

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

Monday, November 18, 2013

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

Absent: None

Township Employees present: Construction Official Joseph Macones, Recreation Director John Pace, DPW Superintendent Phillip Simone, Police Chief John Dmuchowski, Fire Chief Jack Sweezy, Assistant to Municipal Clerk Marlene Simone

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

STATEMENT OF PUBLIC NOTICE: Take notice that adequate notice of this meeting was provided in accordance with N.J.S.A. 10:4-8 and N.J.S.A. 10:4-10 as follows: A notice of the meeting was prominently posted on the bulletin board at the Municipal Building, located at 225 Main Street, Little Falls, N.J. on January 8, 2013; 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

Council President VANTUNO explained that the Minutes would be held, since they were received late this week.

REMARKS FROM CHAIR

Council President VANTUNO had nothing to report.

COUNCIL MEMBER REPORTS

Councilmember FONTANA informed that the Recreation Department will host the Annual Tree Lighting on 12/6/13 at 6:30 p.m. at Wilmore Road Park. He encouraged everyone to come out for this.

Councilmember PORTER congratulated Councilmember Maceri on winning the election. She also informed that she will be attending the League of Municipalities Conference in Atlantic City next week.

Councilmember MACERI thanked the voters of Little Falls for allowing him to serve for another year as Councilman. He also informed that there was a Flood Board meeting last Thursday, which was held in Cedar Grove. He informed that their letter of intent is due on 11/30/13, which is in connection with a grant regarding the Peckman River area and other rivers. The board is applying for three special projects under that grant, which includes the desnagging of the Passaic River and the desnagging of the Peckman River.

Councilmember ORGANISCIAK congratulated Councilmember Maceri and said he looks forward to working with him. He also asked for a status update from the Police Chief regarding the move of the Police Department. Chief Dmuchowski informed that they have moved the computers, but are still waiting for some equipment. He hopes to move all operations within the next two to three weeks; it is working out very well so far. Councilmember ORGANISCIAK said the Police Department has done a great job with this so far. He also informed that he will be attending the League of Municipalities Conference in Atlantic City this week. He hopes to bring back some helpful information.

Council President VANTUNO informed that there will be a free Senior Citizen luncheon at the Civic Center on 12/11/13 from 11:30 a.m. - 2:00 p.m.

MAYOR'S REPORT

Mayor Post reminded that Mr. Korotkin had asked about the status of the EMS service at a previous meeting. She informed that there have been discussions held with the Fire Chief, and said she will provide updates as they continue these discussions. She also informed that she was unavailable to attend the Planning Board meeting where the Master Plan was introduced. She attended the Veteran's Day Ceremony, which was held at Wilmore Road Park; it was a nice event. She pointed out that although it was only advertised through the email blast, it was very well attended. She informed that she will also be attending the League of Municipalities Conference in Atlantic City.

ATTORNEY'S REPORT

Mr. Northgrave informed that tonight's agenda includes a resolution and an ordinance in reference to the re-zoning of a property. Due to the statutory time frame, he informed that they may not be able to adopt this ordinance this year. However, he suggested that the Council introduce it tonight anyway in the case that a special meeting is held at the end of the year. If not, then they can introduce it in the New Year.

ADMINISTRATOR'S REPORT

Mrs. Bergin had nothing to report.

Mr. Simone explained Resolutions [E] and [F] at this time.

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Mr. Lindsay explained Resolution [G] at this time.

PUBLIC PORTION

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

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

The Council President declared the motion passed.

Victor Nowak, Stephen Place, said the attendance of this meeting is one of dissatisfaction by the town.

Gregg Thorn, 47 Zelif Avenue, explained that he spoke with the Township Council and Chief Dmuchowski several years ago regarding the parking situation on Zelif Avenue. He pointed out that there are only 25 parking spaces to 55 homes on the street. There is a constant issue with vehicles being parking on the street and nothing is being done to remedy this. This causes many problems, especially during snow storms. The residents on Zelif Avenue cannot have guests at their houses due to the lack of parking. The town was supposed to revisit the parking ordinance. He requested that Zelif Avenue be addressed and that overnight parking regulations be enforced once again.

Phyllis Dillon, 25 Riker Avenue, explained that she lives in a flood area, and therefore, spends a lot of time in the shelter in town. She expressed her disappointment that Mr. Batelli will no longer be the Township's OEM Coordinator, noting that he is one of the finest in the area. Now a Police Officer will be appointed as the new OEM Coordinator. Therefore, she questioned whether he would be on duty as a Police Officer or an OEM Coordinator when the shelters have to open.

Louis Fernandez, Harrison Street, asked for clarification of the terms "de-snagging" and "de-silting". He also asked for clarification of a blue light permit. Referring to literature he received in his mailbox, he explained that a Councilmember was depicted taking a nap. He voiced his opinion that there should be a balance and people should be judged the same way regardless of their political party affiliation. This was offensive to him because he feels it was not a truthful piece of literature.

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

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

The Council President declared the motion passed.

Mr. Lindsay explained that they did review global traffic recommendations in terms of parking. They looked at several areas and gave a recommendation to the Council as to which roads could tolerate parking on one side of the street versus both sides. He also spoke with Police, Fire and DPW about this. Mr. Thorn explained that he would like to town to consider Zelif Avenue as a separate entity. Chief Dmuchowski said Zelif Avenue was done when they reconstructed the street to one-side parking. With respect to the parking of vehicles for excessive periods of time, he said the state statute allows the Police to take action after 48 hours. Therefore, he suggested that any complaints be reported to the Police Department after a car has been on the street for 48 hours or more. During snow storms, the DPW will contact the Police if they cannot get down a street due to cars parked on the road. The Police then go out and issue tickets to those cars parked on the street. Mr. Simone reminded that the Police Department was issuing e-tickets last year; therefore, tickets would not be on the cars, but they would be mailed. They try to avoid towing unless absolutely necessary. Chief Dmuchowski said the overnight parking ordinance is a work in progress and has been suspended since Hurricane Sandy.

Mayor Post thanked Mrs. Dillon for her concerns. However, she said she is not at liberty to discuss personnel issues. She assured that Sergeant Gianduso is qualified to serve in the capacity of OEM Coordinator.

Councilmember MACERI referred to the terms de-snagging and de-silting, and explained that the purpose of this project is to remove the fallen trees and debris from the rivers to help with the flow of the water. Mrs. Bergin explained that dredging cannot be done any longer. She clarified that de-snagging is when they go along the river path and look for large items to be removed; de-silting simply cleans the river bed.

Councilmember VANTUNO said blue light permits are for EMS and Fire Safety. Chief Sweezy explained the purpose and procedure of a blue light permit.

Council President VANTUNO referred to Mr. Fernandez's comments and explained that he didn't see the postcard; therefore, he cannot comment on it.

CONSENT AGENDA

All items on the Consent Agenda were considered to be routine and were enacted with a single motion. Any items under REQUISITIONS carried a Treasurer's certification as to sufficiency of funds.

APPLICATIONS

NJ State Firemen's Association – David J. Marco, Roosevelt Avenue, Clifton, Eagle Hose Co. #1

Blue Light Permit – Chae Son, Highland Avenue, Little Falls Fire Department
- James Hearney, Hudson Street, Little Falls Fire Department

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Raffle – Our Lady of the Holy Angels Church, Calendar Raffle, Fridays from December 2013 – March 2014, 9:00 a.m. – 4:00 p.m.,

- Caldwell/West Caldwell Education Foundation, Tricky Tray, 3/2/14, 6:00 p.m., MSU Conference Center
- Caldwell/West Caldwell Education Foundation, Off-Premise 50/50, 3/2/14, 6:00 p.m., MSU Conference Center
- Caldwell/West Caldwell Education Foundation, On-Premise 50/50, 3/2/14, 6:00 p.m., MSU Conference Center
- Passaic Valley Unico, Off-Premise 50/50, Russian Hall

REPORTS

Municipal Clerk’s Report – Month of October 2013

MUNICIPAL CLERKS REPORT
Month of October 2013

ABC LICENSES		
OTHER LICENSES		
Business Licenses	\$150.00	
Pre-paid Business Licenses		
Raffle Licenses	80.00	\$230.00
REGISTRAR OF VITAL STATISTICS		
Fees & Permits	\$320.00	
Marriage Licenses-LF	18.00	
Marriage Licenses-NJ	150.00	\$488.00
MRNA		
Street Maps	\$33.00	
Zoning Maps		
Zoning Ordinances		
Document Copies	10.42	
Garage Sales	140.00	
Misc. Fees & Refunds:		
TOTAL MRNA		<u>\$183.42</u>
TOTAL CURRENT ACCOUNT		<u>\$901.42</u>
TOTAL TO TREASURER		<u>\$901.42</u>

Municipal Clerk’s Dog/Cat License Report – Month of October 2013

MUNICIPAL CLERK’S DOG/CAT LICENSE REPORT
Month of October 2013

Dog Licenses issued 10/01/13 thru 10/31/13	
Nos. 438 to 446 = 9 Licenses	
Amount due Little Falls	\$61.20
Amount due State	19.80
Total Cash Received	\$81.00
Total to Treas.	<u>\$81.00</u>

Tax Collector’s Report – Month of October 2013

Municipality of Township of Little Falls
Office of the Tax Collector
Township of Little Falls Current Account, Lakeland Bank
Revenues for the Month of October 2013

Categories	October 1-31, 2013	2013 Year to Date
2013 Taxes	\$4,341,299.20	\$36,413,442.19
2012 Taxes	0.00	498,470.93
2011 Taxes	0.00	250.00
2010 Taxes	0.00	500.00
2009 Taxes	0.00	250.00
2008 Taxes	0.00	250.00
2007 Taxes	0.00	250.00
Prepaid 2014 Taxes	31,085.94	109,833.62
Interest	2,933.68	68,096.32
Cost of Tax Sale	0.00	4,046.00
Duplicate Tax Bills	30.00	385.00
Tax Searches	0.00	10.00
Insufficient Check Charge	0.00	340.00
6% Penalty Fee	0.00	3,611.24
Tax Sale Additional Fee	0.00	1,875.00
Outside Lien (Trust)	26,614.58	237,598.08
Premium OTL Fee	0.00	296,000.00
GRAND TOTALS	4,401,963.40	37,635,208.38

Delinquent 2013 Taxes \$378,513.89 (123 line items) 1st- 3rd Qtrs.
Delinquent 2011 Taxes 986.85 (1 line item)
Total Delinquent Taxes \$379,500.74

2007-2010 Open Items due to State of NJ \$250.00 deduction audit (due 06/01/14):

2010 Taxes = \$500.00 (2) line items (State canceled \$750.00 (3) line items)
2009 Taxes = 0.00 (0) line item (State canceled \$500.00 (2) line items)
2008 Taxes = 0.00 (0) line items (State canceled \$500.00 (2) line items)
2007 Taxes = 250.00 (1) line item (State canceled \$500.00 (2) line items)

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Balance due = \$750.00 (State canceled \$2,250.00 (9) line items)

Comparison same time last year:

Delinquent 2012 Taxes \$409,772.63 (130 line items) 1st -3rd Qtrs.
 Delinquent 2011 Taxes 1,236.85 (1) Bankruptcy/1 Sr. Disallowance
Total Delinquent Taxes \$411,009.48

2013 Refunds this month = -\$4,402.95
 2013 Year to date refunds = -\$14,759.02

Breakdown of refunds for years 2009-2013 completed in 2013(see attached).

2013 Insufficient check charge backs (year to date) = -\$29,915.78.

REFUNDS IN THE YEAR 2013

Month	2009 STCJ	2010 STCJ	2011 STCJ	2012 STCJ	2013 STCJ	2013 CBJ	Regular 2013	2013 Veteran / Widow	2013 Senior/ Disabled	Exempt 2013	2013 Homestead Benefit	Total by Months
Jan	\$0.00	\$0.00	\$23,972.52	\$83,908.60	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$107,881.12
Feb	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
March	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$69.00	\$0.00	\$0.00	\$0.00	\$0.00	\$69.00
April	\$0.00	\$0.00	\$5,877.31	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$5,877.31
May	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$2,087.82	\$0.00	\$0.00	\$0.00	\$0.00	\$2,087.82
June	\$0.00	\$0.00	\$31,555.10	\$33,835.30	\$0.00	\$0.00	\$5,295.17	\$0.00	\$0.00	\$0.00	\$0.00	\$70,685.57
July	\$162,526.64	\$173,372.96	\$180,351.60	\$193,384.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$709,635.20
Aug	\$0.00	\$0.00	\$0.00	\$1,260.40	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$1,260.40
Sept	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$2,239.88	\$0.00	\$0.00	\$0.00	\$664.20	\$2,904.08
Oct	\$0.00	\$44,755.71	\$49,828.35	\$57,281.50	\$3,983.00	419.95	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$156,268.51
Nov												
Dec												
Totals	\$162,526.64	\$218,128.67	\$291,584.88	\$369,669.80	\$3,983.00	\$419.95	\$9,691.87	\$0.00	\$0.00	\$0.00	\$664.20	\$1,056,669.01

Note: The above figures represent the months that the Tax Collector did the adjustments in the computer; the Resolution(s) may have been adopted in the next month.

STCJ = State Tax Court Judgments.
 CBJ= County Board Judgments.

Municipality of Township of Little Falls
 Office of the Tax Collector
 Township of Little Falls Tax Collector Trust 2 (Lien Premium Monies), Lakeland Bank
 Revenues for the Months of January-October 2013

	Liens with Premiums Redeemed/(-)	Bal./Dep.(+)
Balance Brought Forward (January 1, 2013)		\$97,900.00
January 2013		
Block 41 Lot 2 (01/08/13)	-\$19,100.00	\$78,800.00
February 2013		\$78,800.00
March 2013		\$78,800.00
April 2013		
Block 76 Lot 17 (04/22/13)	-\$15,000.00	
Block 173 Lot 11 (04/25/13)	-\$12,600.00	
Sub Total		\$51,200.00
Tax Sale April 17, 2013 + \$296,000.00 premiums		\$347,200.00
May 2013		
Block 189 Lot 3 (05/08/13)	-\$22,000.00	
Block 166 Lot 14 (05/29/13)	-\$8,500.00	
Block 148.01 Lot 56 (05/29/13)	-\$32,000.00	\$284,700.00
June 2013		
Block 73 Lot 3 (06/03/13)	-\$22,000.00	
Block 20 Lot 17 (06/11/13)	-\$10,700.00	
Block 88.05 Lot 1 C314 (06/26/13)	-\$13,000.00	\$239,000.00
July 2013		
Block 123 Lot 9 C0602 (07/18/13)	-\$7,800.00	
Block 35 Lot 7 (07/30/13)	-\$4,500.00	\$226,700.00
August 2013		\$226,700.00
September 2013		\$226,700.00
October 2013		
Block 35 Lot 7 (10/09/13)	-\$32,500.00	
Block 120 Lot 12 (10/11/13)	-\$10,100.00	
Ending Balance as of October 31, 2013		\$184,100.00

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Municipality of Township of Little Falls
 Office of the Tax Collector
 Township of Little Falls Tax Collector Trust 1 (Lien Monies), Lakeland Bank
 Revenues for the Months of January-October 2013

	<u>Deposit</u>	<u>Year-to-Date</u>	2013
January 2013			
Block 41 Lot 2 (01/08/13)	\$61,643.78		\$61,643.78
February 2013	\$0.00		\$61,643.78
March 2013	\$0.00		\$61,643.78
April 2013			
Block 76 Lot 17 (04/22/13)	\$7,367.46		
Block 173 Lot 11 (04/25/13)	\$1,980.46	\$70,991.70	
May 2013			
Block 189 Lot 3 (05/08/13)	\$11,131.32		
Block 166 Lot 14 & 148.01/56 (05/29/13)	\$24,805.34	\$106,928.36	
June 2013			
Block 73 Lot 3 (06/03/13)	\$7,554.68		
Block 237 Lot 15 (06/05/13)	\$8,122.77		
Block 20 Lot 17 (06/11/13)	\$33,112.72		
Block 88.05 Lot 1 C314 (06/26/13)	\$5,977.60	\$161,696.13	
July 2013			
Block 185 Lot 5 (07/03/13)	\$15,824.79		
Block 123 Lot 9 C0602 (07/18/13)	\$14,506.77		
Block 35 Lot 7 (07/30/13)	\$18,955.81		\$210,983.50
August 2013	\$0.00		\$210,983.50
September 2013	\$0.00		\$210,983.50
October 2013			
Block 122 Lot 43 (10/09/13)	\$17,022.52		
Block 120 Lot 12 (10/11/13)	\$9,592.06		
 Total Collected as of October 31, 2013			 \$237,598.08

RESOLUTIONS

NJ State Dept. of Health – Dog License Fees

RESOLUTION [A] 13-11-18 - #1

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

\$19.80

payable to:

NJ State Dept. of Health

representing payment of State dog license fee, license Nos. 438 to 446 for the month of October 2013.

Replenish Postage Account

RESOLUTION [B] 13-11-18 - #2

WHEREAS, the Township had the immediate need to replenish the postage account maintained for telephone refill of the postage meter; and

WHEREAS, a check was issued in the amount of \$5,000 for replenishing of the postage account.

NOW, THEREFORE, BE IT RESOLVED, that the Township Council does hereby ratify and support the actions taken by the Township to replenish the postage account.

Institution of IN REM Tax Foreclosures

RESOLUTION AUTHORIZING THE INSTITUTION OF *IN REM* TAX FORECLOSURES [C]#3

REGULAR AGENDA

The following items were individually considered.

INTERDEPARTMENTAL

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

RESOLUTION [D] 13-11-18 - #4

WHEREAS, Title 40:4-58 of the New Jersey Statutes provides that should it become necessary, during the last two months of the fiscal year to expend for any of the purposes specified in the budget an amount in excess of the respective sums appropriated therefore and there shall be an excess in any appropriation over and above the amount claimed to be necessary to fulfill the purpose of such appropriation, the Governing Body may by resolution setting forth the facts (adopted by not less than 2/3 vote of the full membership thereof), transfer the amount of such excess of those appropriations deemed to be insufficient. NOW, THEREFORE BE IT RESOLVED, by the governing body of the Township of Little Falls, not less than 2/3 of the members thereof affirmatively concurring, that the Treasurer be and is authorized to make the following transfers in the 2013 Budget Appropriations:

<u>Current Fund</u>	<u>From</u>	<u>To</u>
Clerk – S&W	30,000	
Financial Administration – S&W	42,000	
Emergency Management – S&W	5,000	
Senior Activities – S&W	12,000	
Gas & Electric	5,000	
Administration – S&W		11,000
Revenue Administration - S&W		18,000
Assessments – S&W		3,000
Construction Code Office –S&W		20,000
DPW –S&W		20,000
Fire Prevention – S&W		8,000
Liability Insurance		1,000

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PERS		2,500
Legal – OE		5,500
Telephone		5,000
Totals	94,000	94,000

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

The Council President declared the motion passed.

NEW BUSINESS

Award of Contract for Removal of Asbestos from house located at 48 Riverview Circle – It was moved by Councilmember Maceri, seconded by Councilmember Organisciak, that the Council approve the following:

RESOLUTION [E] 13-11-18 - #5
 AUTHORIZING THE AWARD OF A FAIR AND OPEN CONTRACT
 FOR THE REMOVAL OF ASBESTOS LOCATED AT 48 RIVERVIEW CIRCLE

WHEREAS, the Township of Little Falls received sealed proposals for the removal of asbestos from the house located at 48 Riverview Circle as follows:

D&S Abatement, Inc.	D&S Restoration, Inc.
Proposal: \$6,700.00	Proposal: \$8,200.00

Alkat Construction, LLC
 Proposal: \$4,800.00

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

WHEREAS, the Township Attorney has reviewed the proposals for legal sufficiency, and recommends that a contract be awarded to Alkat Construction, LLC; and

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

1) That the proposal of
Alkat Construction, LLC
 1017 McBride Avenue
 Woodland Park, NJ 07424

in the amount of
\$4,800.00

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 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.

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

The Council President declared the motion passed.

Award of Contract for the Furnishing and Delivery of Rock Salt Under County Cooperative Purchasing – It was moved by Councilmember Fontana, seconded by Councilmember Maceri, that the Council approve the following:

RESOLUTION [F] 13-11-18 - #6
 ACCEPTING BID AND AWARDING CONTRACT
 For the furnishing and delivery of
 ROCK SALT
 Under County Cooperative Purchasing
 Contract Period December 1, 2013 through November 30, 2014

WHEREAS, the County of Passaic’s Purchasing Agent has advised that pursuant to advertising duly made, bids were received by the County of Passaic as lead agency for the Voluntary Cooperative Pricing System for the furnishing and delivery of

Rock Salt
 (Contract No. 38-PCCP-08-1)

for the Contract period December 1, 2013 to November 30, 2014; and

WHEREAS, the County of Passaic as lead agency, based on review of bids and the resulting recommendation, has awarded a master contract for this commodity; and

WHEREAS, the Township of Little Falls wishes to participate in the master contract for the purchase of ROCK SALT because the price under Contract No. 38-PCCP-08-1 is lower than the prices quoted to the Township by other suppliers; and

WHEREAS the Township Treasurer has provided a Certification of the Availability of Funds (a copy of which is appended to the original of the within Resolution) pursuant the Local Finance Board; and the appropriation to be charged for this expenditure is Department of Public Works Other Expenses;

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

1) That the bid of
International Salt Company, LLC
 ISCO Corporate Center
 655 Northern Boulevard
 Clark Summit, PA 18411

Based on 500 Tons at the bid price of \$49.34 per ton

the award being based upon the unit price; and payment to be made based upon the unit price multiplied by the quantities), be and the same is hereby accepted; and

2) That the Mayor and Clerk be and they are hereby authorized to execute a Contract for the purchase of the within designated goods at the bid price hereinabove cited.

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

The Council President declared the motion passed.

Award of Contract for Improvements to William, Barber & Louis Streets – It was moved by Councilmember Fontana, seconded by Councilmember Organisciak, that the Council approve the following:

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RESOLUTION [G] 13-11-18 - #7
AUTHORIZING THE AWARD OF A FAIR AND OPEN CONTRACT
FOR IMPROVEMENTS TO WILLIAM, BARBER & LOUIS STREETS

WHEREAS, the Township of Little Falls received sealed proposals for Improvements to William, Barber & Louis Streets as follows:

Haskell Paving Proposal: \$409,868.50	AJM Contractors, Inc. Proposal: \$461,779.00
Reivax Contracting Corp. Proposal: \$478,785.08	Sanitary Construction Proposal: \$482,793.50
DLS Construction, Inc. Proposal: \$539,071.00	Cifelli & Sons Proposal: \$658,159.00
Montana Construction Proposal: \$680,832.20	JA Alexander, Inc. Proposal: \$794,848.13
John Garcia Construction Proposal: \$1,196,500.88	

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

WHEREAS, the Township Attorney has reviewed the proposals for legal sufficiency, and recommends that a contract be awarded to Haskell Paving; and

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

1) That the proposal of

Haskell Paving
30 Greenwood lake Turnpike
Ringwood, NJ 07456

in the amount of

\$409,868.50

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 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.

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

The Council President declared the motion passed.

Ordinance No. 1185 – It was moved by Councilmember Fontana, seconded by Councilmember Maceri, that the public hearing on Ordinance No. 1185, “**BOND ORDINANCE PROVIDING FOR IMPROVEMENTS TO INWOOD PARK IN AND BY THE TOWNSHIP OF LITTLE FALLS, IN THE COUNTY OF PASSAIC, NEW JERSEY, APPROPRIATING \$149,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$141,550 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF**”, be and it was opened.

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

The Council President declared the motion passed.

No one having come forward to be heard, it was moved by Councilmember Fontana, seconded by Councilmember Porter, that the public hearing on Ordinance No. 1185 be and it was closed.

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

The Council President declared the motion passed.

It was moved by Councilmember Fontana, seconded by Councilmember Maceri, that the Ordinance No. 1185 be and it was adopted.

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

The Council President declared the motion passed.

Requesting Planning Board to Review a Draft Ordinance Amending Regulations of the MDR Zoning District and to Report its Recommendations Pursuant to the Municipal Land Use Law – It was moved by Councilmember Fontana, seconded by Councilmember Organisciak, that the Council approve the following:

RESOLUTION [H] 13-11-18 - #8
RESOLUTION OF THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF LITTLE FALLS, COUNTY OF PASSAIC, NEW JERSEY REQUESTING THE PLANNING BOARD TO REVIEW A DRAFT ORDINANCE AMENDING REGULATIONS OF THE MDR ZONING DISTRICT AND TO REPORT ITS RECOMMENDATIONS WITH RESPECT THERETO, PURSUANT TO THE MUNICIPAL LAND USE LAW, N.J.S.A. 40:55D-1, et seq.

WHEREAS, the Municipal Land Use Law, N.J.S.A. 40:55D-1, et seq. (the “MLUL”), authorizes municipalities to adopt or amend zoning ordinances relating to the nature and extent of the uses of land and of buildings and structures thereon; and

WHEREAS, the municipal council of the Township of Little Falls (the “Municipal Council”) seeks to adopt a zoning ordinance amending certain regulations of the Medium Density Residential (“MDR”) District within the Township of Little Falls (the “Township”); and

WHEREAS, the MLUL requires that prior to the adoption of a zoning ordinance the Municipal Council refer the proposed ordinance to the Little Falls Planning Board for its review, which is to include the production of a report identifying any provisions of the ordinance which are inconsistent with the Township’s master plan (“Master Plan”) and any recommendations with respect thereto; and

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WHEREAS, the Municipal Council believes it is in the best interest of the Township to refer the proposed revisions to the MDR zoning ordinance (the "**Ordinance**", attached hereto as *Schedule A*) to the Planning Board for its review and to request a report discussing same.

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF LITTLE FALLS, NEW JERSEY AS FOLLOWS:

Section 1. The foregoing recitals are incorporated herein as if set forth in full.

Section 2. The Planning Board is hereby authorized and directed to review the Ordinance and issue a report discussing same, returnable to the Township Council within 35 days.

Section 3. The Planning Board's report should identify any provisions in the Ordinance which are inconsistent with the Master Plan, if any, and recommendations concerning these inconsistencies and any other matters as the Planning Board deems appropriate.

Section 4. This Resolution shall take effect immediately.

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

The Council President declared the motion passed.

Ordinance No. 1186 – It was moved by Councilmember Fontana, seconded by Councilmember Organisciak, that there be introduced and the meeting of December 30, 2013 set as the date and time for public hearing on the following:

ORDINANCE #1186

AN ORDINANCE AMENDING THE MEDIUM DENSITY RESIDENTIAL DISTRICT AND RELATED PROVISIONS OF THE LITTLE FALLS CODE, TOWNSHIP OF LITTLE FALLS, COUNTY OF PASSAIC, STATE OF NEW JERSEY

Section 1. Chapter 280 ("Zoning"), Article XXVII ("MDR-Medium Density Residential") of the Little Falls Code and corresponding section of the Township of Little Falls Schedule of Use, Area and Bulk Regulations – MDR-Medium Density Residential Zone (280 Attachment 7) are hereby amended as follows:

ARTICLE XXVII MDR - Medium Density Residential Zone

§280-73.1 Purpose.

The purpose of the MDR Zone is to create an opportunity for the construction of low- and moderate-income housing in the Township of Little Falls and thereby address the unmet-need portion of the fair share housing obligation of the Township of Little Falls under the New Jersey *Fair Housing Act*.

§280 -73.2 Geographic Scope.

The MDR Zone is specific for the property identified by Block 185, Lot 5, as it appears on the Township's official Tax Map.

§280-73.3 Permitted uses and structures.

In the Medium Density Residential Zone (MDR) , no lot, plot, parcel or tract of land shall be built on altered or have a structure erected and used for any purpose other than that of:

- (A) Multiple family residential units with self contained parking located on the ground floor.
- (B) Accessory surface parking.
- (C) A sign identifying the multiple family residential development and located at the entrance or entrances to such developments. The size, design, location, landscaping and maintenance of such sign or signs shall be in accordance with the specifications and conditions of the Planning Board as set forth herein.

§280-73.4 **[DELETE §280-73.4 in its entirety and replace it with the following new §280-73.4]**

Low and moderate income housing requirements.

A. Twenty (20%) percent of the total number of units constructed within the MDR Zone shall be affordable to low- and moderate-income households. When calculating the required number of affordable units, any computation resulting in a fraction of less than 0.5 shall be rounded down; any computation resulting in a fraction of 0.5 or greater shall be rounded up; *provided, however*, that a minimum of one (1) affordable unit shall be required as part of any project constructed within the MDR Zone.

B. The housing units set aside for low- and moderate-income households shall be constructed, marketed, and rented or sold in accordance with applicable COAH regulations (or any other applicable State regulations adopted to implement the requirements of the New Jersey *Fair Housing Act*), including:

- (1) Affordability;
- (2) Occupant eligibility;
- (3) Proportion of low-income units and moderate-income units;
- (4) Resale price controls;
- (5) Handicapped adaptability and accessibility;
- (6) Bedroom mix; and
- (7) Affirmative marketing.

§280 - 73.5 Bulk Standards.

The applicable bulk standards are as follows and also appear on the Township of Little Falls Bulk Schedule Table:

MDR Zone

Lot Area	34,000 sf. [DELETE 35,000, and revise corresponding Schedule of Use, Area and Bulk Regulations – MDR-Medium Density Residential Zone (280 Attachment 7)]
Lot Width	185 ft.
Lot Depth	185 ft.
Front Yard	25 ft.
Side Yard	25 ft.
Rear Yard	10 ft.
Maximum Coverage	60% (35% bldg)
Maximum Height	3 stories/38 ft.
Min . Dwelling Size	1 bedroom, 880 sf.; 2 bedroom, 1,200 sf .

§280-73.6 Buffer Required Adjacent to Single Family Residential Development.

A landscaped buffer a minimum of 15 feet in width and 8 feet in height at planting shall be provided for any development permitted in this Medium Density Residential District which is adjacent to a Single Family Residential Use . Said buffer shall be subject to review and approval by the Planning Board/Zoning Board pursuant to Site Plan Review .

§280-73.7 Site Plan Review.

All of the foregoing shall be subject to Site Plan Review.

Section 2. Repealer

All Township ordinances that are inconsistent with this ordinance are hereby repealed.

Section 3. Severability

If any section, paragraph, subdivision, clause, sentence, phrase or provision of this ordinance is declared unconstitutional or invalid by a Court of competent jurisdiction, such decision shall not affect the remaining portions of this ordinance.

Section 4. Effective Date

This ordinance shall become effective twenty (20) days after final passage, adoption and publication as required by law.

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

The Council President declared the motion passed.

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PAYMENT OF BILLS

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

The Council President declared the motion passed.

There being no further business to come before the meeting it was moved by Councilmember Porter, seconded by Councilmember Organisciak, that the meeting be and it was adjourned at 8:14 p.m.

Cynthia Kraus
Municipal Clerk