

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

**Monday, November 28, 2011**

Council President Louis Fontana called the meeting to order at 7:30 p.m. with the following members present: Mercedes Gonzalez, Darlene Post, Joseph Sisco and John Vantuno. Also present were Township Attorney Joseph Trapanese, Township Engineer Dennis Lindsay, Municipal Clerk William Wilk and Township Administrator Henry Underhill.

Absent: Mayor Michael DeFrancisci

Township Employees present: Police Chief John Dmuchowski, DPW Superintendent Phillip Simone, Fire Chief Jack Sweezy 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.

**REMARKS FROM CHAIR**

Council President FONTANA informed that yesterday was the actual date of the 300 Anniversary of Little Falls. A dinner was held for the occasion this weekend, which he said was very nice. He commended John Veteri for organizing all of the events.

**COUNCIL MEMBER REPORTS**

Councilmember SISCO had nothing to report.

Councilmember GONZALEZ had nothing to report.

Councilmember POST congratulated Miss Meyer on passing the Municipal Clerk's State examination. She also commended and thanked John Veteri with regard to the 300<sup>th</sup> Anniversary events.

Councilmember VANTUNO informed that the Board of Education would be at the next Workshop meeting on 12/12/11, as previously discussed. He also said representatives from PSE&G would be present to discuss the utility poles that were recently installed in town.

**MAYOR'S REPORT**

No report was given in the absence of Mayor DeFrancisci.

**ATTORNEY'S REPORT**

Mr. Trapanese had nothing to report.

**PUBLIC PORTION**

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

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

The Council President declared the motion passed.

Wayne Hebert, 149 Island Avenue, informed that he is a member of the Little Falls Athletic Club, noting that he is aware of the requirements in town to be a coach and/or chaperone for the children. He voiced concern regarding what is not being done involving direct contact with the children; there are some instances that don't have the same requirements. He voiced his opinion that this should change, adding that every program which includes children should have to go through the Recreation Department to obtain permission for property access. He also said that every person involved should have had a safety course and a background check done.

Louis Fernandez, 54 Harrison Street, 2 weeks ago, reminded that the Township was unpleasant toward Mr. Barry Delaney regarding his membership on the Fire Department because he wasn't a town resident. He recently discovered that the Police Chief is the highest paid official in town and pointed out that he is not a Township resident. He understands that they are two separate entities, but said they are somewhat related and the rule should not apply to one and not the other. He doesn't understand the double standard and said they shouldn't be giving Mr. Delaney a hard time; he is offering his services to the Township for free.

Dorothy O'Haire, Turnberry Road, informed that Assemblyman Rumana called a meeting last week in which he informed of a petition that he would like circulated, signed and delivered to the Municipal Clerk of each municipality. She asked for the status of the grant pertaining to the early warning system on the Peckman River which was submitted by the Regional Flood Board; she urged that this is a very important thing to have. Referring to the grant for the bicycle bridge across the Peckman River, she said she would like to review the plans for this. The Township has been working on getting the wall fixed on Cedar Grove Road for ten years; the problem has always been that there is no money. However, there is money for a bicycle bridge. She explained that she read an article in the newspaper recently that the other towns have received a grant to remove shoals in the Peckman River; they are using this to remove the trees that are clogging it. She pointed out that damages due to

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Hurricane Irene cost the Township over \$150,000; she would like permission to apply for a grant to replace that money. She spoke to the NJDEP, who informed her that more money will be available if FEMA doesn't refund the Township.

Arnold Korotkin, Long Hill Road, referred to all residents and business owners who were affected by flooding, and reminded that this Wednesday, 11/30/11, is the deadline to apply for assistance. He asked for the status of the pending red light camera system. He also asked for the current status of the Redevelopment Committee, and questioned what its current focus is.

Phillip Simone, 19 Coney Road, referred to several statements that were made at the last meeting regarding the proposed overnight parking ordinance. It had been stated that there were minor changes made to the ordinance; however, upon comparing same to the current ordinance, he found many significant changes. At the last meeting, the Council stated that they didn't wish for this ordinance to be a revenue. He pointed out that there is a need to exempt certain residents from the parking restrictions in town, and also explained that there must be a balance between parking and the environment as well. He still feels that the fees need to be reviewed. He requested the Council to review the current and proposed ordinances and secure written input from the Township Officials on this topic in order to make an unbiased decision before proceeding.

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

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

The Council President declared the motion passed.

Council President FONTANA agreed with Mr. Hebert, noting that he is involved with coaching as well. He referred to Mr. Trapanese, who said this was a good suggestion and pointed out that the Township has reviewed some of these issues, one of them being a fee structure for people who want to use the fields who are not township residents. He informed that the Council could further amend this ordinance to include regulations that would permit background checks for everyone.

President FONTANA referred to Mr. Fernandez's remarks and informed that the Fire Department is handling the matter with Mr. Delaney; the Council is not in control of this. Regarding Township employees, he pointed out that they have specific times that they are paid to be here. Volunteers are on call and may not be able to respond in time from another town; they are two different issues. Mr. Underhill said the current ordinance requires auxiliary members to live in town or in an adjacent town, which is why they cannot have Mr. Delaney as a member. He also informed that the State passed a law years ago allowing employees to stay working in a town they don't reside in.

In response to Council President FONTANA, Mrs. O'Haire informed that she has a copy of the petition. Mr. Lindsay said they will make sure it gets circulated. Referring to the bicycle bridge, he informed that he has no updates at this time. He also said he would speak with Mr. Simone regarding grant money. Mr. Underhill informed that the application has been submitted; noting that the FEMA reimbursement application has not been submitted, but they do anticipate a reimbursement. Mr. Lindsay assured that Mrs. Bergin would be looking for any grants that may be available.

Chief Dmuchowski explained that the application for the red light camera program has been submitted; they are currently waiting to hear back to see if the State is going to expand the program. Mr. Underhill explained that the vendor recently submitted their annual reports to the NJDOT, which is what they are looking for in order to make their decision. A decision should be made in a couple of months. Councilmember SISCO pointed out that people are always making a right hand turn off of Stevens Avenue onto Main Street illegally, and questioned if there would be cameras in that area. Chief Dmuchowski informed that cameras would not be installed at this intersection.

Councilmember POST informed that there haven't been any meetings regarding the Business Improvement District at this time; she will be able to report back after the next meeting.

Council President FONTANA referred to Phil's comments regarding the overnight parking ordinance. Mr. Trapanese explained that the present ordinance is unconstitutional and is not working – he provided notice on the township website and at the last workshop meeting of the changes to this ordinance. GONZALEZ said the issue of parking was brought up last year when there was an issue during a snow storm. Chief said this is different; this issue has been going on for a long time. The parking in Little Falls has to be revamped; there is limited parking in town. GONZALEZ said the ordinance should be more basic; there shouldn't be so many exceptions and restrictions. Chief said the Council makes the rules and the police department enforces them. GONZALEZ said the ordinance should read more simply so it is easy to understand. Mr. Trapanese said they can put a summary on the website for the residents and he can prepare a summary for the council to understand it more clearly. He said he cannot change the wording or standards of the ordinance in the case of litigation. SISCO said there have been many changes to the ordinance. Mr. Trapanese said he had indicated that there were changes and he previously explained all of them.

### 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

Raffle - - American legion Auxiliary Unit #108, Off-Premise 50/50, 2/5/12, 2:00 p.m. – 10:00 p.m.

Blue Light Permit – Angelo S. Gentile, Van Pelt Place, Little Falls Fire Department

### RESOLUTIONS

Refunds for Overpayment of 2011 Property Taxes

#### RESOLUTION [A] 11-11-28 - #1

Judgment for the Year 2011; and  
**WHEREAS**, the following taxpayer was granted a County Board of Taxation

their 4<sup>th</sup> quarter taxes in full; and  
**WHEREAS**, this taxpayer had an attorney file their appeal, and has since paid

**WHEREAS**, this account is paid for the Year 2011, and the Tax Collector authorizes our CMFO to refund their overpayment to their attorney:

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<u>BLOCK/LOT QUAL.</u>	<u>OWNER/ LOCATION</u>	<u>REFUND PAYABLE &amp; AMOUNT</u>	<u>MAIL TO:</u>
241/1	Michael & Leona Hrehovcik 17 Glen Rock Rd	\$1,226.94	McKirby & Riskin Trust Account Attn: T Olson, Esq. 136 South Street Morristown, NJ 07960

**TOTAL REFUND \$1,226.94**

**NOW, THEREFORE BE IT RESOLVED** by the Township Council of the Township of Little Falls on this 28th day of November 2011 that the above block and lot for 2011 be noted as overpaid and be granted a refund in the total amount of \$1,226.94 due to a County Board of Taxation Judgment.

**RESOLUTION [B] 11-11-28 - #2**

Judgments for the Year 2011; and

**WHEREAS**, the following taxpayers were granted County Board of Taxation

companies that pay their taxes; and

**WHEREAS**, these taxpayers filed their appeals directly, and they have mortgage

appeal; and

**WHEREAS**, the mortgage companies paid their 4<sup>th</sup> quarter taxes in full before the

**WHEREAS**, their accounts are paid for the Year 2011, and the Tax Collector shall authorize the CMFO to refund the overpayments directly to the taxpayers:

<u>BLOCK/LOT QUAL.</u>	<u>OWNER/ LOCATION</u>	<u>REFUND PAYABLE &amp; AMOUNT</u>	<u>MAIL TO:</u>
43/26	Brian & Eliz. Thomas 169 Donato Drive	\$ 291.72	Brian & Eliz. Thomas 169 Donato Drive Little Falls, NJ 07424
52/3	Jeffrey & Barbara Panas 32 Stinson Place	1,254.83	Jeffrey & Barbara Panas 32 Stinson Place Little Falls, NJ 07424
52/5	Robyn Soranno 36 Stinson Place	536.25	Robyn Soranno 36 Stinson Place Little Falls, NJ 07424
71/147	Taryn G & Raffaele Lagonigro 51 Parkway	278.85	Taryn G & Raffaele Lagonigro 51 Parkway Little Falls, NJ 07424
84/9	Raymond & Eileen Zaneski 126 Louis Street	214.50	Raymond & Eileen Zaneski 126 Louis Street Little Falls, NJ 07424
85/16	Jose & Maritza Cruz 36 Riverview Circle	1,954.10	Jose & Maritza Cruz 36 Riverview Circle Little Falls, NJ 07424
95/11	Albert & Ewa Hager 77 Center Avenue	561.99	Albert & Ewa Hager 77 Center Avenue Little Falls, NJ 07424

<u>BLOCK/LOT QUAL.</u>	<u>OWNER/ LOCATION</u>	<u>REFUND AMOUNT</u>	<u>PAYABLE &amp; MAIL TO:</u>
95/13	Joseph Bsales 89 Center Avenue	\$1,437.15	Joseph Bsales 89 Center Avenue Little Falls, NJ 07424
96/2	Timothy Capalbo & Theresa Von Klug 84 Montclair Avenue	965.25	Timothy Capalbo & Theresa Von Klug 84 Montclair Avenue Little Falls, NJ 07424
96/21	James & Christina Rini 108 Montclair Avenue	1,100.38	James & Christina Rini 108 Montclair Avenue Little Falls, NJ 07424
99/4	Andrew & Gabriela 69 Stevens Avenue	1,297.73 Burdzy	Andrew & Gabriela 69 Stevens Avenue Little Falls, NJ 07424
123/15.24	Harold & Natalya Stuherck 34 Turnberry Road	1,458.60	Harold & Natalya Stuherck 34 Turnberry Road Little Falls, NJ 07424
151/51	Joseph Di Napoli, Jr. & Am Zipeto 34 Third Avenue	1,173.32	Joseph Di Napoli, Jr. & Am Zipeto 34 Third Avenue Little Falls, NJ 07424
151/53	Gregory & Tina Shark 42 Third Avenue	1,235.52	Gregory & Tina Shark 42 Third Avenue Little Falls, NJ 07424
157/43	Nikola Anevski 20 Reiners Road	1,568.00	Nikola Anevski 20 Reiners Road Little Falls, NJ 07424
186/7 C057	Jeffrey Atry 5G Colonial Drive	360.36	Jeffrey Atry 5G Colonial Drive Little Falls, NJ 07424

<u>BLOCK/LOT QUAL.</u>	<u>OWNER/ LOCATION</u>	<u>REFUND PAYABLE &amp; AMOUNT</u>	<u>MAIL TO:</u>
223/2.01	John J Faherty & Claudia R Diamonte 294 Paterson Avenue	1,104.68	John J Faherty & Claudia R Diamonte 294 Paterson Avenue Little Falls, NJ 07424
232.02/41	R Borkowski & J Bouton 25 Ethel Drive	755.04	R Borkowski & J Bouton 25 Ethel Drive

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233/40	Stephen & Rosanna Fahy 35 Woodlawn Terrace	804.38	Stephen & Rosanna Fahy 35 Woodlawn Terrace Cedar Grove, NJ 07009
235/40	Essam Aziz & Souheila Saba 40 Notch Park Rd	2,247.96	Essam Aziz & Souheila Saba 40 Notch Park Rd Little Falls, NJ 07424
236.01/12	Huyen & Hung Vu 4 Stephen Place	1,256.97	Huyen & Hung Vu 4 Stephen Place Little Falls, NJ 07424
237/28	Vivian Irizarry 47 Woods Road	<u>1,276.27</u>	Vivian Irizarry 47 Woods Road Little Falls, NJ 07424

**TOTAL REFUND      \$23,133.85**

**NOW, THEREFORE BE IT RESOLVED** by the Township Council of the Township of Little Falls on this 28th day of November 2011 that the above block and lots for 2011 be noted as overpaid and be granted refunds in the total amount of \$23,133.85 due to County Board of Taxation Judgments.

Refund for Overpayment of 2010 Property Taxes

**RESOLUTION [C] 11-11-28#3**

**WHEREAS**, there is a State Tax Court Judgment on Block 218 Lot 9, known as Shirley Juhlin (a/k/a Shirley Close) of 65 Harrison Street for the Year 2010 reducing the assessed value by \$47,100.00;

<b>YEAR 2010</b>	
Original Assessment	\$397,100.00
STCJ	<u>350,000.00</u>
Difference	47,100.00
'10 Tax Rate	x <u>2.062%</u>
	\$ 971.20

**WHEREAS**, the Tax Collector shall authorize the CMFO to refund the total amount of \$971.20 for the Year 2010 payable to: McKirdy & Riskin, as attorneys for Shirley Close; Attn: T. Olson, 136 South Street, Morristown, NJ, 07960; and

**WHEREAS**, the 2010 Judgment does not reflect a Freeze Act for the Year 2011;

**NOW,**

**THEREFORE BE IT RESOLVED** by the Township Council of Little Falls on this 28th day of November 2011 that the above attorney be refunded the total amount of \$971.20 for the overpayment of taxes due to a State Tax Court Judgment on Block 218 Lot 9.

Riddick Associates, P.C.

**RESOLUTION [D] 11-11-28 - #4**

**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:

Riddick Associates, P.C.

representing payment for engineering services rendered in connection with Ciasulli/Lexus – Lot 3, et al – Inspection and administrative requirements in connection with approved site plan; and

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

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**RESOLUTION [E] 11-11-28 - #5**

**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:

\$612.50

payable to:

Riddick Associates, P.C.

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

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

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

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

The Council President declared the motion passed.

**REGULAR AGENDA**

The following items were individually considered.

**INTERDEPARTMENTAL**

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

**RESOLUTION AUTHORIZING TRANSFERS IN THE 2011 BUDGET: \$33,984.00 [F]#6**

Mr. Wilk provided an explanation of this resolution.

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

The Council President declared the motion passed.

**NEW BUSINESS**

**Meeting of November 28, 2011**

Authorizing Stipulation of Settlement – It was moved by Councilmember Sisco, seconded by Councilmember Vantuno, that the Council approve the following:

RESOLUTION [G] 11-11-28 - #7

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 2009, 2010 & 2011 tax years; 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 2009, 2010 & 2011 tax appeals pending before the Tax Court of New Jersey as hereinafter enumerated be and the same is hereby authorized, approved and ratified:

1200-1230 Route 46 West

Block 201 Lot 10

	<u>Original Assessment</u>	County Board	<u>Requested Tax Judgement</u>	<u>Court Judgment</u>
2009 Land:	\$1,403,000	DIRECT	\$1,403,000	
Improvements:	<u>\$1,017,100</u>	<u>APPEAL</u>	<u>\$1,017,100</u>	
Total:	\$2,420,100		\$2,420,100	

	<u>Original Assessment</u>	County Board	<u>Requested Tax Judgement</u>	<u>Court Judgment</u>
2010 Land:	\$1,403,000	DIRECT	\$1,403,000	
Improvements:	<u>\$1,017,100</u>	<u>APPEAL</u>	<u>\$ 897,000</u>	
Total:	\$2,420,100		\$2,300,000	

	<u>Original Assessment</u>	County Board	<u>Requested Tax Judgement</u>	<u>Court Judgment</u>
2011 Land:	\$1,403,000	DIRECT	\$1,403,000	
Improvements:	<u>\$1,017,100</u>	<u>APPEAL</u>	<u>\$ 797,000</u>	
Total:	\$2,420,100		\$2,200,000	

Route 46 West

Block 201, Lot 3

	<u>Original Assessment</u>	County Board	<u>Requested Tax Judgement</u>	<u>Court Judgment</u>
2009-2011 Land:	\$1,168,000	DIRECT	\$1,168,000	
Improvements:	<u>\$160,600</u>	<u>APPEAL</u>	<u>\$ 160,600</u>	
Total:	\$1,328,600		\$1,328,600	
	AFFIRMED			AFFIRMED

1600 Route 46 West

Block 201, Lot 9

	<u>Original Assessment</u>	County Board	<u>Requested Tax Judgement</u>	<u>Court Judgment</u>
2009-2011 Land:	\$764,000	DIRECT	\$764,000	
Improvements:	<u>\$200,000</u>	<u>APPEAL</u>	<u>\$200,000</u>	
Total:	\$964,000		\$964,000	
	AFFIRMED			AFFIRMED

2. There will be no prejudgment interest.

3. The Township Attorney and Tax Assessor are authorized and directed to execute Stipulations of Settlement and to take such other and further action as may be required to effectuate the above.

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

The Council President declared the motion passed.

Authorizing Stipulation of Settlement – It was moved by Councilmember Vantuno, seconded by Councilmember Post, that the Council approve the following:

RESOLUTION [H] 11-11-28 - #8

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 2008, 2009, 2010 & 2011 tax years; 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 2008, 2009, 2010 & 2011 tax appeals pending before the Tax Court of New Jersey as hereinafter enumerated be and the same is hereby authorized, approved and ratified:

1655 Route 46 E

Block 200 Lot 2

	<u>Original Assessment</u>	County Board	<u>Requested Tax Judgement</u>	<u>Court Judgment</u>
2008 Land:		\$0	DIRECT	\$0
Improvements:	<u>\$1,024,300</u>	<u>APPEAL</u>	<u>\$1,024,300</u>	
Total:	\$1,024,300		\$1,024,300	
Prorated Amt	\$597,508		for 7 Months	\$1,024,300

	<u>Original Assessment</u>	County Board	<u>Requested Tax Judgement</u>	<u>Court Judgment</u>
2009 Land:	\$3,195,600	DIRECT	\$3,195,600	
Improvements:	<u>\$9,296,500</u>	<u>APPEAL</u>	<u>\$9,296,500</u>	
Total:	\$12,492,100		\$12,492,100	
	AFFIRMED			AFFIRMED

	<u>Original Assessment</u>	County Board	<u>Requested Tax Judgement</u>	<u>Court Judgment</u>
2010 Land:	\$3,195,600	DIRECT	\$3,195,600	
Improvements:	<u>\$9,296,500</u>	<u>APPEAL</u>	<u>\$7,804,400</u>	
Total:	\$12,492,100		\$11,000,000	

Route 46 West

Block 201, Lot 3

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	Original Assessment	County Board	Requested Tax Judgement	Court Judgment
2011 Land:	\$3,195,600	DIRECT	\$3,195,600	
Improvements:	\$9,296,500	APPEAL	\$6,804,400	
Total:	\$12,492,100		\$10,000,000	

2. There will be no prejudgment interest.

3. The Township Attorney and Tax Assessor are authorized and directed to execute Stipulations of Settlement and to take such other and further action as may be required to effectuate the above.

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

The Council President declared the motion passed.

Ordinance No. 1144 – Council members GONZALEZ and SISCO questioned this. Mr. Trapanese explained that the Recreation Director had requested a procedure to be put in place regarding use of the parks in town. He would like this to address rules and regulations dealing with the use of fields, including establishing fees and giving residents priority over all others. Councilmember GONZALEZ pointed out that this should’ve been brought to the Council’s attention before the ordinance was drafted and placed on an agenda. Mr. Trapanese said he got permission from Council President Fontana. Councilmember GONZALEZ asked President Fontana to share this kind of information with the entire Council in the future. Mr. Underhill said this ordinance was a recommendation from the Auditor. Mr. Trapanese said they should invite Mr. Pace to the next Workshop meeting to discuss this with the Council. In the meantime, he recommended the Council to introduce the ordinance this evening and if there are any concerns, he can make changes as necessary. Council President FONTANA suggested that they Council hold off on this ordinance this evening, since there will be changes made.

Ordinance No. 1145 – It was moved by Councilmember Gonzalez, seconded by Councilmember Post, that there be introduced and the meeting of December 19, 2011 set as the date and time for the public hearing on the following:

ORDINANCE NO. 1145

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 280 (“ZONING”), ARTICLE 11 (“BUSINESS B2 DISTRICT”), SECTION 81 (“CONDITIONAL USES – SECTION B – BILLBOARDS OR OFFSITE ADVERTISING SIGNS”) and SECTION 154 (“DEFINITIONS”) OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF LITTLE FALLS

BE IT ORDAINED, by the Township Council of the Township of Little Falls, in the County of Passaic and State of New Jersey, as follows:

Section 1 – Chapter 280 (“Zoning”), Article 11 (“Business B2 District”), Section 81 (“Conditional Uses – Section B – Billboards or Offsite Advertising Signs”) and Section 154 (“Definitions”) of the Revised General Ordinances of the Township of Little Falls, is hereby amended and supplemented to revise the language of the aforementioned section as follows:

§ 280-81.B.(1)(1) – The maximum height of billboards shall be fifty (50) feet as measured from the elevation of the white line on the edge of the adjacent highway, or the edge of the road pavement if a white line does not exist, at a point perpendicular to the sign, to the top of the sign.

Section 2 – Severability

BE IT FURTHER ORDAINED, that if any section, paragraph, sub-section, 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 validity of the remaining portions of this Ordinance.

Section 3 – Repealer and Merger

BE IT FURTHER ORDAINED, that all Township Ordinances and parts of Ordinances that are inconsistent with this Ordinance are hereby repealed; including but not limited to, §280-81.B and attachment nine (9) to said zoning Ordinances entitled “§ zoning schedule of use, area and bulk regulations” for the B2 zone.

Section 4 – Effective Date

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

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Mr. Wilk briefly explained this ordinance and Mr. Trapanese informed that the billboard height must be established; it will be a limit of 50 feet from the edge of the pavement of Route 46. Mr. Lindsay provided further clarification of the height limitation.

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

The Council President declared the motion passed.

Resolution I – Mr. Wilk provided an explanation of this resolution. Post/Vantuno/all aye to approve.

**PUBLIC PORTION**

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

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

The Council President declared the motion passed.

Louis Fernandez, 54 Harrison Street, asked how many years residents can file for appeals and Mr. Trapanese informed that the appeals are required to be filed by a certain deadline and can be filed for one year. When a resident files more than one appeal over the years, the Township consolidates them to the benefit of the Township.

Phillip Simone, 19 Coney Road, explained that he is not opposed to the parking ordinance but he is opposed to how the fees are being established. He reminded that the public hearing will be held on December 19, 2011, noting that he will have to request a list of current parking permits in town in order to notify the residents of the pending change.

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

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

The Council President declared the motion passed.

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Councilmember GONZALEZ pointed out that the Council has decreased the fees for the parking ordinance. Councilmember VANTUNO informed that he used to pay over \$100.00 for parking fees in Montclair.

Chief Dmuchowski said the Council decided what the fee would be, adding that this wasn't his suggestion. He wished to make the record clear.

**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.

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

The Council President declared the motion passed.

Fed Ex	General Admin.	49.58
Shred It		`81.71
Host My Site.Com	A & E	251.40
Law Soft Inc.		`1695.00
North Jersey Media Group		`188.40
North Jersey Media Group		`104.66
North Jersey Media Group		`161.37
Financial Forms & Supplies	Treasurer	144.14
Lerch, Vinci & Higgins, LLP		`250.00
Munidex		`100.00
Atlantic Envelope Co., Inc.	Tax Collector	452.55
Little Falls Trophy		`32.00
Munidex		`1741.00
Munidex		`1003.00
Action Interpreting LLC	Municipal Court	1867.50
Action Interpreting LLC		`769.00
Universal Computing Services		`125.00
William J. Marotta, III		`1500.00
Birdsall Services Group, Inc.	Legal	14,853.20
Riddick Associates, PC	Engineer Costs	87.50
Riddick Associates, PC		`1771.25
Riddick Associates, PC		`262.50
Riddick Associates, PC		`218.75
Riddick Associates, PC		`612.50
Riddick Associates, PC		`131.25
Delta Dental Plan of NJ, Inc.	Group Health Ins.	2587.59
Delta Dental Plan of NJ, Inc.		`2909.80
NJSHBP		`69,726.97
Ally	Aid to Volunteer Fire	534.69
DeLage Landen	Police	189.00
Integrated Document Technologies		`55.88
Mobile Mini Inc.		`262.00
Munidex, Inc.		`50.00
Tessco Tech.		`48.45
Tessco Tech.		`345.36
US Digital Media Inc.		`98.84
Shred-It USA		`87.71
Kay Printing Envelope Co. Inc.	Construction Code Official	893.00
Konica Minolta Premier Finance		`203.99
DAK Electric Company, Inc.	DPW	150.00
Electric Drives & Controls		`682.75
Jen Electric		`3600.00
Mike Orgera		`400.00
Northeast Arborist Supplies		`1241.78
Northeast Arborist Supplies	DPW	272.24
Northeast Arborist Supplies		`155.24
ODB		`481.42
One Call Concepts, Inc.		`104.86
Poland Springs		`25.11
S. Meltzer		`2800.00
Tilcon New York, Inc.		`101.16
Cablevision Systems Corp.	Emergency Mgmt.	49.95
Verizon Select Services Inc.		`26.20
Gaeta Recycling Co., Inc.	Solid Waste	35,713.34
Konica Minolta Premier Finance		`91.99
S. Rotondi & Sons, Inc.		`4062.50
S. Rotondi & Sons, Inc.		`4062.50
S. Rotondi & Sons, Inc.		`4062.50
De Luxe International Trucks	Vehicle Maintenance -DPW	86.92
De Luxe International Trucks		`36.50
General Parts Group, Inc.		`7.58
Snap-On Industrial		`690.00
Eastern Surplus & Equipment	Vehicle Maintenance - Police	96.00
General Parts Group, Inc.		`38.15
General Parts Group, Inc.		`25.00
General Parts Group, Inc.		`92.58
Rt. 46 Chrysler Jeep Dodge Inc.		`933.69
Cablevision Systems Corp.	Recreation	74.90
Cintas Corporation		`74.06
Frank's F & S Painting		`500.00
Konica Minolta		`189.99
Mr. John		`79.74
Munidex, Inc.		`1300.00
Regal Maintenance Supply Co.		`32.95

## Meeting of November 28, 2011

A & A Construction Mgmt. Corp.	Bond Ord. – 1020	14,375.00
Hutton Construction, LLC	Bond Ord. – 1048	25,346.12
Bergin Consulting LLC	Bond Ord. – 1121	157.50
Bergin Consulting LLC	Bond Ord. – 1095	1102.50
Bergin Consulting LLC	Bond Ord. -	4567.50
Nickerson Corporation	Bond Ord. – 1128	20,575.00
Lerch, Vinci & Higgins, LLP	Bond Ord. – 1139	500.00
North Jersey Media Group	Bond Ord. – 1139	89.97
Riddick Associates, PC	Bond Ord. – 1139	5704.00
Riddick Associates, PC	Bond Ord. – 1139	1122.50
Riddick Associates, PC	Bond Ord. – 1139	437.50
Riddick Associates, PC	Bond Ord. – 1110	1791.25
Riddick Associates, PC	Bond Ord. – 1098	175.00
Riddick Associates, PC	Bond Ord. – 1098	2318.75
Riddick Associates, PC	Bond Ord. – 1095	743.75
Riddick Associates, PC	Bond Ord. – 1092	306.25
MCI Communications	Telephone	57.58
Rachles/Michele's	Gasoline	4230.62
National Terminal, Inc.	Diesel	3708.75
National Terminal, Inc.		312.11
Veolia Environmental Services	Tipping Fees	61,638.48
Veolia Environmental Services	Recycling Taxes	2814.54
Advanced Video Surveillance	Public Bldg. & Grounds	105.00
DAK Electric Company		185.00
Millennium Mechanical, LLC		584.52
Natural Lawn of America		680.00
Natural Lawn of America		134.00
Prime Pest Control LLC		100.00
S & A Irrigation & Lawn Service		335.00
Spot-A-Way Inc.		105.00
Deborah Gessler	Widows	416.66
Clarion Office Supply	Recycling Trust	204.47
North Jersey Media Group		49.81
Little Falls Board of Ed.	Local School	1,029,650.00
Passaic Valley Regional HS	Regional School	535,450.84
Veolia Environmental Services	Tipping Fees Flood	31,376.69
Advanced Plumbing & Drain Clean	Flood DPW	27,200.00
Barcia Brothers, Inc.		4200.00
Ben Shaffer & Associates		2099.00
CAD Roofing LLC		1500.00
DAK Electric Company		198.00
Godwin Pumps of America		650.00
Grinnell Recycling, Inc.		7443.75
R & R Pump & Control Svcs.		5000.00
R & R Pump & Control Svcs.		7780.00
R & R Pump & Control Svcs.		4815.00
Pumping Services, Inc.		6059.00
Pumping Services, Inc.		1046.25
R & J Control Inc.		6647.00
R & J Control Inc.		4680.00
Salomone Brothers, Inc.		822.00
Salomone Brothers, Inc.		13,500.00
Skyland's Excavating Service		750.00
Timko Landscaping		2750.00
Gaeta Recycling Co., Inc.	Flood Solid Waste	220.00
Gaeta Recycling Co., Inc.		880.00
Gaeta Recycling Co., Inc.		880.00
Gaeta Recycling Co., Inc.		440.00
Gaeta Recycling Co., Inc.		880.00
Gaeta Recycling Co., Inc.		1100.00
Gaeta Recycling Co., Inc.		1540.00
Gaeta Recycling Co., Inc.		220.00
Gaeta Recycling Co., Inc.		1100.00
Gaeta Recycling Co., Inc.		9160.00
Gaeta Recycling Co., Inc.		1760.00
Gaeta Recycling Co., Inc.		220.00
Gaeta Recycling Co., Inc.		440.00
Gaeta Recycling Co., Inc.		440.00
Gaeta Recycling Co., Inc.		2640.00
Gaeta Recycling Co., Inc.		1320.00
Atlantic Salt, inc.		5327.79
Birdsall Services Group, Inc.	Planning Board	2485.00

There being no further business to come before the meeting, it was moved by Councilmember Post, seconded by Councilmember Vantuno, that the meeting be and it was adjourned at 8:23 p.m.

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William E. Wilk  
Municipal Clerk

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Cynthia Meyer  
Deputy Municipal Clerk