

MINUTES OF THE REGULAR TOWNSHIP COUNCIL MEETING  
OF SEPTEMBER 27, 2010

MEETING CALLED TO ORDER AT 7:40 PM BY COUNCIL MEMBER PAUL HUGGINS

STATEMENT OF PUBLIC NOTICE WAS READ BY MUNICIPAL CLERK WILLIAM WILK

ROLL CALL:

**PRESENT** – COUNCIL MEMBERS HUGGINS, LIESS, HUH AND FONTANA

**ABSENT** – COUNCIL PRESIDENT SISCO

**ALSO PRESENT** - MAYOR DEFRANCISCI, ATTORNEY JOSEPH TRAPANESE, MUNICIPAL CLERK WILK, MUNICIPAL ENGINEER LINDSAY, ADMINISTRATOR KAZMIERCZAK

**APPROVAL OF MINUTES**

MOTION MADE BY LIESS, SECONDED BY FONTANA TO APPROVE MINUTES FROM THE JULY 12, 2010 TOWNSHIP COUNCIL MEETING. COUNCIL MEMBER HUH COMMENTED THAT THE MINUTES MADE REFERENCE TO HER VOICING SOME “CONCERN ABOUT THE PLANS”. SHE FELT THE REFERENCE WAS NOT DETAILED ENOUGH. COUNCIL MEMBER HUGGINS ASKED FOR THE MINUTES TO BE APPROVED WITH THE STIPULATION THAT THE DEPUTY CLERK WILL REVIEW THE TAPE TO SEE IF ADDITIONAL DETAILS OF COUNCIL MEMBER HUH’S COMMENTS SHOULD BE INCLUDED. MOTION CARRIED BY UNANIMOUS “AYE” VOTE.

**REMARKS FROM THE CHAIR**

COUNCIL MEMBER HUGGINS EXPLAINED TO THE CROWD THE FIRE CHIEF HAD BEEN UNABLE TO MEET WITH HIS ASSISTANT CHIEFS REGARDING CLOVE ROAD/LONG HILL ROAD PLANS. THEREFORE, THE COUNCIL WOULD NOT TAKE ACTION ON A PREFERRED PLAN UNTIL THE OCTOBER 4, 2010 MEETING.

MR. HUGGINS ANNOUNCED A MEETING WILL TAKE PLACE WITH COUNTY REPRESENTATIVES AND THE MAIN STREET COMMITTEE TO IMPROVE MAIN STREET.

ON FRIDAY, OCTOBER 1, 2010, MR. HUGGINS WILL ALSO ATTEND A MEETING REGARDING A HYDRO-ELECTRIC GENERATOR AT THE BEATTIE DAM. THE MEETING IS JUST A START OF DISCUSSIONS AND HE IS HOPEFUL THERE WILL BE PROGRESS.

THE GRANTS COMMITTEE IS SCHEDULED TO MEET WITH THE DEPARTMENT HEADS TO FOCUS ON GRANT OPPORTUNITIES.

### **COUNCIL MEMBER REPORTS**

COUNCIL MEMBER **FONTANA** STATED THE FORMER SHERIFF PROMISED LITTLE FALLS A POLICE CAR, \$10,000 TOWARDS THE JUSTICE COMPLEX AND TO PAY FOR OUR REVERSE 911. HE SAID HE KNEW COUNCIL MEMBER **SISCO** WROTE A LETTER TO THE NEW SHERIFF. WANTED TO KNOW IF THERE HAD BEEN ANY UPDATE?

MR. **FONTANA** REPORTED ON A DEDICATION OF THE 1942 GMC FIRE TRUCK IN MEMORY OF **BOB CONTI**. HE ALSO COMMENTED ON THE RETIREMENT PARTY FOR **PRINCIPLE WALLACE** OF **PASSAIC VALLEY HIGH SCHOOL**.

THERE WILL BE A MEETING ON THURSDAY AT 7:00 PM IN THE CIVIC CENTER REGARDING THE **PECKMAN PRERSERVE**. MR. **FONTANA** WILL ATTEND AND WILL EXPRESS HIS THOUGHTS ON THE BEST USE OF THE PROPERTY.

COUNCIL MEMBER **LISS** ANNOUNCED THE SENIOR HARVEST MOON DINNER DANCE WILL BE ON OCTOBER 22, 2010. HE ENCOURAGES ALL THOSE INTERESTED TO MAKE EARLY RESERVATIONS AS SPACE IS LIMITED.

MR. **LISS** REPORTED THE DEVELOPMENT COMMITTEE, A DEDICATED GROUP WORKING TO IMPROVE LITTLE FALLS, WOULD LIKE TO SEE A HISTORICAL DESIGNATION COMMISSION FORMED. IN THE FUTURE, THE COUNCIL WILL BE ASKED TO PASS AN ENABLING ORDINANCE.

ON THE TOPIC OF THE REGIONAL FLOOD BOARD, **LISS** REPORTED THERE WAS A MEETING LAST THURSDAY. CONGRESSMAN **PASCRELL** HAS SECURED AN ALLOTMENT OF ANOTHER \$600,000 TO CONTINUE STUDYING A FLOODING SOLUTION ALONG THE **PECKMAN RIVER**. THE PLAN NOW CALLS FOR AN UNDERGROUND TUNNEL FROM THE **PECKMAN RIVER** TO

THE PASSAIC RIVER. CONSTRUCTION START IS POSSIBLE WITHIN 5 YEARS. THE PROPOSED WALLS, LEVEES AND TUNNEL SHOULD END THE PECKMAN PROBLEM. MR. LIESS THANKED THE REGIONAL FLOOD BOARD AND THE CONGRESSMAN.

COUNCIL MEMBER **HUH** REPORTED THE DOMESTIC VIOLENCE COMMITTEE WILL HOLD A VIGIL ON 10/22/2010 AT 6:00 PM ON THE MUNICIPAL BUILDING STEPS. SHE ALSO REPORTED ELDERLY RESIDENTS WERE LOOKING FORWARD TO THE RETURN OF TELEVISION COVERAGE OF THE COUNCIL MEETINGS. SHE BELIEVED THE ADMINISTRATOR WAS WORKING TO OBTAIN A CAMERA FROM CABLEVISION.

ADMINISTRATOR KAZMIERCZAK STATED HE WAS WORKING ON A SHORT AND A LONG TERM SOLUTION. THE LONG TERM ANSWER WOULD BE TO PLACE A MOUNTED CAMERA IN THE REAR WALL OF THE COUNCIL CHAMBER. THE QUICK FIX WOULD BE TO WORK WITH A BORROWED CAMERA UNTIL THE ROOM IS RENOVATED.

MR. HUGGINS REPORTED HE HAD ASKED THE STATUS OF PUTTING MINUTES UP ON THE WEB SITE. IT WAS HIS UNDERSTANDING THEY WOULD START TO BE AVAILABLE SHORTLY.

MR. HUGGINS ASKED FOR THE RESOLUTION DECLARING OCTOBER AS BREAST CANCER MONTH IN LITTLE FALLS TO BE READ AND ITS CONTENTS TO BE MADE PART OF THE PERMANENT RECORD IN THE MINUTES.

#### **PROCLAMATION**

WHEREAS, October is National Breast Cancer Awareness month; and

WHEREAS, Gilda Radner, who after receiving care while she had cancer, called for the establishment of centers which would be available at no cost to support people with cancer and their families and friends; and

WHEREAS, Gilda's Clubs were established in honor of Gilda Radner; and

WHEREAS, The Wellness Communities have joined Gilda's Clubs in support of its work; and

WHEREAS, Gilda's spirit lives on at every Gilda's Club and The Wellness Communities, where members join with other "experts" living with cancer to both give and receive the benefits of love and laughter through the unique Gilda's Club and Wellness Community programs;

WHEREAS, Thousands of members now attest to the fact that Gilda's Clubs and Wellness Communities have helped change their lives by restoring control and enabling them to plan their own emotional and

social support, thus strengthening and enriching their entire family;  
and

WHEREAS, The New Jersey State Federation of Women's Clubs of GFWC is partnering with Gilda's Clubs and The Wellness Communities to provide volunteer and financial support to further the programs of Gilda's Clubs and The Wellness Communities.

NOW, THEREFORE, BE IT RESOLVED, that the Township Council of the Township of Little Falls, does hereby proclaim that the month of October honors the memory of Gilda Radner and to recognize her tremendous concerns for those individuals in their fight against cancer, and the New Jersey State Federation of Women's Clubs of GFWC, and the Women's Club of Little Falls in their support of this worthy organization.

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WHILE ON THE SUBJECT OF FIGHTING BREAST CANCER, MR. HUGGINS AKSED RENEA FROM THE ALLIANCE FOR A BETTER COMMUNITY, TO SPEAK ABOUT THE FIGHT BREAST CANCER WALK SPONSORED BY SHAG 86.

RENEA EXPLAINED THE WALK WAS SCHEDULED FOR OCTOBER AND HAD BEEN A GREAT SUCCESS IN THE PAST.

### **MAYOR REPORT**

MAYOR DEFRANCISCI REITERATED THE WALK FOR A CURE SPONSORED BY SHAG 86 WAS A GREAT EVENT. THE MAYOR THEN REPORTED ON THE PROGRESS OF THE EAGLE SCOUT PROJECT OF JAMES HUNT. THE BENCHES AND FLAGPOLE ARE INSTALLED AND A MONUMENT HAS BEEN ORDERED.

ON THE TOPIC OF LOWER COST ENERGY, THE MAYOR STATED THE TOWNSHIP HAS JOINED WITH THE COUNTY OF PASSAIC TO OBTAIN AN AGGREGATE PRICE THROUGH PRICING WITH OTHER TOWNS AND SCHOOL BOARDS. NOW VIRIDIAN ENERGY IS OFFERING LOWER ENERGY PRICES TO PRIVATE RESIDENCES. TOWNSPEOPLE MAY SIGN UP THROUGH THE MUNICIPAL WEB SITE WHICH WOULD BRING REVENUE TO THE TOWNSHIP.

MAYOR ADDED THE DEDICATION OF THE FIRE TRUCK WAS VERY NICE

REGARDING THE TELEVISIONING OF THE COUNCIL MEETINGS, THE MAYOR REPORTED HE IS WORKING WITH CABLEVISION TO DETERMINE HOW TO RUN THE MEETINGS LIVE AND THEN HAVE THEM AVAILABLE ON THE WEB.

THE MAYOR COMMENTED ON THE PROPOSED PECKMAN PRESERVE MEETING ON 9/30/10. THE PLANS SHOW WALKING PATHS AND OPEN AREAS BUT THE MAYOR BELIEVES WE NEED ANOTHER BALL FIELD. HE INTENDS TO ASK THE COUNTY FOR HELP IN THAT AREA.

### **ENGINEER REPORT**

DENNIS LINDSAY REPORTED BIDS FOR KINGWOOD ROAD IMPROVEMENTS WERE RECEIVED ON SEPTEMBER 15, 2010 AND A LETTER OF RECOMMENDATION FOR AWARD TO 4 CLEAN-UP WAS SENT TO THE COUNCIL ON SEPTEMBER 23, 2010. WE HAVE RECEIVED A GRANT FOR \$300,000 FROM THE STATE DOT FOR THIS PROJECT. IT IS A REIMBURSEMENT GRANT. THE TOWNSHIP WILL NEED TO EXPEND THE MONEY FIRST AND THEN SEEK REPAYMENT. THE COUNCIL ALREADY HAS PUT THE FUNDING IN PLACE WITH A BOND ORDINANCE.

A MOTION TO PASS RESOLUTION "I" WAS MADE BY FONTANA, SECONDED BY LIESS AND ADOPTED BY A UNANIMOUS "AYE" VOTE.

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RESOLUTION 10-09-27 #9 [I]

WHEREAS, the Township of Little Falls accepted bids on September 15, 2010 for Improvements to Kingwood Drive; and,

WHEREAS, the 4 Clean-Up, Inc. North Bergen, NJ, was the apparent low bidder at \$202,507.00; and,

WHEREAS, the submitted bid of 4 Clean-Up, Inc. was respectively reviewed by the Township Engineer and the Township Attorney for technical and legal sufficiency and found to be in compliance; and,

WHEREAS, the Township Engineer has recommended award of the contract to 4 Clean-Up, Inc.,

NOW THEREFORE BE IT RESOLVED, that the Township of Little Falls hereby awards a contract to 4 clean-Up, Inc for Improvements to Kingwood Drive in the amount of \$202,507.00,

BE IT FURTHER RESOLVED, the Mayor and Municipal Clerk are hereby authorized to execute the contract with 4 Clean-Up, Inc.

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MR. LINDSAY FURTHER REPORTED THE BIDS FOR THE NEW CROSSWALKS WERE RECEIVED ON SEPTEMBER 22, 2010. HE ISSUED A LETTER DATED SEPTEMBER 24, 2010 STATING THE SINGLE BID RECEIVED WAS CONSIDERED TOO HIGH. IT WAS 50% HIGHER THAN THE ENGINEER'S ESTIMATE. HE RECOMMENDED REJECTING THE BID AND RE-BIDDING. MR. LINDSAY THOUGHT IT WOULD ENCOURAGE ADDITIONAL BIDDERS.

A MOTION TO PASS RESOLUTION "J" WAS MADE BY LIESS, SECONDED BY FONTANA AND ADOPTED BY A UNANIMOUS "AYE" VOTE.

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RESOLUTION 10-09-27 #9 [J]

WHEREAS, the Township of Little Falls accepted bids on September 22, 2010 for new crosswalks; and,

WHEREAS, there was only one bid received; and,

WHEREAS, the submitted bid was reviewed by the Township Engineer found to be excessive in cost; and,

WHEREAS, the Township Engineer has recommended the Township reject the received bid and re-bid the project,

NOW THEREFORE BE IT RESOLVED, that the Township of Little Falls hereby rejects the bid received on September 23, 2010 for the new crosswalks,

BE IT FURTHER RESOLVED, the Township Council directs that the project be re-bid as soon as possible.

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A MOTION TO OPEN TO THE PUBLIC WAS MADE BY FONTANA, SECONDED BY LIESS AND PASSED BY A UNANIMOUS "AYE" VOTE.

FRANK ZIMMERMAN – LONG HILL ROAD - I AM AGAIN ASKING ABOUT THE BULK/SETBACK DIMENSIONS IN THE OVERLAY ZONE. THERE ARE DIMENSIONS FOR SINGLE FAMILY DETACHED HOMES BUT NOT FOR THE ATTACHED HOMES. IT IS NOT CLEAR. MUST AN APPLICATION FOR ATTACHED HOMES REVERT TO THE R-1A ZONING? HOW DOES THE PLANNING BOARD DECIDE? WHAT IS THE SEPARATION DISTANCE?

RICHARD GOLDBERG – UPPER MOUNTAIN AVENUE – I AM SENDING A LETTER TO MR. STEVE EDMOND THE PASSAIC COUNTY ENGINEER WHICH I WOULD LIKE TO READ INTO THE RECORD

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Richard S. Goldberg  
612 Upper Mountain Avenue  
Upper Montclair, New Jersey 07043

September 26, 2010

Steven J. Edmond, P.E.  
County Engineer  
Passaic County Administration Building 40 1 Grand Street  
Paterson, NJ 07505

via Certified Mail  
Return Receipt Requested

re: Clove Road/Long Hill Road, Little Falls, NJ

Dear Sir:

I live at the above mailing address which is the Reynier Speer House listed on the State and National Registers of Historic Places. An alternate name for my property is Long Hill Farm for which Long Hill Road is named. An alternate address for my property is 612 Long Hill Road. The National Register Reference Number is 85001566.

It has come to my attention that after years of grassroots community involvement and protests the County is still contemplating a so-called road "improvement" that would involve extensive widening of Long Hill Road and the promotion of traffic flow to the front of the listed property. This would involve the taking and blacktopping of the front yards of most of my neighbors and forever change the character of the entire neighborhood. It would also constitute an encroachment upon my property in contravention of NJAC 7:4-7.4.

This is formal notice that any proposed design or implementation of the Clove Road/ Long Hill Road project is subject to review by the State Historic Preservation Office in accordance with NJAC 7:4-7.1 and also subject to all Federal 106 filings, studies and reviews.

During any review process the neighbors and I would take an interest in providing input.

Sincerely,

Richard S. Goldberg

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**ARNOLD KOROTKIN – THERE IS A MEETING SCHEDULED FOR THE PECKMAN PRESERVE. WHY DOESN'T THE TOWNSHIP SHOW THE COUNTY PLAN BY A LINK ON THE WEB PAGE? I THINK THIS SHOULD BE DONE AS SOON AS POSSIBLE.**

MOTION TO CLOSE TO THE PUBLIC MADE BY LIESS, SECONDED BY FONTANA AND PASSED BY A UNANIMOUS “AYE” VOTE.

RESPONSE TO MR. KOROTKIN

KAZMIERCZAK – I TRIED TO LOAD THE DISC YOU PROVIDED BUT IT CRASHED.

KOROTKIN – YOU HAD MY PHONE NUMBER AND EMAIL ADDRESS, WHY DIDN’T YOU CALL?

RESPONSE TO ALL BY HUGGINS AS CHAIR

MR. KAZMIERCZAK, CAN WE PUT A URL LINK TO THE COUNTY PECKMAN PRESERVE PLAN ON OUR WEB SITE?

MR. GOLDBERG, WE SHARE YOUR CONCERNS AND APPLAUD YOUR EFFORTS.

MR. LINDSAY CAN YOU ANSWER MR. ZIMMERMAN? MR. LINDSAY REPLIED HE AGREED THE UNDERLYING ZONING WOULD BE IN PLAY IF THERE IS NO CLEAR SEPARATION IN THE OVERLAY ZONE. THE DISTANCES HOWEVER WOULD BE FROM LOT LINES, NOT THE CENTER OF THE PROJECT.

MR. HUGGINS ASKED IF THIS WAS A QUESTION THE COUNCIL COULD REFER TO THE PLANNING BOARD.

MR. TRAPANESE ADVISED THAT IT WOULD NOT BE APPROPRIATE.

MOTION TO APPROVE THE CONSENT AGENDA MADE BY LIESS, SECONDED BY FONTANA AND PASSED BY A UNANIMOUS “AYE” VOTE.

MOTION TO OPEN PUBLIC HEARING ON ORDINANCE #1107 AN ORDINANCE ENTITLED, “AN ORDINANCE TO ESTABLISH AN EASEMENT ALONG A CERTAIN PORTION OF TURNBERRY ROAD IN THE TOWNSHIP OF LITTLE FALLS” WAS MOVED BY LIESS, SECONDED BY FONTANA AND PASSED BY A UNANIMOUS “AYE” VOTE.

ANN YABLONSKI – I WOULD LIKE TO THANK THE COUNCIL, MAYOR, ATTORNEY AND ENGINEER FOR THEIR EFFORTS IN BRINGING THIS ORDINANCE FORWARD.

MOTION TO CLOSE THE PUBLIC HEARING ON ORDINANCE#1107 WAS MADE BY LIESS, SECONDED BY FONTANA AND PASSED BY A UNANIMOUS “AYE” VOTE.

MOTION TO ADOPT ORDINANCE #1107 WAS MADE BY LIESS, SECONDED BY FONTANA AND PASSED BY A UNANIMOUS "AYE" VOTE.

MOTION TO INTRODUCE ORDINANCE #1108, AN ORDINANCE ENTITLED "AN ORDINANCE AMENDING THE LITTLE FALLS CODE, TOWNSHIP OF LITTLE FALLS, COUNTY OF PASSAIC, STATE OF NEW JERSEY, REZONING BLOCK 185, LOT 5, LOCATED AT 363-364 LACKAWANNA AVENUE FROM B-2 ZONING DISTRICT TO THE MEDIUM DENSITY RESIDENTIAL DISTRICT" WITH A SECOND READING AND PUBLIC HEARING SCHEDULED FOR NOVEMBER 8, 2010 WAS MADE BY FONTANA, SECONDED BY LIESS AND PASSED BY A UNANIMOUS "AYE" VOTE.

IT WAS MOVED BY LIESS, SECONDED BY HUGGINS TO AUTHORIZE RESOLUTION "G".

FONTANA STATED HE BELIEVED THE COUNCIL FELT THEY DIDN'T WISH TO AUTHORIZE THE AGREEMENT.

MAYOR DEFRANCISCI ASKED WHAT WOULD BE THE TOWNSHIP'S LIABILITY.

MR. TRAPANESE STATED THERE IS NO LIABILITY NOW BUT WOULD BE UNKNOWN IN THE FUTURE.

AFTER THE DISCUSSION BY THE COUNCIL MEMBERS, MR. LIESS AND MR. HUGGINS RESCINDED THEIR RESPECTIVE MOTION AND SECOND.

NO ACTION WAS TAKEN ON RESOLUTION "G".

IT WAS MOVED BY FONTANA, SECONDED BY LIESS TO AUTHORIZE RESOLUTION "H". MOTION WAS CARRIED ON A UNANIMOUS "AYE" VOTE.

MOTION TO OPEN SECOND PUBLIC COMMENT WAS MOVED BY FONTANA, SECONDED BY HUGGINS AND CARRIED ON A UNANIMOUS "AYE" VOTE.

FRANK ZIMMERMAN – I ASKED FOR MINUTES FROM THE MEETING WHERE THE TERM "ATTACHED" WAS FIRST BROUGHT UP FOR THE OVERLAY ZONE.

GLEN HUNDERTMARK – YOU, THE COUNCIL, HAVE ANOTHER OPTION TO THE ONE-WAY PLAN ON CLOVE ROAD. YOU COULD SIMPLY INSTALL RESTRICTIVE SIGNAGE. I HAVE FOUND THAT LATER TRAFFIC DATA DOES NOT SUPPORT THE DANGEROUS INTERSECTION DESIGNATION FOR CLOVE ROAD/LONG HILL ROAD. PLEASE EXPLAIN THE NEED TO DO THIS. YOU MUST TAKE A STAND.

MOTION TO CLOSE SECOND PUBLIC COMMENT MADE BY FONTANA, SECONDED BY LIESS AND CARRIED ON A UNANIMOUS “AYE” VOTE.

RESPONSES:

DEFRANCISCI TO ZIMMERMAN – THE MINUTES FROM AN EXECUTIVE SESSION ARE NOT AVAILABLE.

HUH – EXECUTIVE SESSION MINUTES ARE PUBLIC.

WILK – IT WAS NOT AN EXECUTIVE SESSION. THE MEETING WAS A MEETING WITH COAH, SCHUMACHER, MYSELF, THE THEN MAYOR AND POSSIBLY A COUNCIL MEMBER IN THE CONFERENCE ROOM. IT WAS NOT A COUNCIL MEETING AND MINUTES WERE NOT REQUIRED TO BE MADE.

TRAPANESE – THERE ARE INFERENCES HERE THAT SOMETHING WAS DONE WRONG. THAT’S UNTRUE. THE RECORD SHOULD SHOW THAT NO “QUICK” ACTION WAS TAKEN ALL REQUIRED NOTICES WERE GIVEN, THE WOODS ROAD RESIDENTS WERE NOTIFIED, APPEARED AND TESTIFIED.

HUGGINS TO HUNDERTMARK I KNOW YOU DON’T AGREE WITH THE TRAFFIC REPORT BUT IN THE COUNTY’S REPORT IT WAS DEEMED A DANGEROUS INTERSECTION. I DON’T BELIEVE “DO NOTHING” IS TRULY AN OPTION. WE MUST WORK IN THE BEST INTEREST OF THE TOWNSHIP.

HUH- “DO NOTHING” WAS ONE OF THE OPTIONS. WHEN WE VOTE, I THINK WE SHOULD VOTE ON EACH OPTION TO SHOW WE HAVE EXAMINED ALL POSSIBILITIES.

A MOTION TO PAY THE BILLS WAS MADE BY LIESS, SECONDED BY FONTANA AND CARRIED BY AN “AYE” VOTE FROM FONTANA , HUGGINS AND LIESS, AND A “NAY” VOTE FROM HUH

A MOTION TO ENTER CLOSED EXECUTIVE SESSION WAS MADE BY LIESS, SECONDED BY HUGGINS AND CARRIED BY A UNANIMOUS “AYE” VOTE

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A MOTION TO RETURN TO OPEN SESSION WAS MADE AT 10:55 PM BY FONTANA, SECONDED BY HUGGINS AND CARRIED BY A UNANIMOUS “AYE” VOTE.

A MOTION TO ADJOURN WAS MADE BY FONTANA, SECONDED BY HUGGINS AND CARRIED BY A UNANIMOUS “AYE” VOTE.