

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

Monday, May 23, 2011

Council President Louis Fontana called the meeting to order at 7:41 p.m. with the following members present: Mercedes Gonzalez and Darlene Post. Also present were Mayor Michael DeFrancisci, Township Attorney Joseph Trapanese, Township Engineer Dennis Lindsay, Municipal Clerk William Wilk and Township Administrator Henry Underhill.

Absent: Councilmember Sisco and Councilmember Vantuno

Township Employees present: Police Chief John Dmuchowski, Detective Alfred Batelli and Deputy Municipal Clerk Cynthia Meyer

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

STATEMENT OF PUBLIC NOTICE: Take notice that adequate notice of this meeting was provided in accordance with N.J.S.A. 10:4-8 and N.J.S.A. 10:4-10 as follows: A notice of the meeting was prominently posted on the bulleting board at the Municipal Building, located at 225 Main Street, Little Falls, N.J. on January 4, 2011; a copy of the notice was faxed to the North Jersey Herald and News and The Record on the same date; additionally, a copy of the notice was filed in the office of the Township Clerk on said date.

APPROVAL OF MINUTES

It was moved by Councilmember Post, seconded by Councilmember Gonzalez, that the Minutes of the meeting of April 11, 2011, be approved.

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

The Council President declared the motion passed.

REMARKS FROM CHAIR

Council President FONTANA reminded that this Saturday is Memorial Day weekend and informed that the Township will have its annual parade, which starts at 10:00 a.m. at Memorial Park. He explained that this is a very important holiday and encouraged all to come out for the parade. He also informed that the Township is currently seeking support from surrounding towns to help in getting higher elected officials to help with Beattie's Dam. He read the letter that will be sent out to the other municipalities and officials at this time. He explained that they don't have any other way to fix it; hopefully this will help out.

COUNCIL MEMBER REPORTS

Councilmember GONZALEZ had nothing to report.

Councilmember POST explained that she recently attended a meeting of the 300-Year Anniversary Committee, and informed that Saturday, 10/1/11 will be the kick-off date with a parade, a picnic, a car show, fireworks and flower planting. They will have their next meeting on 6/1/11 at the Civic Center at 7:00 p.m. She invited everyone to attend. She also attended an ABC meeting; Ms. Shapiro reported on the status of the grant for the Morris Canal cleanup. She also advised about the Concert Series, which will be starting on 6/23/11 in the park.

MAYOR'S REPORT

Mayor DeFrancisci also encouraged everyone to come to the Memorial Day Parade, noting that it is a very important holiday. Referring to the flood letter that is being sent out, he commented briefly. He said he spoke to someone at the Commissioner's Office at the DEP today; he wrote a letter to Commissioner Martin last month and waiting to hear back from him.

ATTORNEY'S REPORT

Mr. Trapanese said we have Ordinance No. 1124 on the agenda this evening. It was forwarded to COAH and is on for second reading and public hearing this evening. There was a minor revision as per COAH and there are copies available to the public this evening. It provides for a method by which payments in lieu would be made under the ordinance. This correction has also been recommended by our Planner.

PUBLIC PORTION

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

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

The Council President declared the motion passed.

Dorothy O'Haire, Turnberry Road, thanked the Council for the letter and resolution regarding Beattie's Dam. Council President FONTANA explained that Mrs. O'Haire helped out and gave the Council a lot of information pertaining to this.

Barbara Moschetta, 29 Wilmore Road, concerned citizen and neighbor of Wilmore Road Park, said she called several people on Friday about the several trees that were removed for a bikeway. She was told not to worry and that old trees would not be cut out. She was able to speak with the Administrator of the Township today to voice her questions and concerns. She would like a copy of the grant that was filed; she would like to know the allowable use of that grant work. She also asked if a needs assessment was done and if so, what the results of this were. She asked how the project was selected. She voiced several other questions, which she left with the Administrator earlier in the day. She questioned the projected impact on the community for the usage of this bikeway and asked who is responsible for maintaining it.

Meeting of May 23, 2011

Carol Miller, 105 Houston Road, Vice President of the Little Falls Library, explained that Bonnie Nolan has been very involved in the Library for many years. Despite her busy life, she has managed to devote a lot of her time to the Library. On behalf of the Board of Trustees, she respectfully asked the Mayor to consider reappointing her to the board.

Frank Zimmerman, Long Hill Road, pointed out that there is a public hearing on Ordinance No. 1124 this evening, but said he would like to comment now so he would have the benefit of getting his answers during the public hearing. He wanted to know the difference between Ordinance Nos. 1120 and 1124. He also wanted to know why Ordinance No. 1120 was rescinded. He asked if the Planning Board had the opportunity to review and comment on Ordinance No. 1124.

Rachel Sullivan, referred to the trees that were cut down by the park on Wilmore Road, and said this shouldn't have been done; there were twelve trees, some of them being over 100 years old. The bike path is way too wide, and the park and equipment will be very hot in the summertime without the shade of the trees. The Township should be going green and keeping the trees.

Bill, Long Hill Road, referred to Ordinance No. 1124, and asked how payment in lieu of construction is developed, noting that it seems very low compared to other towns. He asked how they arrived at this number and asked if it is subject to change.

Raymond Kostroski, 170 Donato Drive, reminded that he had some questions at the last meeting about the construction of the Justice Complex. He asked if there was any update on this. He also informed that a light pole was knocked down in front of the Post Office due to construction here. He pointed out that this should be cleared for safety reasons.

Edward Schumacher, 65 Woods Road, wished to talk about the bike path. He pointed out that most cyclists do not use bike paths, because it doesn't go a very long distance and it is usually full of debris such as branches. He explained that tonight is the first time he has ever seen Ordinance No. 1124; he referred to the section that refers to garages and explained that he doesn't want garages being rented out. Mr. Trapanese explained the meaning of this section of the ordinance, but Mr. Schumacher still disagreed with this being included. Mr. Schumacher referred to the number regarding payment in lieu of construction and asked how they got to this.

Diane Katz, 63 Wilmore Road, said as a parent and a grandmother, she took the children to the Wilmore Road Park. This bike path has caused so much devastation, and now you can see the backs of buildings. There will now be a noise issue and a light issue because of the missing trees. They are supposed to be going green. She asked what they will replace the trees with and voiced her disappointment with the situation.

Jeffrey Pruiksmas, 45 Villa Road, member of the Library Board of Trustees, reiterated Mrs. Miller's comments in reference to Bonnie Nolan, who he described as an outstanding member of the board. He hoped the Mayor would move her reappointment this evening.

Harold Nitch, 47 Woodlawn Terrace, said the property on 43 Woodlawn Terrace has been unoccupied for nine months and is deteriorated. This has been brought up several times, but they haven't heard anything back; it's getting worse. He asked for someone to help them with this.

Brian Reynolds, 7 Notch Road, referred to the letter that is being sent out to the officials and the municipalities, and suggested it be addressed to each person it is sent out to. With regard to hiring a company to do recycling pick-up, he explained that this cost doesn't make any sense unless someone is leaving the DPW. He asked them to consider this.

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

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

The Council President declared the motion passed.

Council President FONTANA said there is a whole list of officials who will get the flood letter. Mr. Wilk said they will also be sending a copy of the resolution to the surrounding towns, along with the letter.

Mr. Lindsay said the grant application that the Township made for the bike path was done over ten years ago; he has bits and pieces of this. It was a substantial grant of approximately \$4,000, and the DEP recently said the grant was in jeopardy. He informed that the County of Passaic is also involved in this, and explained that they tried to avoid cutting trees down wherever it was possible. However, there were some complications on the Wilmore Road property as to what was Township property. They do plan to replace some of the trees that were removed. The DEP requires the bike path to be a certain width; they can reduce this by up to two feet. A lot of the path will be used by walkers, runners and families with children, not only as a bike path. They did have to meet with the Historic Preservation Office at the State level, as this is a historic site, and they had restrictions in that area.

Mayor DeFrancisci said he is aware that Ms. Nolan is up for reappointment, and assured that this is being considered. He said he would be in attendance at the next Library Board Meeting, and advised that Ms. Nolan would be a holdover member in the meantime.

Mr. Trapanese explained the difference between Ordinance Nos. 1120 and 1124, noting that it was a difference in acreage. He said they could eliminate the language regarding garages. He explained that the payment in lieu of construction is a breakdown of the money per unit into each unit. They redid this to develop more money for the Township to put into the housing trust fund. He assured that the Planning Board will have an opportunity to review this.

President FONTANA agreed with Ms. Sullivan's comments about the trees at the park.

Meeting of May 23, 2011

Mr. Underhill referred to the Justice Complex construction and explained that it was a cosmetic situation and they have plastered it over. At that point, the concrete was 12 inches thick. He also informed that the Post Office owns the property with the light post; he will reach out to them about this.

Mr. Trapanese said he has not met with Mr. Macones yet, but advised that he would report back about this once they have met about this.

Mayor DeFrancisci referred to the property on Woodlawn Terrace and said it was the first he has heard about this address; he assured that he would send someone over.

Council President FONTANA said each letter will be individually addressed to the person it is being sent to.

Councilmember FONTANA said the raising of the homes is still necessary, because they don't know if they will fix Beattie's Dam at this point.

Mr. Underhill said the cost for the recycling services will be taken from the Recycling Trust. He also noted that this service normally freezes up five or six men once a week, and explained that there are other things that could be done with that man power.

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.

APPLICATIONS

Blue Light Permit – Lauren E. Vander Kooy, Whippy Avenue, Woodland Park, Little Falls Fire Department

NJ State Firemen's Association – Brian P. Fisher, Zeliff Avenue, Singac Fire Co. #3
- Nicholas T. Campagna, Mozart Avenue, Singac Fire Co. #3

RESOLUTIONS

Refund of 2010 Taxes

RESOLUTION [A] 11-05-23#1

WHEREAS, there is a State Tax Court Judgment on Block 231 Lot 1.03, known as Sean & Diane Murphy of 10 Tivoli Court, Little Falls, NJ for the Year 2010 reducing the assessed value by \$102,900.00;

YEAR 2010

Original Assessment	\$952,900.00
STCJ	850,000.00
Difference	\$ 102,900.00
2010 Tax Rate	x 2.062%
	2,121.80

WHEREAS, the Tax Collector authorizes the CMFO/Treasurer to refund the total amount of \$2,121.80 for the Year 2010 payable to Daniel G. Keough, Trust Account, Daniel G. Keough, Esq., 783 Springfield Avenue, Summit, NJ 07901,

NOW, THEREFORE BE IT RESOLVED by the Township Council of Little Falls on this 23rd day of May 2011 that the above attorney be refunded the total amount of \$2,121.80 for the overpayment of taxes due to a State Tax Court Judgment on Block 231 Lot 1.03.

RESOLUTION [B] 11-05-23#2

WHEREAS, there is a State Tax Court Judgment on Block 31 Lot 24, known as Jonathan D & Amy M Vanak of 65 Weaver Street, Little Falls, NJ for the Year 2010 reducing the assessed value by \$30,000.00;

YEAR 2010

Original Assessment	\$467,000.00
STCJ	437,000.00
Difference	\$ 30,000.00
2010 Tax Rate	x 2.062%
	\$ 618.60

WHEREAS, the Tax Collector authorizes the CMFO/Treasurer to refund the total amount of \$618.60 for the Year 2010 payable to Jonathan D & Amy M Vanak, 65 Weaver St., Little Falls, NJ 07424,

NOW, THEREFORE BE IT RESOLVED by the Township Council of Little Falls on this 23rd day of May 2011 that the above taxpayers be refunded the total amount of \$618.60 for the overpayment of taxes due to a State Tax Court Judgment on Block 31 Lot 24.

Welfare

RESOLUTION [C] 11-05-23 - #3

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 #55, 58, 60, 61, 63 & 66

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

Stipulation of Settlement – 2010 Tax Appeal

RESOLUTION [D] 11-05-23 - #4

WHEREAS, a Tax Appeal has previously been filed with regard to the below mentioned property before the Tax Court of New Jersey with regard to the 2010 tax year; and

WHEREAS, a proposed Stipulation of Settlement has been negotiated by the Township Attorney with the attorney for the taxpayer; and

WHEREAS, the Tax Assessor, Richard Hamilton and the Township's expert appraiser Appraisal Systems, Inc. have recommended that the terms of the proposed settlement be accepted;

1. The proposed settlement of the 2010 tax appeal pending before the Tax Court of New Jersey as hereinafter enumerated be and the same is hereby authorized, approved and ratified:

Meeting of May 23, 2011

	<u>Original Assessment</u>	County Board	<u>Requested Tax Judgement</u>	<u>Court Judgment</u>
2010 Land:	\$240,500		\$240,500	\$240,500
Improvements:	<u>\$257,200</u>		<u>\$184,500</u>	
Total:	\$497,700	\$497,700	\$425,000	

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.

Refund of 2010 Taxes

RESOLUTION [E] 11-05-23#5

WHEREAS, there is a State Tax Court Judgment on Block 89 Lot 1, known as Brownstone Inc (Bankers Ltd) of 160-198 Main St., Little Falls, NJ for the Year 2010 reducing the assessed value by \$500,000.00;

YEAR 2010

Original Assessment	\$7,200,000.00
STCJ	<u>6,700,000.00</u>
Difference	\$ 500,000.00
2010 Tax Rate	x <u>2.062%</u>
	\$ 10,310.00

WHEREAS, the Tax Collector authorizes the CMFO/Treasurer to refund the total amount of \$10,310.00 for the Year 2010 payable to Amster & Rosensweig Trust Account, Amster & Rosensweig, P.C., 33 Harrison Avenue, P.O. Box 1, Waldwick, NJ 07463,

NOW, THEREFORE BE IT RESOLVED by the Township Council of Little Falls on this 23rd day of May 2011 that the above attorney be refunded the total amount of \$10,310.00 for the overpayment of taxes due to a State Tax Court Judgment on Block 89 Lot 1.

RESOLUTION [F] 11-05-23#6

WHEREAS, there is a State Tax Court Judgment on Block 92 Lot 5, known as Main Union Associates of Union Ave Shady Lane, Little Falls, NJ for the Year 2010 reducing the assessed value by \$384,000.00;

YEAR 2010

Original Assessment	\$4,784,000.00
STCJ	<u>4,400,000.00</u>
Difference	\$ 384,000.00
2010 Tax Rate	x <u>2.062%</u>
	\$ 7,918.08

WHEREAS, the Tax Collector authorizes the CMFO/Treasurer to refund the total amount of \$7,918.08 for the Year 2010 payable to Amster & Rosensweig Trust Account, Amster & Rosensweig, P.C., 33 Harrison Avenue, P.O. Box 1, Waldwick, NJ 07463,

NOW, THEREFORE BE IT RESOLVED by the Township Council of Little Falls on this 23rd day of May 2011 that the above attorney be refunded the total amount of \$7,918.08 for the overpayment of taxes due to a State Tax Court Judgment on Block 92 Lot 5.

Return of Unused Escrow Funds

RESOLUTION [G] 11-05-23 - #7

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:

\$437.50

payable to:

Dr. Gerald Buchoff Holistic Pet Care
125 Paterson Avenue
Little Falls, NJ 07424

representing payment for return of unused escrow; 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 [H] 11-05-23 - #8

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

\$222.50

payable to:

Kenneth Schneider
24 Zeliff Avenue
Little Falls, NJ 07424

representing payment for return of unused escrow; 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 [I] 11-05-23 - #9

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:

\$180.00

payable to:

Hamlet Rivero
226 Long Hill Road
Little Falls, NJ 07424

representing payment for return of unused escrow; 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.

Meeting of May 23, 2011

RESOLUTION [J] 11-05-23 - #10

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:

\$182.50

payable to:

Pribit Brothers
East Main Street
Little Falls, NJ 07424

representing payment for return of unused escrow; 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 [K] 11-05-23 - #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:

\$550.00

payable to:

Ronan Daniels
53 Second Avenue
Little Falls, NJ 07424

representing payment for return of unused escrow; 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 [L] 11-05-23 - #12

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:

\$4,586.76

payable to:

Little Falls Shop Rite
171 Browertown Road
Little Falls, NJ 07424

representing payment for return of unused escrow rendered in connection with Little Falls Shop Rite; 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 [M] 11-05-23 - #13

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:

\$407.00

payable to:

Little Falls Shop Rite
171 Browertown Road
Little Falls, NJ 07424

representing payment for return of unused escrow rendered in connection with Little Falls Shop Rite; and

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

Dennis G. Lindsay, PE

RESOLUTION [N] 11-05-23 - #14

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:

\$525.00

payable to:

Dennis G. Lindsay, PE

representing payment for engineering services rendered in connection with 418-420 Main Street, LLC – Block 70, Lot 21, et al – Site Plan with Variances; and

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

RESOLUTION [O] 11-05-23 - #15

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:

\$262.50

payable to:

Dennis G. Lindsay, PE

representing payment for engineering services rendered in connection with Ciasulli – Lexus – Block 203, Lot 3, et al – Site Plan with Variances; and

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

Bernard B. Montalbano, Esq.

RESOLUTION [P] 11-05-23 - #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:

Meeting of May 23, 2011

\$200.00

payable to:

Bernard B. Montalbano, Esq.

representing payment for legal services rendered in connection with Estate of Mirabelli 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.

Hartford Steam Boiler Inspection & Insurance Co.

RESOLUTION [Q] 11-05-23 - #17

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:

\$155.00

payable to:

The Hartford Steam Boiler Inspection & Insurance Co.
P.O. Box 21045, Chicago, IL 60673-1210

representing payment of Certificate fee for boiler for 225 Main Street.

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

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

The Council President declared the motion passed.

REGULAR AGENDA

The following items were individually considered.

NEW BUSINESS

Ordinance No. 1124 – It was moved by Councilmember Gonzalez, seconded by Councilmember Post, that the public hearing on Ordinance No. 1124, “**AFFORDABLE HOUSING OVERLAY II ZONE**”, be and it was opened.

Poll: Ayes: Gonzalez, Post 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 Gonzalez, seconded by Councilmember Post, that the public hearing on Ordinance No. 1124 be and it was closed.

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

The Council President declared the motion passed.

It was moved by Councilmember Post, seconded by Councilmember Gonzalez, that the Ordinance No. 1124 be and it was adopted, as amended and to include Mr. Schumacher’s remarks.

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

The Council President declared the motion passed.

Mr. Trapanese explained that the revisions this evening were ministerial and didn’t require to be noticed again. Mr. Wilk asked if this would be subject to the Planning Board’s review and report and Mr. Trapanese explained that the Board already reviewed and reported on this. He said he would have Mr. Montalbano forward the report to the Clerk.

Contract for Expert Appraisal Services – It was moved by Councilmember Gonzalez, seconded by Councilmember Post, that the Council approve the following:

RESOLUTION [R] 11-05-23 - #18

WHEREAS, the Township of Little Falls has received 116 tax appeals for 2010 from Hilltop Manor, LLC; and,

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

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

and,

WHEREAS, the Township Council has received and reviewed a proposal from Hendricks Appraisal Company to be our expert appraiser for a cost of \$4,000,

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

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

The Council President declared the motion passed.

Special Items of Revenue and Appropriation – It was moved by Councilmember Post, seconded by Councilmember Gonzalez, that the Council approve the following:

RESOLUTION [S] 11-05-23 - #19

SPECIAL ITEMS OF REVENUE AND APPROPRIATION

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

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

NOW, THEREFORE, BE IT RESOLVED, that the Township Council of the Township of Little Falls in the County of Passaic, New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2011 in

Meeting of May 23, 2011

the sum of \$16,627.95, which is now available from Miscellaneous Revenues – Section F – Special Items of General Revenue Anticipated with prior written consent of Director of Local Government Services - Public & Private Revenues Offset with Appropriations – Clean Communities Program in the amount of \$16,627.95;

BE IT FURTHER RESOLVED, that the like sum of \$16,627.95 is hereby appropriated under the caption:

General Appropriations	
(A) Operations – Excluded from “CAPS”	
Public & Private Programs Offset by Revenues	
Clean Communities Program	\$16,627.95

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

The Council President declared the motion passed.

Mr. Wilk provided a brief explanation of this resolution.

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

The Council President declared the motion passed.

Approving Corrective Action Plan from 2010 Audit – It was moved by Councilmember Post, seconded by Councilmember Gonzalez, that the Council approve the following:

RESOLUTION [T] 11-05-23 - #20

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

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

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

NOW, THEREFORE, BE IT RESOLVED that the Township Council hereby approves the attached Corrective Action Plan for the 2010 Annual Audit;

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

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

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

The Council President declared the motion passed.

Awarding Contract for Architectural Design Services – It was moved by Councilmember Gonzalez, seconded by Councilmember Post, that the Council approve the following:

RESOLUTION [U] 11-05-23 - #21

WHEREAS, The Township of Little Falls is actively engaged in the implementation of the FEMA Repetitive Flood Claim flood mitigation application to elevate properties.

WHEREAS the Township wishes to retain the services of a licensed, professional architect to design the home elevations.

WHEREAS, the Township has advertised a request for proposals from licensed, professional architects and has reviewed all submissions in detail. Additionally, the Township Engineer and FEMA Program Administer have interviewed qualified candidates and have made a recommendation to retain the services of Richard S. Jacobs AIA.

WHEREAS, the architect will be retained for the period of May 2010 through the end of the project period at a cost not to exceed \$36,477.00.

WHEREAS, this award shall be subject to the expiration of the 20-day Estoppel period for adopted Ordinance No. 1121.

NOW, THEREFORE, BE IT RESOLVED that the Township retains the services of Richard S. Jacobs AIA.

Mr. Lindsay said there were five houses approved under the Repetitive Flood Claim program through the applications that were made. This is a 100% grant for those five homes. Of those five, there are three remaining. They met with the architect today and they hope to have bids in by October. Mr. Wilk said the approval of this ordinance is subject to the 20-day estoppel period for the ordinance that relates to it; they cannot act immediately.

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

The Council President declared the motion passed.

Ordinance No. 1125 – It was moved by Councilmember Post, seconded by Councilmember Gonzalez, that there be introduced and the meeting of June 13, 2011 set as the date and time for the public hearing on the following:

ORDINANCE NO. 1125

2011 LITTLE FALLS SALARY ORDINANCE

REGULAR OFFICERS AND EMPLOYEES	METHOD OF PAYMENT
Title _____	<u>Semi-Monthly</u>
Administrator	\$85,000.00
Township Clerk/Assessment Search Officer/Reg. of Vital Statistics, first six months	
\$70,054.41	
Township Clerk/Assessment Search Officer/Reg. of Vital Statistics, after six months	\$119,070.11
Deputy Township Clerk/Bd. Of Health Secretary	\$44,817.72
Deputy Registrar/Bd. Of Health Secretary, Township Clerk’s Office	\$31,280.64
Treasurer/Certified Chief Municipal Finance Officer/Purchasing Agent	\$76,097.30
Clerk, Treasurer’s Office	\$34,379.53
Clerk, General-Construction Office/Control Person/Assessor Office	
\$39,934.29	
Tax Collector - Full Time/Tax Search Officer	\$74,147.36
Clerk, Tax Collector Office, First six months	\$20,600 - \$30,249.44
Clerk, Tax Collector Office, After six months	\$21,630 - \$30,936.90
Supervisor of Fire, Senior	\$38,802.42 - \$47,671.54
Supervisor of Fire Alarm, Assistant, After two years	\$42,396.75
Supervisor of Fire Alarm, Assistant, After six months	\$37,181.36
Supervisor of Fire Alarm, Assistant, First six months	\$33,217.84
Fire Official, Bureau of Fire Prevention	\$11,753.33
Clerk, Fire Prevention Bureau as of 10/01/10	\$30,936.90
Court Administrator/Deputy Violations Clerk	\$56,269.08

Meeting of May 23, 2011

Violations Clerk/Dep. Court Administrator	\$32,967.47
Construction Code/Building Subcode	\$62,953.81
Zoning and Housing Inspector	\$34,899.37
Superintendent, DPW/Recycling Coordinator	\$103,078.10
Foreman, DPW, on payroll before 12/31/96 (plus \$420 Maintenance Mechanic stipend)	\$68,423.81
DPW Operator (A), on payroll before 12/31/96	\$64,419.97
DPW Operator (A), employed after 1/1/97, After 2 years	\$60,598.61
DPW Operator (A), employed after 1/1/97, After 1 year	\$58,960.58
DPW Operator (A), employed after 1/1/97, Start	\$57,324.67
DPW Operator (B), on payroll before 12/31/96	\$60,000.26
DPW Operator (B), employed after 1/1/97, After 1 year	\$55,685.58
DPW Operator (B), employed after 1/1/97, Start	\$54,048.61
DPW Operator (C), on payroll before 12/31/96	\$58,425.88
Laborer/Driver hired after 1/1/97, After 7 years	\$52,410.58
Laborer/Driver hired after 1/1/97, After 6 years	\$50,772.55
Laborer/Driver hired after 1/1/97, After 5 years	\$49,135.58
Laborer/Driver hired after 1/1/97, After 4 years	\$47,496.49
Laborer/Driver hired after 1/1/97, After 3 years	\$45,858.46
Laborer/Driver hired after 1/1/97, After 2 years	\$44,222.56
Laborer/Driver hired after 1/1/97, After 1 year	\$42,583.47
Laborer/Driver hired after 1/1/97, After 6 months	\$40,945.44
Laborer/Driver hired after 1/1/97, Start	\$39,309.53
Township Mechanic	\$69,128.24
Sewer System Operator	\$58,960.58
Police Chief	\$128,559.86
Captain of Police	\$114,957.17
Lieutenant of Police	\$109,088.54
Sergeant Police	\$102,072.87
Corporal (after 12 years \$1,500 stipend)	\$1,500.00
Patrolman, hired after 9/1/98, after 7 years (at maximum)	\$94,296.96
Patrolman, hired after 9/1/98, after 6.5 years	\$89,972.45
Patrolman, hired after 9/1/98, after 6 years	\$85,649.28
Patrolman, hired after 9/1/98, after 5.5 years	\$81,323.43
Patrolman, hired after 9/1/98, after 5 years	\$76,997.61
Patrolman, hired after 9/1/98, after 4.5 years	\$72,674.43
Patrolman, hired after 9/1/98, after 4 years	\$68,349.92
Patrolman, hired after 9/1/98, after 3.5 years	\$64,022.78
Patrolman, hired after 9/1/98, after 3 years	\$59,698.27
Patrolman, hired after 9/1/98, after 2.5 years	\$55,375.09
Patrolman, hired after 9/1/98, after 2 years	\$51,047.94
Patrolman, hired after 9/1/98, after 1.5 years	\$46,723.45
Patrolman, hired after 9/1/98, after 1 year	\$42,398.92
Patrolman, hired after 9/1/98, after .5 year	\$38,073.11
Probationary Patrolman, first six months	\$33,748.59
Police Records Clerk	\$46,196.89
Police Dispatcher, after 2 years	\$43,879.88
Police Dispatcher, after six months	\$38,668.74
Police Dispatcher, first six months	\$33,057.64
Juvenile Officer	\$463.50
Narcotics Officer	\$463.50
Photography Officer	\$231.75
Detective	\$289.43
Emergency Management Coordinator	\$1,972.21
Senior Citizen Bus Driver/Coordinator	\$19,168.34
Recreation Director, first six months	\$34,026.25
Recreation Director, after six months	\$37,078.46
Assessor, Part-Time	\$20,058.44

REGULAR OFFICERS AND EMPLOYEES

METHOD OF PAYMENT

<u>Title</u>	<u>Monthly</u>
Secretary to Shade Tree Commission	\$1,230.64
Township Attorney	\$27,242.85
Township Engineer	\$3,811.81
Counsel, Planning Board	\$4,730.55
Engineer, Planning Board	\$7,048.62
Secretary, Planning Board	\$4,176.76
Judge, Municipal Court	\$44,046.45
Prosecutor	\$17,272.51
Electrical Sub-Code Official	\$14,329.58
Plumbing Sub-Code Official	\$13,928.56
Community Service Coordinator/Court Attendant	\$3,173.15
Director, Public Assistance	\$11,842.83
Member, Township Committee	\$2,000
Mayor	\$2,000

HOURLY EMPLOYEES

Semi-monthly-per hour

Alliance Coordinator	\$16.13
Courtroom Security Attendant	\$17.65
Senior Inspector, Bureau of Fire Prevention	\$27.83
Inspectors, Bureau of Fire Prevention	\$26.44
Inspector/Clerical, Bureau of Fire Prevention	\$19.93
Inspector, Code Enforcement	\$19.93
Fire Dept. Clerk	\$14.87
DPW Secretary/Assistant to Recycling Coordinator	\$15.63
Part-time Permanent Clerk/Budget Coordinator Police Department	\$20.19
Recycling Aide	\$10.08
Laborer	\$9.80
Temporary Skilled Worker, depending on Qualifications	\$8.95-\$40.56
Temporary Unskilled Worker	\$9.21-\$12.31
Temporary Building Supervisors	\$9.64
Assistant to Recreation Director – Part Time	\$14.64
P/T Police Dispatcher - after 2 years	\$18.55
P/T Police Dispatcher - after 6 months	\$17.52
P/T Police Dispatcher - first six months	\$16.71
Clerical and Secretarial	\$9.64-\$16.10
School Crossing Guard	17.64
Special Summer Help	\$9.79
Cleaner – Police Building	\$15.95
	From Larger of NJ/Federal Minimum Wage to

Meeting of May 23, 2011

Parking/Dog regulations enforcement

\$11.38-\$12.65

Section 2. ADDITIONAL COMPENSATION

Deputy Township Clerk shall be paid \$45.00 per evening meeting worked, payable by voucher. Maintenance Mechanic, DPW, shall be paid an additional \$420.00 annually. Cleaner, Recreation Community Center shall be paid \$24 per cleaning, payable by voucher.

Police Dispatchers shall work a four-and-two schedule (four days at work followed by two days off) except that the Police Chief may, with the approval of the Township Council, designate one dispatcher to work a five-and-two schedule (five days at work, followed by two days off); a Police Dispatcher working a five-and-two shift shall be paid an additional \$500 annually. The Township administration reserves the right to require, at its discretion, that all Police Dispatchers work a five-and-two schedule upon payment of an additional \$500 each per year.

Section 3. LONGEVITY

Except for new hires after January 1, 1998, there shall be added to and made a part of the remuneration for each full-time Township officer and employee and permanent part-time Township officer and employee who are regularly scheduled to work twenty (20) hours or more weekly for twelve (12) months a year, whether paid on an annual salary basis or hourly basis, other than members of the Police Department bargaining unit, who has completed or does hereafter during the current year complete five (5) years cumulative service in and for the Township of Little Falls, the sum of \$250.00 and an additional sum of \$250.00 for each additional five (5) years of cumulative service, but not to exceed a maximum of \$1,000.00, provided, however, that the cumulative service shall be consecutive and uninterrupted. All periods of employment shall be computed from January 1 of the year of appointment or employment unless the date of said appointment or employment took place on or after July 1, in which case said period of employment shall be computed from January 1 of the year following said employment or appointment. The provisions of Resolution #10 of March 20, 1995 are hereby ratified and confirmed and made a part hereof.

The Chief of Police shall be entitled to longevity pay based upon years of accumulative service to the Township at the following rates: upon completion of five (5) years of

service – two (2%) percent; upon completion of ten (10) years of service – four (4%) percent; upon completion of fifteen (15) years of service - six (6%) percent; upon completion of twenty (20) years of service – eight (8%) percent; upon completion of twenty-four (24) years of service – ten (10%) percent.

Section 4. OVERTIME and KEY EMPLOYEE VACATION

The following provisions of the within ordinance are subject to the provisions of any applicable Federal or State statute; and to the provisions of any applicable collective bargaining agreements.

- a. Key employees: The following employees, when employed full-time, are considered exempt key employees and designated management of their departments: Township Clerk, Chief Municipal Finance Officer, Construction Code Official, Superintendent of Public Works, Tax Collector, Tax Assessor and Court Administrator. Key employees shall not receive overtime nor any regimented compensatory time off in lieu of overtime but shall be paid on an annual salary basis as provided from time to time in the Salary Ordinance.
- b. In lieu of overtime or compensatory time off they shall receive an additional vacation week effective January 1, 1993. Overtime may be paid to key employees only upon authorization by the Mayor.
- c. Non-key employees: Overtime pay may be paid to or compensatory time off may be given to non-key employees; however, compensatory time must be used within the same year and may not be carried over. Compensatory time shall commence only after the employee has worked the prescribed work week. Authorized compensatory time shall be computed at one and one-half (1½) times the hourly rate. The hourly rate for overtime shall be computed by dividing the weekly rate by the number of hours in the employee's prescribed work week. In the case of a forty-hour work week, the employee shall be paid time and one-half after the full forty hours have been worked. For employees working a thirty-five hour week, compensation shall be at straight time for the first five hours of overtime worked; the time and one-half provisions shall take effect only after the full forty hours have been worked.
- d. Part-time employees: Part-time employees shall be paid overtime only when in a particular week they work a number of hours which under provisions of Federal or State Law requires the payment of overtime.

Section 5.

The Counsel to the Rent Leveling Board shall be compensated for meetings attended in the amount of \$100.00 per meeting, payable by voucher.

Section 6.

The Attorney to the Board of Health shall be compensated for meetings attended, payable by voucher.

Section 7.

All salaries, compensation, retainer fees and longevity hereinabove set forth shall be effective as of January 1, 2010 and are hereby retroactive to that date save that employees who have left the Township's employ of their own volition or were terminated for disciplinary reasons prior to adoption of the salary ordinance shall not receive retroactive wage adjustment. In the event a new appointment or a change in appointment is or shall be made after January 1, 2010 the salary provisions therefor shall be retroactive only to the effective date of such new or changed appointment.

Section 8.

Such deductions as may be required by law shall be made from the salaries, compensation and fees as hereinabove set forth.

Section 9.

The Township Treasurer is hereby authorized to sign all payroll checks.

Section 10.

The Township Auditor shall be paid for services actually rendered in accordance with the customary reasonable charges of the profession and upon the submission of vouchers.

Section 11.

In addition to the salary provided in the within ordinance, the Township Engineer shall be paid for services actually rendered in accordance with the customary reasonable charges of the profession and upon the submission of vouchers.

Section 12.

In addition to the salary provided in the within ordinance, the Township Attorney shall be paid for services actually rendered in accordance with the customary reasonable charges of the profession and upon the submission of vouchers.

Section 13. HOLIDAYS

Permanent full-time officers and employees and permanent part-time Township officers and employees who are regularly scheduled to work twenty (20) hours or more weekly for twelve (12) months a year, whether paid on an annual salary basis or hourly basis, are entitled to the following paid Holidays:

New Year's Day	General Election Day
President's Day	Columbus Day
Good Friday	Veterans' Day
Memorial Day	Thanksgiving Day
Independence Day	Day After Thanksgiving
Labor Day	Christmas Day
	One-half of the last work day preceding New Year's Day and
	One-half of the last work day preceding Christmas Day

Permanent part-time Township officers and employees who are regularly scheduled to work twenty (20) hours or more weekly for twelve (12) months a year, whether paid on an annual salary basis or hourly basis, shall receive holiday leave on a prorated basis.

When the requirements of their department demand employment on one or more of the specified holidays, the compensation time off shall be given at the rate of time and one-half, with the exception of the PBA negotiating unit, whose members are subject to PBA negotiated contract.

Section 14.

Meeting of May 23, 2011

In addition to the holidays set forth in Section 14, all full-time employees and part-time full-year employees paid by annual salary shall be entitled to two (2) personal days off each year, except as may be provided by collective bargaining contract.

Section 15.

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

Section 16.

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

Mr. Underhill said he and the Police Chief would like to add a title to provide for court security attendants. He explained that the position doesn't exist at this time, but it would be an option in the future and that person would get paid the same as a Crossing Guard. President FONTANA clarified that it is simply a title being added and Mr. Underhill agreed. Councilmember GONZALEZ asked why this wasn't done before this evening's meeting. Chief Dmuchowski said there was a law that they found about today pertaining to this.

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

The Council President declared the motion passed.

Authorizing Submittal of 2011 Open Space Grant Application – It was moved by Councilmember Post, seconded by Councilmember Gonzales, that the Council approve the following:

Resolution [V] 11-05-23 - #22

WHEREAS, the Township of Little Falls is making a grant application to the Passaic County Open Space and Farmland Preservation Trust Fund for improvements to Wilmore Road Park;

WHEREAS, the funding request of \$175,000 is to make improvements to the park that include playground equipment upgrades, the installation of playground equipment for children with disabilities, access improvements and safety improvements.

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

- (a) make application for such a grant,
- (b) provide additional application information and furnish such documents as may be required, and
- (c) act as the authorized correspondent of the above named applicant.

Mr. Lindsay explained that this is an application they try to make as early as possible; there are several improvements they will make with this grant.

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

The Council President declared the motion passed.

Letter Regarding Gate on Beattie's Dam and Asking Neighboring Municipalities for Support – It was moved by Councilmember Gonzalez, seconded by Councilmember Post, that the Council approve the following:

RESOLUTION [W] 11-05-23 - #23

WHEREAS, the flooding of the Passaic River has become more frequent with four flood events in the last six years; and,

WHEREAS, Passaic River studies were completed in 1936, 1939, 1948, 1962, 1969 and 1973 yet nothing was done; and,

WHEREAS, a 1987 study recommended flood gates for the Beattie's Dam in order to lower flood levels by 8 feet and had they been installed we would not have flooded since; and,

WHEREAS, the Township Council of Little Falls has sent a letter to Governor Christie, United States Senators Lautenberg and Menendez, Congressman Pascrell, Speaker of the New Jersey General Assembly Shiela Y. Oliver, New Jersey Senate President Stephen M. Sweeney, State Senator O'Toole and State Assemblymen Russo and Rumana asking for their support and action to have flood gates installed on the Beattie's Dam,

NOW THEREFORE BE IT RESOLVED, the Little Falls Township Council, by copy of this resolution and said letter to our neighboring municipalities and fellow communities along the Passaic River, hereby requests those governing bodies to pass similar resolutions of support and to forward those resolutions to their respective Federal and State representatives.

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

The Council President declared the motion passed.

Ordinance No. 1126 – It was moved by Councilmember Gonzalez, seconded by Councilmember Post, that there be introduced and the meeting of June 13, 2011 set as the date and time for the public hearing on the following:

BOND ORDINANCE NO. 1126

BOND ORDINANCE PROVIDING FOR THE PAVING OF STANLEY STREET IN AND BY THE TOWNSHIP OF LITTLE FALLS, IN THE COUNTY OF PASSAIC, NEW JERSEY, APPROPRIATING \$192,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$192,000 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF.

BE IT ORDAINED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF LITTLE FALLS, IN THE COUNTY OF PASSAIC, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:

Section 1. The improvement described in Section 3(a) of this bond ordinance is hereby authorized to be undertaken by the Township of Little Falls, in the County of Passaic, New Jersey (the "Township") as a general improvement. For the improvement or purpose described in Section 3(a), there is hereby appropriated the sum of \$192,000, including a grant in the amount of \$130,000 expected to be received from the State of New Jersey Department of Transportation (the "State Grant"). No down payment is required pursuant to N.J.S.A. 40A:2-11(c) as the improvement or purpose referred to in Section 3(a) is being partially funded by the State Grant.

Section 2. In order to finance the cost of the improvement or purpose not covered by application of the down payment and in anticipation of receipt of the State Grant, negotiable bonds are hereby authorized to be issued in the principal amount of \$192,000 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. (a) The improvement hereby authorized and the purpose for the financing of which the bonds are to be issued is the paving of Stanley Street, including all work and materials necessary therefor and incidental thereto.

(b) The estimated maximum amount of bonds or notes to be issued for the improvement or purpose is as stated in Section 2 hereof.

(c) The estimated cost of the improvement or purpose is equal to the amount of the appropriation herein made therefor.

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer; provided that no note shall mature later than one year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer. The chief financial officer shall determine all matters in connection with notes issued pursuant to this ordinance, and the chief financial officer's signature upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time subject to the provisions of the Local Bond Law. The chief financial officer is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the

Meeting of May 23, 2011

date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the notes sold, the price obtained and the name of the purchaser.

Section 5. The Township hereby certifies that it has adopted a capital budget or a temporary capital budget, as applicable. The capital or temporary capital budget of the Township is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith. To the extent that the purposes authorized herein are inconsistent with the adopted capital or temporary capital budget, a revised capital or temporary capital budget has been filed with the Division of Local Government Services.

Section 6. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvement or purpose described in Section 3(a) of this bond ordinance is not a current expense. It is an improvement or purpose that the Township may lawfully undertake as a general improvement, and no part of the cost thereof has been or shall be specially assessed on property specially benefitted thereby.

(b) The period of usefulness of the improvement or purpose within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the bonds authorized by this ordinance, is 10 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the Township as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$192,000, and the obligations authorized herein will be within all debt limitations prescribed by that Law.

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

Section 7. The Township hereby declares the intent of the Township to issue bonds or bond anticipation notes in the amount authorized in Section 2 of this bond ordinance and to use the proceeds to pay or reimburse expenditures for the costs of the purposes described in Section 3(a) of this bond ordinance. This Section 7 is a declaration of intent within the meaning and for purposes of Treasury Regulations.

Section 8. Any grant moneys received for the purpose described in Section 3 hereof shall be applied either to direct payment of the cost of the improvement or to payment of the obligations issued pursuant to this ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are so used.

Section 9. The chief financial officer of the Township is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Township and to execute such disclosure document on behalf of the Township. The chief financial officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Township pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of obligations of the Township and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Township fails to comply with its undertaking, the Township shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

Section 10. The full faith and credit of the Township are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Township, and the Township shall be obligated to levy *ad valorem* taxes upon all the taxable real property within the Township for the payment of the obligations and the interest thereon without limitation of rate or amount.

Section 11. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

Councilmember POST asked if this was a reimbursable grant for Stanley Street, and Mr. Lindsay said it was.

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

The Council President declared the motion passed.

Awarding Contract for Roadway Improvements – Depressed Curb Ramps – It was moved by Councilmember Post, seconded by Councilmember Gonzalez, that the Council approve the following:

RESOLUTION [X] 11-05-23 - #24

AUTHORIZING THE AWARD OF A FAIR AND OPEN CONTRACT FOR
ROADWAY IMPROVEMENTS – DEPRESSED CURB RAMPS – PASSAIC COUNTY COMMUNITY DEVELOPMENT BLOCK GRANT AWARD
FY-2009

WHEREAS the Township of Little Falls solicited proposals for Roadway Improvements – Depressed Curb Ramps, which were received on May 11, 2011, and were reviewed by Township Engineer Dennis Lindsay as follows:

PA Contractors Kearny, NJ Proposal: \$23,040.00	A Takton Concrete Corp. South River, NJ Proposal: \$27,610.00
Cifelli & Son General Construction Nutley, NJ Proposal: \$36,555.00	M. Sky Construction Corp. Lake Hopatcong, NJ Proposal: \$37,675.00
Al Neto Contractor Bridgewater, NJ Proposal: \$38,491.20	

WHEREAS, the Treasurer has provided a Certification of the Availability of Funds (a copy of which is appended to the original of the with Resolution) pursuant to Rule 5:30-1.10 of the Local Finance Board, and the appropriation to be charged for this expenditure is Appropriation Reserves – Passaic County Community Development Block Grant; and

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

1) That the proposal of

in the amount of
PA Contractors
Kearny, NJ
\$23,040.00

be and the same is hereby accepted; and

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

Mr. Trapanese explained that this should be subject to Attorney's approval. Mr. Lindsay explained that they had some designated places along Main Street, but the County decided to do a road program. In order to get their grant, they had to make the depressed curbs; the Township then had to select new locations. The County then did more depressed curbs and the Township again had to pick new locations. This resolution will be approved, pending Attorney review.

Meeting of May 23, 2011

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

The Council President declared the motion passed.

Award of Contract for Construction of Louis Street Pump Station – It was moved by Councilmember Post, seconded by Councilmember Gonzalez, that the Council approve the following:

RESOLUTION [Y] 11-05-23 - #25
AUTHORIZING THE AWARD OF A FAIR AND OPEN CONTRACT FOR
STORMWATER SYSTEM IMPROVEMENTS – LOUIS STREET PUMP STATION

WHEREAS the Township of Little Falls solicited proposals for Stormwater System Improvements – Louis Street Pump Station, which were received on May 17, 2011, and were reviewed by Township Engineer Dennis Lindsay as follows:

Coppola Services, Inc. Ringwood, NJ Proposal: \$763,490.00	Jogi Construction, Inc. Wanaque, NJ Proposal: \$839,500.00
Hutton Construction, Inc. Cedar Grove, NJ Proposal: \$841,319.00	Ferraro Construction Corp. Franklin, NJ Proposal: \$847,750.00
DeMaio Electric Company Hillsborough, NJ Proposal: \$883,400.00	Doyle Contracting, Inc. Pearl River, NY Proposal: \$935,500.00
Navka Construction Company Newark, NJ Proposal: \$963,500.00	Colonnelli Brothers, Inc. Hackensack, NJ Proposal: \$1,137,771.00

WHEREAS, the Treasurer has provided a Certification of the Availability of Funds (a copy of which is appended to the original of the with Resolution) pursuant to Rule 5:30-1.10 of the Local Finance Board, and the appropriation to be charged for this expenditure is Bond Ordinance No. 991/1080; and

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

2) That the proposal of

Coppola Services, Inc.
Ringwood, NJ

in the amount of

\$763,490.00

be and the same is hereby accepted; and

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

This resolution will be approved subject to legal review.

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

The Council President declared the motion passed.

PUBLIC PORTION

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

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

The Council President declared the motion passed.

Barbara Moschetta, 29 Wilmore Road, referred to the bikeway path, and said this project was in the making for ten years. The first notice she got was a simple letter saying that work would be done with little to no impact. She asked why no one thought to move the fence in a little more, so as to preserve the trees. She voiced her understanding that grants were applied for without seeking input from anyone. She explained that this is a misuse of power. She also asked why the path arcs out in front of the Eagle Rescue Squad, noting that this is a safety issue for children. She informed that she is not opposed to the park, but she is opposed to the lack of planning on the part of the Governing Body.

Brian Reynolds, 7 Notch Road, referred to Ordinance No. 1126 and said road improvements were always done with grants in the past. He asked if this is being done with a grant. He also questioned what grants were used in the past to improve streets.

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

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

The Council President declared the motion passed.

Councilmember FONTANA asked when Mrs. Moschetta had a received a letter about the bike path. Mr. Lindsay clarified that the Township received a letter last year from the DEP, who said the town was in jeopardy of losing this grant; this was the first they heard of it. The reason it went in front of the Rescue Squad is because there wasn't any other option. He isn't aware of everything that was done with the original grant application, because he wasn't here. He will try to look into this to get more history.

Mayor DeFrancisci said he traded emails with Mrs. Moschetta over the weekend. He explained that the project is not a waste of time and said although, she may be displeas with how it occurred, it is still an improvement to the park. They are trying to do the best they can. He assured that anyone's opinion is worth everything.

Meeting of May 23, 2011

Councilmember FONTANA said grants are being used for this road improvement. Mr. Underhill clarified briefly and Lindsay said the DOT will not pay for a portion of it. The Township cannot enter into a contract unless they have the authority to do so. They need to have this in place so they can sign the contract. He also informed that the DOT has a very favorable reimbursement program.

PAYMENT OF BILLS

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

RESOLUTION [BL]

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

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

The Council President declared the motion passed.

Key Equipment Finance	A & E	715.11
Lighthouse Hosting, LLC		431.40
North Jersey Media Group		94.10
North Jersey Media Group		253.51
Poland Springs Water Co.		45.47
W.B. Mason		111.10
Key Equipment Finance	Treasurer	112.17
Lerch, Vinci & Higgins		1470.00
Lerch, Vinci & Higgins		1305.00
SBS Print Services		160.00
W.B. Mason		111.09
Clarion Office Supply	Tax Collector	461.71
Key Equipment Finance		112.17
Quality Repro Centers, Inc.		120.00
McManimon & Scotland, LLC	Legal	1577.80
Clarion Office Supply	Municipal Court	204.35
Key Equipment Finance		112.17
Poland Spring		10.99
Riddick Associates, PC	Engineer Costs	242.50
Riddick Associates, PC		43.75
Riddick Associates, PC		87.50
Riddick Associates, PC		1093.75
Riddick Associates, PC		175.00
Riddick Associates, PC		568.75
Riddick Associates, PC		87.50
Riddick Associates, PC		568.75
Riddick Associates, PC		3601.25
Delta Dental Plan of NJ	Group Health Ins.	2825.75
Delta Dental Plan of NJ		3186.63
NJSHB		76,271.72
Jonathan Cespedes	Aid to Volunteer Fire	150.00
Robert Tierney		150.00
Verizon Wireless		139.57
Clarion Office Supply	Fire Life Hazard	179.18
Quality Repro Center		68.00
Turn Out Uniforms Inc.		160.96
Penn State Justice & Safety	Police	2340.00
R & R Radar, Inc.		156.95
Royal Communications Inc.		1174.00
Weights & Measures Fund		200.00
Konica Minolta Premier	Construction Code Official	203.99
Murphy		200.00
Advanced Plumbing & Drain Cleaning	DPW	800.00
Aerial-Rise LLC		3588.90
Amer. Wear Industrial Uniform		313.00
Cablevision Systems Corp.	DPW	121.81
Clearwater Services		12,314.00
D2L Associates, Inc.		250.00
Godwin Pumps		350.00
Grainger		262.35
Grainger		24.10
Home Depot		102.85
Home Depot		179.00
Northeast Equipment		94.85
One Call Concepts, Inc.		67.72
Outstanding Service Co.		29.95
Pinnacle Wireless, Inc.		11.50
Rossi Decorating Center, Inc.		17.96
Singac Supply Company inc.		59.88
Stone Industries, Inc.		54.54
Tilcon New York Inc.		87.55
Tilcon New York Inc.		101.60
Verizon Select Services	Emergency Mgmt.	26.20
Clarion Office Supply	Solid Waste	7.29
Gaeta Recycling Co.		35,713.34
Konica Minolta		91.99
Airgas East	Vehicle Maintenance DPW	31.80
General Parts Group, Inc.		31.45
General Parts Group, Inc.		12.58
Guaranteed Rebuilders, Inc.		175.00
Wayne Ford Auto Sales		201.73
Wayne Ford Auto Sales		90.18
Konica Minolta	Recreation	189.99
A & A Construction Mgmt.	Bond Ord. – 1020	63,114.00
CGT Construction, Inc.	Bond Ord. – 1020	54,905.23

Meeting of May 23, 2011

Lerch, Vinci & Higgins, LLP	Bond Ord. – 1121	640.00
Riddick Associates, PC	Bond Ord. – 1020	87.50
Riddick Associates, PC	Bond Ord. – 1046	831.25
TSUJ Corp.	Bond Ord. – 1072	22,200.00
Guard Line Fire & Safety, Inc.	Bond Ord. – 1119	18,750.00
Paul Schilling & Son	Bond Ord. – 1098	282.50
Riddick Associates, PC	Bond Ord. – 856	2690.02
Riddick Associates, PC	Bond Ord. – 1099	7172.50
MCI Communications	Telephone	57.34
Hess Corporation	Gas & Electric	8087.82
Rachles/Micheles	Gasoline	6205.32
National Terminal, Inc.	Diesel	3456.50
Veolia Environmental Services	Tipping Fees	27,076.09
Big Daddy's Dogs	Municipal Alliance	200.00
ACE Security Inc.	Public Bldg. & Grounds	145.00
Aesfire, LLC		360.00
Arrow Elevator, Inc.		140.00
George Schofield Co., Inc.		882.02
Hartford Steam Boiler		155.00
Naturalawn of America		134.00
Naturalawn of America		680.00
Ocean Clean		1445.00
Prime Pest Control		100.00
Smitty's Landscaping		346.30
Spot-A-Way Inc.	Public Bldg. & Grounds	70.00
Trane		6910.00
Wayne Wholesale Fertilizer		155.00
Little Falls Bd. of Health	Local School	1,009,460.00
Passaic Valley Regional HS	Regional School	528,814.02
Depository Trust Company	Interest on Bonds	101,719.00
Chief	Appropri. Reserves DWI	494.76
NJ Unemployment Compensation	Unemployment Trust	3371.64
Deborah Gessler	Widows	416.66
Clifton Power Equipment, Inc.	Flood Fire	150.00
Pumping Services, Inc.		2144.00
Gaeta Recycling Co., Inc.	Flood (Solid Waste)	2640.00
Veolia Environmental Services	Tipping Fees Flood	6781.40
Passaic High School	Celebr. Of Public Events	1200.00

FINANCE COMMITTEE

Darlene Post

Louis Fontana

Joseph Sisco

There being no further business to come before the meeting, it was moved by Councilmember Post, seconded by Councilmember Gonzalez, that the meeting be and it was adjourned at 8:55 p.m.

William E. Wilk
Municipal Clerk

Cynthia Meyer
Deputy Municipal Clerk