



## Meeting of September 22, 2014

Ron Mullen, 94 Jacobus Avenue, voiced concern regarding the issue of speeding on his street, and said speed bumps should be installed. He would like the town to follow up with this.

Karen DiSliva, 92 and 92A Island Avenue, voiced her frustration that she was placed in the FEMA buyout program instead of the FEMA elevation program by the previous administration. She would like to know where her elevation paperwork is and how this situation will be fixed.

Lauren Bell Mitchell, 15 Hemlock Road, asked who is the owner of Hemlock Road, noting that there has been some confusion as to whether it is the town or the Church. She explained that the road is barely passable and asked who is responsible for maintenance and paving.

Victor Nowak, Stephan Place, voiced concern regarding careless driving and speeding on his street.

Bob Dombrowski, 49 Parkway, thanked Mr. Simone and the DPW for the job they did at Surkosky Park with the lighting and the painting. He asked for clarification regarding the age limit to ride the Senior Citizen bus. He also asked for the status of the paid ambulance.

Arnold Korotkin, 181 Long Hill Road, requested that PSE&G notice of road work be included in an email blast at least a week in advance of the work. He asked if the Best Practices Report has been submitted to the State and the Council for review. He was pleased to see the Township moving along with the bus stop locations, and asked whether this has been signed off on. He reminded that October is Domestic Violence Awareness month, and asked if the town has anything planned.

Louis Fernandez, Harrison Street, asked for the amount of the settlement between the Township and the contractor for the new Justice Complex.

Dorothy O'Haire, Turnberry Road, thanked the Fire Department for responding to a call at her house recently for a carbon monoxide detector alarm.

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

Poll:           Ayes:           Maceri, Organisciak and Council President Fontana  
                  Nays:           None

The Council President declared the motion passed.

In response to Council President Fontana, Mr. Cuccia informed that the Police Chief has been out to Jacobus Avenue. They plan to do another car count when school is in session, as the last one did not reach 3,000 cars. Mr. Lindsay said they will continue to look into different options for the speeding on Jacobus Avenue. Councilmember MACERI pointed out that the road is used as a through street to traffic. Councilmember ORGANISCIAK suggested installing signage on the street. Mr. Lindsay said there are many options they can review.

Council President FONTANA explained to Mrs. DaSilva that Blue Acres is asking for the Township's help with buyouts; the Township is not soliciting buyouts. Mr. Cuccia explained that the properties that were included in the grants were very specific and were all approved by resolution. He asked Mrs. DaSilva to provide him with any paperwork she may have.

Mr. Simone explained that the dirt part of the road on Hemlock belongs to the church. The Township does not own it and is not responsible for maintenance.

In response to Council President Fontana, Mr. Lindsay explained that this is a legal issue that must be reviewed.

Council President FONTANA explained to Mr. Nowak that the town is going to try to find a solution for the speeding on all of the streets being brought to their attention.

Council President FONTANA thanked Mr. Simone and the DPW for cleaning up Surkorsky Park.

Mr. Cuccia said he would look into the age for riding the senior bus.

Regarding the status of the paid ambulance, Mr. Cuccia said he hopes to present some information at the next Workshop meeting.

Mr. Simone explained that PSE&G can only provide a work schedule one day in advance, as it depends on their progress.

Mr. Cuccia explained that he is preparing the Best Practices Report, which will be presented to the Mayor and Council at a public meeting and sent to the State before the deadline on 10/17/14.

Mr. Simone informed that the paperwork for the bus shelters has been signed by the Mayor and sent to the County for their approval. However, the Council still needs to act on the ordinance tonight, which will also be sent to the County, who will present it to the Freeholder Board for approval. Following that process, it gets sent back to NJ Transit. NJ Transit will then contact the Township about installation.

Regarding the settlement of the Justice Complex, Mrs. London explained that there is approximately \$300,000 left over that was not paid out to the contractor; the settlement will be that the Township will be able to maintain these funds.

Council President FONTANA said he would pass Mrs. O'Haire's comments along to the Fire Chief.

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Councilmember MACERI said nothing has been planned yet for the Domestic Violence vigil, but they are discussing this.

**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**

Little Falls Fire Department Auxiliary, Kevin O’Brien, Bellevue Avenue, Montclair, Eagle Hose Co #1  
Lauren Vanderkooy, Whippany Avenue, Woodland Park, Eagle Hose Co #1  
Meghan Soohoo, Mair Avenue, Totowa, Eagle Hose Co #1  
Edward Farnon, William Street, Clifton, Eagle Hose Co #1

**REGULAR AGENDA**

The following items were individually considered.

**NEW BUSINESS**

Regarding Resolutions [A] & [B], Mrs. London explained that the contractor who was awarded the contract wanted to change one of its subcontractors after the award was made. It seemed that there would be problems with this contractor, so she thought it would be best to move on to the next lowest responsible bidder.

Authorizing withdrawal of contract award to All County Service, LLC for demolition of fourteen properties under FEMA Buyout Program – It was moved by Councilmember Maceri, seconded by Councilmember Organisciak, that the Council approve the following:

**RESOLUTION [A] 14-09-22 - #1  
RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF LITTLE FALLS, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING THE WITHDRAWAL OF THE CONTRACT AWARD TO ALL COUNTY SERVICES, LLC FOR THE DEMOLITION OF FOURTEEN PROPERTIES UNDER THE FEMA BUYOUT PROGRAM.**

**WHEREAS**, the Township of Little Falls issued a request for bids for the demolition of fourteen houses under the FEMA Buyout Program, and on August 26, 2014, received ten bids in response; and

**WHEREAS**, at the Council meeting of July 30, 2014, a contract award was made to All County Services, LLC in the amount of \$162,500.00; and

**WHEREAS**, due to concerns by both the Township and the contractor, it is in the best interest of the Township to withdraw the contract award to All County Services, LLC; and

**WHEREAS**, the Township wishes to proceed to award the contract to the next lowest responsible bidder involved.

**NOW, THEREFORE, BE IT RESOLVED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF LITTLE FALLS, PASSAIC COUNTY, NEW JERSEY** hereby authorizes the withdrawal of the contract award to All County Services, LLC for the demolition of fourteen properties under the FEMA Buyout Program in the Township and authorizes the Township to proceed with the award of a contract to the next lowest responsible bidder in accordance with the Local Public Contracts Law.

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Poll: Ayes: Maceri, Organisciak and Council President Fontana  
Nays: None

The Council President declared the motion passed.

Awarding of a contract for the demolition of fourteen properties under the FEMA Buyout Program – It was moved by Councilmember Organisciak, seconded by Councilmember Maceri, that the Council approve the following:

**RESOLUTION [B] 14-09-22 - #2  
RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF LITTLE FALLS AUTHORIZING THE AWARD OF A CONTRACT FOR THE DEMOLITION OF FOURTEEN PROPERTIES UNDER THE FEMA BUYOUT PROGRAM**

**WHEREAS**, the Township of Little Falls issued a Request for Bids for the demolition of fourteen (14) houses under the FEMA Buyout Program; and

**WHEREAS**, on August 11, 2014, a contract was awarded to All County Services, LLC; and

**WHEREAS**, the contract award has since been withdrawn due to concerns of the Township and the Contractor; and

**WHEREAS**, the Township wishes to proceed to award this contract to the next lowest, responsible bidder; and

**WHEREAS**, after legal review, it was determined that Cobra Enterprises, LLC is the next lowest, responsible bidder in this solicitation;

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

1) That the bid of

Cobra Enterprises, LLC

Bid: \$

be and the same is hereby accepted; and

2) That the Mayor and Clerk be and they are hereby authorized to execute contracts with the above-named vendors 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.

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Poll: Ayes: Maceri, Organisciak and Council President Fontana  
Nays: None

The Council President declared the motion passed.

Authorizing the rejection of bids submitted in response to request for bids for SRL#1 elevation of structures – Phase III – 10 Louis Street & 176 William Street – It was moved by Councilmember Maceri, seconded by Councilmember Organisciak, that the Council approve the following:

**RESOLUTION [C] 14-09-22 - #3  
RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF LITTLE FALLS, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING THE REJECTION OF BIDS SUBMITTED IN RESPONSE TO REQUEST FOR BIDS FOR SRL #1 ELEVATION OF STRUCTURES – PHASE III – 10 LOUIS STREET & 176 WILLIAM STREET**

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**WHEREAS**, the Township of Little Falls issued a request for bids for the SRL #1 Elevation of Structures – Phase III – 10 Louis Street & 176 William Street Project, and on August 26, 2014 received two bids from Kario Construction Corp and Unique Floors, LLC in response to the solicitation; and

**WHEREAS**, the bids were reviewed and it was determined that there were material defects that could not be corrected with the bid from Unique Floors, LLC; and

**WHEREAS**, the bid amount from Kario Construction Corp was higher than the Township’s cost estimates for this solicitation; and

**WHEREAS**, in light of the determination as to costs, the Township desires to reject both bids; and

**WHEREAS**, the Township desires to proceed with negotiations for these services as authorized under and in accordance with N.J.S.A. 40A:11-5(3) of the Local Public Contracts Law.

**NOW, THEREFORE, BE IT RESOLVED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF LITTLE FALLS, PASSAIC COUNTY, NEW JERSEY** hereby authorizes the rejection of the bids submitted by Kario Construction Corp and Unique Floors, LLC for the SRL #1 Elevation of Structures – Phase III – 10 Louis Street & 176 William Street Project and authorizes the Township Clerk to re-advertise for receipt of bids in accordance with the Local Public Contracts Law.

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In response to Council President Fontana, Mr. Simone explained that the low bidder’s paperwork was not in order and the second bidder’s price was much higher. Therefore, they felt it would be best to rebid the project.

Poll: Ayes: Maceri, Organisciak and Council President Fontana  
Nays: None

The Council President declared the motion passed.

Resolution rejecting bids received for the food concession stand at the Recreation Center – It was moved by Councilmember Organisciak, seconded by Maceri, that the Council approve the following:

RESOLUTION [D] 14-09-22 - #4  
REJECTING BIDS RECEIVED FOR THE FOOD  
CONCESSION STAND AT THE RECREATION CENTER

WHEREAS, pursuant to advertisement duly made, bids were received for the food concession stand at the Recreation Center by the Township of Little Falls on September 10, 2014 as follows:

CAS Catering	Two Chefs in the Kitchen
Little Falls, NJ	Little Falls, NJ
Bid: \$13,500.00	Bid: \$5,000.00

and; WHEREAS the Township Attorney has reviewed the bids for legal sufficiency; and

WHEREAS, it was found that neither of the two bids were qualified; and therefore, could not be recommended for award; and  
WHEREAS, the second lowest bid was found to substantially exceed the project cost estimate and therefore could not be recommended for award.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Little Falls that the bids for the food concession stand at the Recreation Center be and they are hereby rejected; and

BE IT FUTHER RESOLVED that the Township Clerk be and she is hereby authorized and directed to cause advertisement for receipt of bids.

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Council President FONTANA explained that these bids must be rejected, as the paperwork was not completed correctly.

Poll: Ayes: Maceri, Organisciak and Council President Fontana  
Nays: None

The Council President declared the motion passed.

Resolution authorizing award of a contract for playground equipment to state contract vendor BCI Burke Co. – It was moved by Councilmember Maceri, seconded by Councilmember Organisciak, that the Council approve the following:

RESOLUTION [E] 14-09-22 - #5

WHEREAS, the Township of Little Falls, pursuant to N.J.S.A. 40A:11-12a and N.J.A.C. 5:34-7.29(c), may by resolution and without advertising for bids, purchase any goods or services under the State of New Jersey Cooperative Purchasing Program for any State contracts entered into on behalf of the State by the Division of Purchase and Property in the Department of the Treasury; and

WHEREAS, the Township has a need to acquire goods and services for the purchase of playground equipment for Inwood Field; and

WHEREAS, the Township of Little Falls intends to enter into a contract with BCI Burke Co. under State Contract # A-81430 in the amount of \$26,059.00.

NOW, THEREFORE, BE IT RESOLVED, that the Governing Body of the Township of Little Falls, pursuant to N.J.A.C. 5:30-5.5(b), the certification of available funds, shall either certify the full maximum amount against the budget at the time the contract is awarded, or no contract amount shall be chargeable or certified until such time as the goods or services are ordered or otherwise called for prior to placing the order, and a certification of availability of funds is made by the Chief Finance Officer; and

BE IT FURTHER RESOLVED, that the governing body of the Township of Little Falls authorizes the Purchasing Agent to purchase playground equipment from NJ State Contract Vendor BCI Burke Co.

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Poll: Ayes: Maceri, Organisciak and Council President Fontana  
Nays: None

The Council President declared the motion passed.

Approving a settlement agreement with Hudson Insurance Company – It was moved by Councilmember Organisciak, seconded by Councilmember Maceri, that the Council approve the following:

RESOLUTION [F] 14-09-22 - #6  
RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF LITTLE FALLS,  
COUNTY OF PASSAIC, STATE OF NEW JERSEY APPROVING A SETTLEMENT  
AGREEMENT WITH HUDSON INSURANCE COMPANY

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**WHEREAS**, CGT Construction, Inc. (“Contractor ”) entered into a contract (the “Contract”) with the Township of Little Falls , pursuant to which the Contractor was to perform certain construction work in connection with a project known as “Township of Little Falls Justice Complex” (the “Project”); and,

**WHEREAS**, in connection with the Contract, Hudson Insurance Company (“Hudson”), as surety, together with the Contractor, as principal, executed and delivered to the Township, as obligee, a performance bond (the “Performance Bond”) and a payment bond (the “Payment Bond”), both bearing Bond No. HGNE-10-186-4; and,

**WHEREAS**, Hudson has asserted claims with respect to the contract balances on the Contract, which claims are disputed by the Township; and,

**WHEREAS**, the Township has in turn asserted back charges against the contract balances on the Contract, which back charges are disputed by Hudson; and,

**WHEREAS**, the Parties desire to resolve all disputes and claims regarding the Contract and the Performance Bond, pursuant to the terms of a Settlement Agreement and Release; and,

**WHEREAS**, the Township, having reviewed said Settlement Agreement and Release, desire to approve same to resolve this matter.

**NOW, THEREFORE BE IT RESOLVED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF LITTLE FALLS, PASSAIC COUNTY, NEW JERSEY**, the Council hereby approves the form of Settlement Agreement and Release as presented and hereby authorizes its execution.

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Poll: Ayes: Maceri, Organisciak and Council President Fontana  
Nays: None

The Council President declared the motion passed.

Ordinance No. 1200 – It was moved by Councilmember Organisciak, seconded by Councilmember Maceri, that the public hearing on Ordinance No. 1200, “**ORDINANCE OF THE TOWNSHIP OF LITTLE FALLS ESTABLISHING BUS STOP LOCATIONS**”, be and it was opened.

Poll: Ayes: Maceri, Organisciak and Council President Fontana  
Nays: None

No one having come forward to be heard, it was moved by Councilmember Maceri, seconded by Councilmember Organisciak, that the public hearing on Ordinance No. 1200 be and it was closed.

Poll: Ayes: Maceri, Organisciak and Council President Fontana  
Nays: None

The Council President declared the motion passed.

It was moved by Councilmember Organisciak, seconded by Councilmember Maceri, that the Ordinance No. 1200 be and it was adopted.

Poll: Ayes: Maceri, Organisciak and Council President Fontana  
Nays: None

The Council President declared the motion passed.

Ordinance No. 1201 – It was moved by Councilmember Organisciak, seconded by Councilmember Maceri, that the public hearing on Ordinance No. 1201, “**ORDINANCE OF THE TOWNSHIP OF LITTLE FALLS ESTABLISHING TURNING RESTRICTIONS**”, be and it was opened.

Poll: Ayes: Maceri, Organisciak and Council President Fontana  
Nays: None

The Council President declared the motion passed.

No one having come forward to be heard, it was moved by Councilmember Organisciak, seconded by Councilmember Maceri, that the public hearing on Ordinance No. 1201 be and it was closed.

Poll: Ayes: Maceri, Organisciak and Council President Fontana  
Nays: None

The Council President declared the motion passed.

It was moved by Councilmember Maceri, seconded by Councilmember Organisciak, that the Ordinance No. 1201 be and it was adopted.

Poll: Ayes: Maceri, Organisciak and Council President Fontana  
Nays: None

The Council President declared the motion passed.

**PAYMENT OF BILLS**

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

The Council President declared the motion passed.

**Meeting of September 22, 2014**

There being no further business to come before the meeting, it was moved by Councilmember Organisciak, seconded by Councilmember Maceri, that the meeting be and it was adjourned at 8:25 p.m.

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Cynthia Kraus  
Municipal Clerk