie's Dam will bring flood crest down eight feet, which will eliminate flooding. She said she is willing to write the letter herself. She has already spoken to the Congressman's Office and they are trying to set up a meeting for sometime in April; nothing is set in stone. She further noted that she would do it herself if the Council wouldn't.

Renea Shapiro, Little Falls ABC, thanked the Mayor, Council and DPW for changing the Yield sign on Paterson Avenue, to a Stop sign; she is hoping this will be a big improvement. She was hoping to discuss the possibility of another Stop sign at Montclair Avenue and a blinking light at Wilmore Park with the Council this evening. She also asked that discussion be added to the next Workshop Agenda regarding LED lights. She explained that they did a walk and cleaned up the Morris Canal. She pointed out that Main Street is starting to look very poor, and asked if there was an ordinance that could be put in place to fix this. She also questioned whose responsibility it was to clean this up. Ms. Shapiro also informed that there will be a large casting call at the Garden Club meeting, which will be held on March 30, 2011 at the Civic Center.

Edward Schumacher, 75 Woods Road, explained that he was here this evening to put on the record the status of the Woods Road property. He explained that he has been wanting to put up single-family homes on Woods Road, but he doesn't have the right zoning to do so. Next month, he will be coming before the Planning Board with 30 townhouses and zero variances. His attorney will be continuing with townhouses, but he needs the proper zoning in order to do the single-family homes. He explained that letters were sent to the Township by his attorney; at this point, he has to move forward. He thinks the single-family homes would be a better option for the town.

Frank Zimmerman, Long Hill Road, said he has been coming to all of the Council meetings for the past couple of years; he asked the Council to show leadership to get this accomplished for Mr. Schumacher. He explained that this is a window of opportunity for the town and he hoped they would get his done.

Brian Reynolds, 7 Notch Road, asked for the original amount of the ordinance to pay for the Justice Complex. He explained that he went down to the flood area to help load sandbags and they wouldn't let him help. He was hoping to ask Mr. Lindsay how many sandbags it would have taken to help to keep the flooding down. He also pointed out that people had to come and

**Meeting of March 21, 2011**

get their own sandbags. The meeting at MSU regarding education also had presentations on how to save money; no one from Little Falls was in attendance.

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, Post, Sisco, Vantuno and President Fontana  
Nays: None

The Council President declared the motion passed.

Council President FONTANA said they could get the total cost of the Justice Complex. Mayor DeFrancisci said there has been one Change Order since the construction started; it will not exceed the amount that was originally bonded for the Justice Complex. He explained that they have a very strong Construction Manager keeping CGT Construction to budget with the project.

Mr. Underhill said the Reverse 911 was used and the email notification system was not, because he doesn't have a way of sending it to a certain area of town. Chief Dmuchowski said the Reverse 911 was used more than once, which included pre-evacuation notices.

Mayor DeFrancisci said he will try to get feedback from residents for the After Action Report. There was an affirmative consensus to write a letter to the Governor and the Assemblymen. Councilmember GONZALEZ also said that a lot of people should show up with Mrs. O'Haire to the Freeholder's Meeting regarding the Cedar Grove Road wall.

President FONTANA said they will put the discussion of the stop sign and blinking lights on the next Workshop Agenda.

Councilmember GONZALEZ explained that there is a tobacco store that just opened up in town. She asked if there is anything they can do about having the store keep its store front free of papers and other things, as they are trying to keep the town clean. Mr. Trapanese said there is a State regulation for this; he will speak with the Construction Code Official about this.

Mayor DeFrancisci voiced his understanding of Ms. Shapiro's remarks regarding Main Street, but explained that the problem is that the store owners are not tending to their store fronts. There needs to be some responsibility of the store owners to clean up as well. Councilmember Gonzalez agreed with the Mayor, but said they must continue to enforce this issue.

Mayor DeFrancisci said Mr. Schumacher knows that they have had two meetings with the Woods Road group, which is a group of people that lives in that area. He thinks they are going to have a resolution to go ahead with single-family homes. Mr. Schumacher explained that his attorney still has to proceed with the townhouses, as there is a stipulation of settlement. He further noted that he will not be in attendance for the Planning Board meeting, as he will be out of town; his attorney is not aware that he is here this evening.

Councilmember SISCO thought the original amount of bonding for the Justice Complex was \$4.4 million. Mayor DeFrancisci said there is not a town in Passaic County that is better prepared than Little Falls. Councilmember GONZALEZ asked Mr. Reynolds if there is anything the Council is doing within which he is satisfied; the Mayor has been working very hard. She pointed out that they must move forward and not focus on the past, noting that it is discouraging to always hear what they should have done. They are all working very hard as a town to get things moving forward. She added that the issue of the number of sandbags in a moot point at this time.

**C O N S E N T A G E N D A**

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**

Township Clerk's Report – Month of February 2011

TOWNSHIP CLERKS REPORT  
Month of February 2011

ABC LICENSES		
OTHER LICENSES		
Business Licenses	\$655.00	
Pre-paid Business Licenses		
Raffle Licenses	60.00	\$715.00
REGISTRAR OF VITAL STATISTICS		
Fees & Permits	\$528.00	
Marriage Licenses-LF	18.00	
Marriage Licenses-NJ	150.00	\$696.00
MRNA		
Street Maps	\$12.00	
Zoning Maps	6.00	
Zoning Ordinances		
Document Copies	21.95	
Garage Sales		
Misc. Fees & Refunds:		
TOTAL MRNA		\$39.95
TOTAL CURRENT ACCOUNT		\$1,450.95
TOTAL TO TREASURER		\$1,450.95

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

TOWNSHIP CLERK'S DOG/CAT LICENSE REPORT

**Meeting of March 21, 2011**

Month of February 2011

**Dog Licenses** issued 2/1/11 thru 2/28/11  
 Nos. 375 to 379 = 5 Licenses  
 Amount due Little Falls \$34.00  
 Amount due State 18.00  
 Total Cash Received \$52.00

**Cat Licenses** issued 2/1/11 thru 2/28/11  
 Nos. 052 to 060  
 Licenses Issued 9  
 Total Cash Received \$72.00

Total to Treas. \$124.00

Township Tax Collector's Report – Month of February 2011

**MONTHLY REPORT**

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

	<u>To February 28, 2011</u>	<u>2011 YEAR TO DATE</u>
2011 Taxes	\$5,967,113.89	\$9,551,357.04
2010 Taxes	94,146.08	184,787.82
Prepaid 2012 Taxes	0.00	0.00
Interest	9,538.06	13,198.62
Township Tax Title Lien	0.00	0.00
Township Tax Title Lien Int.	0.00	0.00
Cost of Tax Sale	0.00	0.00
Outside Tax Liens	0.00	13,736.01
Duplicate Tax Bills	5.00	75.00
Tax Searches	0.00	0.00
Insufficient Check Charge	0.00	20.00
6% Penalty Fee	0.00	957.52
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	0.29	0.29
<b>GRAND TOTALS</b>	<b>\$6,070,803.32</b>	<b>\$9,764,132.30</b>
<b>Comparison of Years:</b>		
February 1, 2011 to February 28, 2011	\$6,070,803.32	\$9,764,132.30
February 1, 2010 to February 26, 2010	<u>6,216,398.08</u>	<u>9,110,280.81</u>
	-\$145,594.76	+\$653,851.49

Delinquent 2011 Taxes = \$454,283.22 (1<sup>st</sup> Qtr.—242 line items)  
 Delinquent 2010 Taxes = 317,343.80 (Tax sale 06/15/11---82 line items)  
 \$771,627.02

**Comparison--same time last year:**  
 Delinquent 2010 Taxes = \$435,395.77 (1<sup>st</sup> Qtr.—256 line items)  
 Delinquent 2009 Taxes = 233,702.49 (Tax sale 10/20/10---64 line items)  
 \$669,098.26

Bounced checks this month = \$0.00      Year-to-date bounced checks = \$0.00  
 Refunds this month = -\$0.00              Year-to-date refunds = -\$0.00

**APPLICATIONS**

Little Falls Fire Department Auxiliary – David Gensinger, Tristen Road, Clifton, Great Notch Company No. 3

Blue Light Permit – Adam Traugh, Valley Road, Clifton, Little Falls Fire Department  
 - - Robert Ingram, Valley Road, Clifton, Eagle Rescue Squad

**RESOLUTIONS**

Agreement for 2010 Tax Appeal

RESOLUTION [A] 11-03-14 - #3

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:

2 First Avenue                              Block 120    Lot 9

	<u>Original Assessment</u>	<u>County Board</u>	<u>Requested Tax Judgement</u>	<u>Court Judgment</u>
2010 Land:	\$246,000		\$246,000	\$246,000
Improvements:	<u>\$463,000</u>	<u>\$433,000</u>	<u>\$369,000</u>	
Total:	\$709,000	\$679,000	\$615,000	

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.

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RESOLUTION [B] 11-03-14 - #4



**Meeting of March 21, 2011**

Bernard B. Montalbano, Esq.  
representing payment for legal services rendered in connection with Diamond Holding, LLC – Walgreens 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.

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RESOLUTION [I] 11-03-14 - #11

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

\$150.00

payable to:

Bernard Montalbano, Esq.  
representing payment for legal services rendered in connection with Daniel 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.

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Welfare

RESOLUTION [J] 11-03-14 - #12

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:

\$1,260.00 (\$210.00 each)

payable to:

Welfare Clients #s 55, 58, 60, 61, 65 & 66  
representing payment of Self-Care for the month of March 2011 be and the same is hereby authorized and ratified.

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Welfare – Security Deposit & Rent

RESOLUTION [K] 11-03-14 - #13

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:

\$1,800.00

payable to:

Thomas Assante  
Pacific Avenue  
Garfield, NJ 07026

representing payment of Security Deposit & Rent for the month of March 2011 be and the same is hereby authorized and ratified.

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Refund for Overpayment of 1<sup>st</sup> Quarter 2011 Taxes

RESOLUTION [L] 11-03-21 - #14

WHEREAS, the property known as Block 252 Lot 3.01 in the name of State of NJ Dept Transportation of 280 Route 46W, Little Falls had acquired this property as of October 7, 2010 from the Passaic Valley Water Commission; and

WHEREAS, a tax exemption was granted by our Tax Assessor’s office in property taxes as of January 1, 2011; and

WHEREAS, Passaic Valley Water Commission has paid the 2011 1<sup>st</sup> quarter taxes in the amount of \$273.22 on February 7, 2011; and

WHEREAS, as per the exemption as of January 1, 2011 the Tax Collector shall authorize our CMFO/Treasurer to refund the total amount of \$273.22 made payable to: Passaic Valley Water Commission, 1525 Main Avenue, Clifton, NJ 07011;

NOW, THEREFORE BE IT RESOLVED by the Township Council of the Township of Little Falls on this 21st day of March 2011 that the amount of \$273.22 be refunded to Passaic Valley Water Commission by the Tax Collector/CMFO due to the current owner (State of NJ Dept Transportation) being tax exempt.

RESOLUTION [M] 11-03-21 - #15

WHEREAS, the property known as Block 252 Lot 4 in the name of State of NJ Dept Transportation of Route 46W, Little Falls had acquired this property as of October 7, 2010 from the Passaic Valley Water Commission; and

WHEREAS, a tax exemption was granted by our Tax Assessor’s office in property taxes as of January 1, 2011; and

WHEREAS, Passaic Valley Water Commission has paid the 2011 1<sup>st</sup> quarter taxes in the amount of \$10.31 on February 7, 2011; and

WHEREAS, as per the exemption as of January 1, 2011 the Tax Collector shall authorize our CMFO/Treasurer to refund the total amount of \$10.31 made payable to: Passaic Valley Water Commission, 1525 Main Avenue, Clifton, NJ 07011;

NOW, THEREFORE BE IT RESOLVED by the Township Council of the Township of Little Falls on this 21st day of March 2011 that the amount of \$10.31 be refunded to Passaic Valley Water Commission by the Tax Collector/CMFO due to the current owner (State of NJ Dept Transportation) being tax exempt.

Riddick Associates

RESOLUTION [N] 11-03-21 - #16

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:

\$218.75

payable to:

Riddick Associates, P.C.  
representing payment for engineering services rendered in connection with Ciasulli/Lexus – 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.

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RESOLUTION [O] 11-03-21 - #17

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:

\$87.50

payable to:

Riddick Associates, P.C.  
representing payment for engineering services rendered in connection with Trabona Montessori School – 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.

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

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

The Council President declared the motion passed.

**REGULAR AGENDA**

The following items were individually considered.

**INTERDEPARTMENTAL**

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

RESOLUTION AUTHORIZING TRANSFERS IN THE 2010 BUDGET: \$4,445.00 [P]#18

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

The Council President declared the motion passed.

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

RESOLUTION AUTHORIZING A TEMPORARY EMERGENCY APPROPRIATION FOR THE 2010 MUNICIPAL BUDGET: \$1,528,403.00 [Q]#19

Mr. Wilk briefly explained this resolution.

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

The Council President declared the motion passed.

**NEW BUSINESS**

Awarding Contract to Crossroad Construction – It was moved by Councilmember Gonzalez, seconded by Councilmember Vantuno, that the Council approve the following:

RESOLUTION [R] 11-03-14 - #20

WHEREAS, the Township of Little Falls accepted bids on February 9, 2011 for improvements to Viewmont Terrace and Brookhill Place; and, WHEREAS, the bids received were as follows:

Crossroad Construction Newark, NJ \$271,419.00	AJM Contractors Clifton, NJ \$317,837.75
Cifelli & Son General Construction Nutley, NJ \$336,447.50	Smith-Sony Paving Contractor Wallington, NJ \$352,631.51
	DLS Contracting Clifton, NJ \$373,967.00

and,

WHEREAS, the submitted lowest bid from Crossroad Construction was reviewed by the Township Engineer and the Township Attorney for technical and legal sufficiency and found to be in compliance; and,

WHEREAS, the Township Engineer and the Township Attorney have recommended award of the contract to Crossroad Construction,

NOW, THEREFORE, BE IT RESOLVED, that the Township of Little Falls hereby awards a contract to Crossroad Construction for Improvements to Viewmont Terrace and Brookhill Place in the amount of \$271,419.00,

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

The Council President declared the motion passed.

Ordinance No. 1117 – It was moved by Councilmember Vantuno, seconded by Council President Fontana, that the public hearing on Ordinance No. 1117, **“ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 280 (ZONING) ARTICLE 11 (BUSINESS B-2 DISTRICT) SECTION 81 (CONDITIONAL USES-SECTION B – BILLBOARDS OR OFF SITE ADVERTISING SIGNS) AND SECTION 154 (DEFINITIONS) OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF LITTLE FALLS”**, be and it was opened.

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

The Council President declared the motion passed.

Angela Jones, 25 Bradcliffe Avenue, Woodland Park, explained that she doesn't have a lot of information on the issue of the billboards, but asked if she was correct in thinking that one of the signs would be placed on the up ramp under route 46, just off McBride Avenue.

Mr. Underhill said there is an application before the State DOT for a proposed site. Councilmember GONZALEZ said the sign will not face the homes, but it will face the highway. Mrs. Jones asked if there has been any kind of study done as to the danger of these signs, noting that she is worried about the safety of the drivers. She said some extra thought should be given, and asked if a feasibility study should be done. Mr. Underhill informed that there is an application to the DOT, but he didn't

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believe that there would be a public hearing on that. However, he assured that the DOT has a genuine safety basis for when they approve something.

Arnold Korotkin, Long Hill Road, said he is concerned about the process in which this ordinance was reviewed. There were several points in which the public was not notified regarding this ordinance. He thinks this should have been done differently, and pointed out several issues that should be addressed in the ordinance. He explained that there is a need to consider potential negative outcomes pertaining to the billboards; he also urged that they consider this very carefully, and not rush into it.

John Veteri, 133 Prospect Street, referred to Paragraphs “F” and “G” of the Ordinance, and explained his understanding that this was to be restricted to 2,000 feet, and to eliminate the 1,000 feet and 500 feet. He also pointed out that an issue had come up at the Planning Board that no billboard shall be erected on a lot that has another structure. He has not seen the revised ordinance, but he reminded that these things should be reflected in same.

Dorothy O’Haire, Turnberry Road, also voiced concern with regard to how this ordinance was handled. She explained that the town applied for licenses before they knew if the Ordinance would be approved or not. She voiced her understanding that this was rushed through and the ordinance itself is flawed. She said it deserves a second look, and also questioned if the billboards will be digital. She explained that this would be a safety hazard for drivers and everyone else. She further noted that there are a total of 450,000 billboards in the USA, with only 0.004% being digital. She said that Little Falls shouldn’t have digital billboards and hoped the Council would reconsider.

No one further having come forward to be heard, it was moved by Councilmember Gonzalez, seconded by Councilmember Post, that the public hearing on Ordinance No. 1117 be and it was closed.

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

The Council President declared the motion passed.

Council President FONTANA said they didn’t enter into a contract yet, and informed that they have estimates, depending on what kind of a sign it will be.

Mayor DeFrancisci explained that there is a billboard in the City of Clifton; you come into Little Falls and you don’t see anything. Once you leave Little Falls, there are billboards in all of the surrounding towns up and down the highway; it is in a commercial zone. He explained that all questions that needed to be answered about these billboards have been answered. Mrs. O’Haire pointed out that she had more information than the Planning Board did on this Ordinance.

Council President FONTANA said they could limit the messages that appear on the billboards as part of the contract. The Township would also be allowed to have a certain amount of items on the sign per hour. Referring to the cell phone placement on top of the billboards, he said he thought this was a good idea and said they would look into this.

Mr. Trapanese said the comments of the Little Falls Planning Board have been incorporated into the new ordinance; he will double check to make sure all of the language is correct.

President FONTANA explained that he takes Route 3 to work everyday and there is a digital billboard by the Meadowlands; there is one by the Lincoln Tunnel as well. They look like big televisions. Councilmember GONZALEZ asked if they can get all of the specifics from the billboard company before signing the contract. Mayor DeFrancisci agreed that they could. Mr. Trapanese said this ordinance is giving the Township the approval to move forward with a contract and allowing the Mayor to execute same.

It was moved by Councilmember Gonzalez, seconded by Councilmember Fontana, that the Ordinance No. 1117 be and it was adopted.

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

The Council President declared the motion passed.

Authorizing Submission of a 2011 CDBG – It was moved by Councilmember Sisco, seconded by Councilmember Gonzalez, that the Council approve the following:

**RESOLUTION [S] 11-03-14 - #21  
RESOLUTION OF THE TOWNSHIP OF LITTLE FALLS, COUNTY OF PASSAIC, STATE OF NEW JERSEY, AUTHORIZING THE  
SUBMITTAL OF THE FISCAL YEAR 2011 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 2011 Passaic County Community Development Block Grant application to the Passaic County Department of Economic Development for a repairs to the Recreation Center building that ensure handicapped accessibility;

**WHEREAS**, at a meeting held March 21, 2011, 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 Michael DeFrancisci 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.

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Joanne Bergin explained that they are making application to the Passaic County Community Development Block Grant Program. They are very limited to what they can apply for; it is meant for low-income areas; therefore, they look for public improvement project. Last year they submitted an application for the roof of the Library and that grant was awarded. This year they applied for repairs to the Recreation Building, which will include new front doors and making all bathrooms handicapped accessible.

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

The Council President declared the motion passed.

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### 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, Post, Sisco, Vantuno and President Fontana  
Nays: None

The Council President declared the motion passed.

Renea Shapiro, Little Falls ABC, referred to the cleaning of the streets and clarified that the store owners should be required to keep up with their store fronts; not the DPW. If there isn't an ordinance to do so, they should establish one for this.

Arnold Korotkin, Long Hill Road, was pleased to hear the Auditor's report and he thanked the Mayor for his hard work on the budget. He asked if the public could have access to the budget before the public hearing.

Brian Reynolds, 7 Notch Road, referred to the recent flooding and explained that there weren't any emails sent to those people who were on the email notification list. He thought more could have been done with the flooding, and said they should have been more prepared.

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. all aye to close to the public.

Mr. Trapanese pointed out that there is an International Property Code Ordinance which deals with the maintenance of properties. He explained that it is the Code Enforcement Officer's duty to enforce the code. Some of these matters may need to come to that person's attention so they can be addressed.

Mr. Underhill informed that the Budget would be posted on the Website tomorrow.

Councilmember GONZALEZ asked Mr. Underhill to get the email notification system working, so they can get this started.

### PAYMENT OF BILLS

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

#### RESOLUTION [BL]

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

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

The Council President declared the motion passed.

Shred-It USA Inc.	General Admin.		53.15
Standard Printing			`136.60
Verizon Wireless			`139.00
Michael DeFrancisci			`209.91
AM/PM Services	A & E		99.00
Dell			`309.86
North Jersey Media Group			`223.77
North Jersey Media Group			`39.70
North Jersey Media Group			`226.99
Poland Spring			`17.86
Treasurer, State of NJ			`50.00
Apollo Print Incorporated	Treasurer		444.70
Lerch, Vinci & Higgins, LLP			`2300.00
Lerch, Vinci & Higgins, LLP			`375.00
Lerch, Vinci & Higgins, LLP	2010		16,900.00
North Jersey Media Group	Tax Assessor		36.49
Vital Communications			`700.00
Professional Gov. Educators	Tax Collector		90.00
Clarion Office Supply			`264.52
Mc Manimon & Scotland	Legal		3310.42
Trapanese & Trapanese, Esq.			`12,500.00
Clarion Office Supply	Municipal Court		19.99
Gramco Inc.			`250.00
Miami Systems Corporation			`220.00
MCAA of NJ			`90.00
Poland Spring			`10.99
Bernard B. Montalbano, Esq.	Planning Board	2010	3075.00
North Jersey Media Group			`34.19
North Jersey Media Group		2010	36.03
Bernard B. Montalbano, Esq.			`275.00
Kauker & Kauker, LLC			`1527.50
NJSHBP	Group Health Ins.		73,278.56
Teamsters Local 97 Benefit Fund			`1500.00
Teamsters Local 97 Benefit Fund			`1450.00
Shop Rite Pharmacy			`9476.82
Clarion Office Supply	Aid to Volunteer Fire		19.99
Jonathan Cespedes			`150.00
Pinnacle Wireless, Inc.			`152.50
Verizon Wireless			`127.96
Verizon Wireless			`88.72
NJ-IAAI	Fire Hazard		400.00
Passaic Cty. Fire Prevention			`100.00
Chief	Police	2010	10.99
Galls Incorporated		2010	515.00
Cartridge World			`93.59
Konica Minolta			`176.77
Mobile Mini Inc.	Police		262.00
Mobile Mini Inc.			`262.00
Pinnacle Wireless, Inc.			`75.00

## Meeting of March 21, 2011

Shred-It USA Inc.		53.15
Verizon Wireless		381.90
Verizon Wireless		160.06
Clarion Office Supply		130.07
Passaic County Police Chiefs		200.00
Quality Repro		125.00
Advanced Graphix Inc.		58.56
Little Falls Auto Service		1001.21
General Parts Group, Inc.		359.60
General Parts Group, Inc.		136.45
Riddick Associates, PC	Engineer	612.50
Riddick Associates, PC		131.25
Riddick Associates, PC		306.25
Riddick Associates, PC		831.25
Riddick Associates, PC		306.25
Riddick Associates, PC		350.00
Riddick Associates, PC		1870.00
Integrated Document Tech.	Construction Code Official	26.00
Verizon Wireless		117.56
Grainger	DPW 2010	2803.50
Amer. Wear Industrial Uniform		313.00
D2L Associates, Inc.		250.00
D2L Associates, Inc.		250.00
Drive Line Service		269.34
Electronic Drives & Control		795.80
First Class Towing		80.00
Global Development		650.00
Integrated Document Tech.		13.00
JESCO Inc		637.48
JESCO Inc.		278.86
Phillip H. Simone		437.33
Pinnacle Wireless, Inc.		11.50
R & R Pump & Control		3260.00
Trico Equipment		4355.10
Verizon Wireless		350.40
Gaeta Recycling Co., Inc.	Solid Waste	35,713.34
Airgas East	Vehicle Maintenance DPW	29.00
General Parts Group, Inc.		49.98
General Parts Group, Inc.		60.31
Trico Equipment, Inc.		31.82
New Jersey Emergency Vehicles	Vehicle Maintenance Fire	366.68
General Parts Group, Inc.	Vehicle Maintenance Police	52.66
Wayne Ford Auto Sales		218.44
Wayne Ford Auto Sales		59.24
Wayne Ford Auto Sales		732.96
Wayne Ford Auto Sales		368.53
Adam Quazza	Recreation	280.00
Cintas Corporation		83.63
Integrated Document Tech.		26.00
Lifesavers, Inc.		174.95
NJ Jackals		391.00
Regal Maintenance Supply Co.		493.45
Standard Printing & Mail Service	Board of Health	1141.57
Deer Carcass Removal SVC, LLC		60.00
Passaic County Welfare	Public Assist.	100.00
4 Clean-Up, Inc.	Bond Ord. - 1098	22,622.32
Comerro Coppa	Bond Ord. - 1020	6326.68
CGT Construction, Inc.	Bond Ord. - 1020	80,475.69
Denville Line Painting, Inc.	Bond Ord. - 1047	2185.75
North Jersey Media Group	Bond Ord. - 1098	80.13
Riddick Associates, PC	Bond Ord. - 856	1563.75
Riddick Associates, PC	Bond Ord. - 1020	87.50
Riddick Associates, PC	Bond Ord. - 1046	270.00
Riddick Associates, PC	Bond Ord. - 1069	525.00
Riddick Associates, PC	Bond Ord. - 1092	1366.96
Riddick Associates, PC	Bond Ord. - 991	7562.50
Verizon	Telephone	262.03
Verizon		3874.13
MCI Communication		57.36
NJ American Water	Water	854.85
PSE&G	Street Lighting	10,004.80
Veolia Environmental Services	Tipping Fees	23,517.34
Veolia Environmental Services	Recycling Taxes	1073.85
PSE&G	Gas & Electric	27,810.42
HESS Corporation		487.36
HESS Corporation		2761.44
NJ American Water	Fire Hydrants	13,469.04
Arrow Elevator, inc.	Public Buildings & Grounds	140.00
Ocean Clean Inc.		1445.00
Spot-A-Way		105.00
Agency Account	PERS	212,124.26
Agency Account	PFRS	543,196.00
Municipal Inspection Corp.	Elevator Trust	5233.00
Rudco Products inc.	Recycling Trust	8587.00
Standard Printing & Mail Services	Flood Police	729.60
Riddick Associates, PC	Passaic Co. Block Grant	350.00
Riddick Associates, PC	Res. For Peckman River Grant	725.00

FINANCE COMMITTEE

Darlene Post

Louis Fontana

Joseph Sisco

**Meeting of March 21, 2011**

There being no further business to come before the meeting, it was moved by Councilmember Sisco, seconded by Councilmember Vantuno, that the meeting be and it was adjourned at 9:29 p.m.

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William E. Wilk  
Municipal Clerk

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Cynthia Meyer  
Deputy Municipal Clerk