

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

Monday, August 9, 2010

Council President Joseph Sisco called the meeting to order at 7:35 p.m. with the following members present: Louis Fontana, Paul Huggins, Christie Huh and William Liess. Also present were Mayor Michael DeFrancisci, Township Attorney Joseph Trapanese, Township Engineer Dennis Lindsay, Municipal Clerk William Wilk and Township Administrator Matthew Kazmierczak

Absent: None

Township Employees present: Police Chief John Dmuchowski, Detective Alfred Batelli, 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 7, 2010; a copy of the notice was faxed to the North Jersey Herald and News and The Record on the same date; additionally, a copy of the notice was filed in the office of the Township Clerk on said date.

APPROVAL OF MINUTES

It was moved by Councilmember Huggins, seconded by Councilmember Liess, that the Minutes of the meetings of April 26, 2010 and May 10, 2010 be approved.

Poll:	Ayes:	Fontana, Huggins, Liess and President Sisco
	Nays:	None
	Abstain:	Huh

The Council President declared the motion passed.

REMARKS FROM CHAIR

Council President SISCO asked Mr. Lindsay to provide an update on Clove Road following the Mayor's report. He also informed that there are three items that need to be added to the Executive Session this evening.

COUNCIL MEMBER REPORTS

Councilmember HUH explained that she had read an article in the newspaper with regard to the Mayor negotiating for the township to receive \$160 for each fire call to MSU. She was appreciative that he took a step to try to get compensation, but voiced her opinion that they should be getting more than that, since it costs the township so much money to run the Fire Department. She also pointed out that the responses made to MSU are approximately 40-50% of the department's calls, noting that the township should be receiving at least \$250,000 from MSU annually.

Councilmember FONTANA thanked the Mayor for getting the money from MSU, noting that this is something they've never received before.

Councilmember LIESS referred to the Silver Scribe writing program for Seniors, noting that they have completed several kinds of writings. They will now present these at an event, to which the public is invited, and will be held on 9/8/10 at 2:30 p.m. at the Civic Center. The result of this will be the publication of a book, copies of which will be distributed to the Little Falls Library, the MSU Library and the members of the program and their families.

Councilmember LIESS then referred to the Redevelopment Committee, which deals with the redevelopment of the downtown area to attract more people to Little Falls. At the current time, they are working on the application of a Transit Village Grant, as well as the creation of a special improvement district and several other topics.

Councilmember HUGGINS thanked the Mayor for negotiating to receive money from MSU. A grants meeting will take place this Wednesday to discuss the idea of creating the Grants Committee through an ordinance, so it becomes a permanent entity. Referring to the Redevelopment Committee, he explained that developing Main Street is something that has been discussed with previous administrations, and pressed to make this a highlight, so as to bring more money into the town. He also asked for volunteers to help televise the Council meetings.

MAYOR'S REPORT

Mayor DeFrancisci referred to the topic of the Redevelopment Committee, and pointed out that Councilmember Liess sits on the committee; he would be happy to have him report back to the Council with regard to discussions of the committee. There are many things to be considered and discussed, and the people on the committee are doing a great job.

Referring to the Silver Scribes, he said he is looking forward to their upcoming event on 9/8/10. In reference to the Fire Department and MSU, he explained that he worked with the Fire Chief on this agreement and they calculated the amount based upon the cost per fire call to the college. Fire Chief Sweezy also commented briefly with regard to the Fire Department's Budget.

Council President SISCO and Councilmember HUGGINS also thanked the Mayor and Chief Sweezy for their negotiations with MSU.

ATTORNEY'S REPORT

Mr. Trapanese had no report, but informed that he would like to add the following matters to Executive Session this evening: Schumacher litigation and mediation process, the Council investigation and the issue of emails.

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ENGINEER’S REPORT

Mr. Lindsay explained that there are two resolutions before the Council this evening, making application for local aide. He informed that the NJDOT has a local aide application every year for road improvements. The Council has taken advantage of this in the past and has been awarded grants; the two roads to be addressed this year are Stanley Road from Stevens to Lincoln, and Ridge Road from Stanley to Prospect. There are certain criteria that the State uses; they try to get roads that connect to County roads and to roads that have been previously approved and ones that contribute to public safety. The DPW Superintendent made these recommendations; they are now preparing the application, which is due this Friday, part of which is this resolution, stating that they are authorized to submit the grant application and execute a grant agreement. He further noted that this work would cover curbs, pavement, drainage work, tree work, and possibly sidewalks.

At this time, Mayor DeFrancisci asked for a five-minute recess to discuss the grant resolutions with Mr. Lindsay.

The meeting was recessed at 7:55 p.m.

The meeting resumed at 8:00 p.m.

Submit a Grant Application to Execute a Grant Agreement with NJDOT – It was moved by Councilmember Fontana, seconded by Councilmember Huggins, that the Council approve the following:

RESOLUTION [O] 10-08-09 - #1
SUBMIT A GRANT APPLICATION AND EXECUTE
A GRANT AGREEMENT WITH THE NEW JERSEY
DEPARTMENT OF TRANSPORTATION FOR THE RIDGE AVENUE PROJECT

WHEREAS, the Mayor and Council of the Township of Little Falls desire to make needed roadway improvements to the Ridge Avenue Project for the safe and reliable use of said roadway by Township residents; and

WHEREAS, the improvements are eligible under the NJDOT Local Aid and Economic Development funding program.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the Township of Little Falls, formally approves the grant application for the above stated project.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to submit an electronic grant application identified as MA-2011-Little Falls Township-_____ to the New Jersey Department of Transportation on behalf of the Township of Little Falls.

BE IT FURTHER RESOLVED, that the Mayor and Clerk are hereby authorized to sign the grant agreement on behalf of the Township of Little Falls and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

Poll: Ayes: Fontana, Huh, Huggins, Liess and President Sisco
 Nays: None

The Council President declared the motion passed.

- - It was moved by Councilmember Huggins, seconded by Councilmember Fontana, that the Council approve the following:

RESOLUTION [P] 10-08-09 - #2
SUBMIT A GRANT APPLICATION AND EXECUTE
A GRANT AGREEMENT WITH THE NEW JERSEY
DEPARTMENT OF TRANSPORTATION FOR THE STANLEY STREET PROJECT

WHEREAS, the Mayor and Council of the Township of Little Falls desire to make needed roadway improvements to the Stanley Road Project for the safe and reliable use of said roadway by Township residents; and

WHEREAS, the improvements are eligible under the NJDOT Local Aid and Economic Development funding program.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the Township of Little Falls, formally approves the grant application for the above stated project.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to submit an electronic grant application identified as MA-2011-Little Falls Township-_____ to the New Jersey Department of Transportation on behalf of the Township of Little Falls.

BE IT FURTHER RESOLVED, that the Mayor and Clerk are hereby authorized to sign the grant agreement on behalf of the Township of Little Falls and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

Poll: Ayes: Fontana, Huggins, Liess and President Sisco
 Nays: None
 Abstain: Huh

The Council President declared the motion passed.

At this time, Council President SISCO asked Mr. Lindsay if he spoke to the Fire Chief regarding the Clove/Long Hill Road project. Mr. Lindsay explained that they sent information over to the County, who promised to review same. He met with the Police Chief and reviewed this in detail; they were fairly comfortable that this was a workable solution. He also met with the Fire Chief, who was reasonably comfortable, but wanted to discuss it with the other Chiefs further. He explained that the site has changed, due to the installation of a traffic signal at the location; the Fire Department has concerns about this. He spoke with the County about the department’s concerns, and Chuck Silverstein promised to inspect the site. He explained that the same impacts would most likely be there regardless of the signal. The County has questioned if the town would be taking over the southern section of the road from Quarry Road to Long Hill Road with regard to making the road a one-way. He also spoke with Mr. Simone about this, who said there is some minor work that would need to be done if the town decided to make the road a township road. The County would be interested in this plan and they would like for the road to be a local road.

In response to President SISCO, Mr. Trapanese informed that the Council could take a consensus at this point, subject to further input by the professionals in terms of taking over the street and they could then memorialize a resolution as soon as possible.

Council President SISCO polled the Council and there was an affirmative consensus to approve the plan before the Council at this time, pending additional input and review by the professionals. Councilmember HUGGINS asked to have a draft of the resolution before the Council at the next Workshop. Mr. Wilk informed that there is a special meeting scheduled next week, and President SISCO asked for the resolution to be placed on that agenda. Mr. Trapanese agreed to prepare this resolution.

At this time, Mayor DeFrancisci explained that he spoke with Councilmember Huggins with regard to his concerns of this plan. He noted that this is one of the better plans, but he is concerned of the town’s liability, since the intersection was identified as a “dangerous intersection”. He asked if they would be better making this a left-hand turn only out of that

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intersection, as opposed to a right-turn only, as to lessen the town's liability if there was an accident. He also asked that they push the rotary as far back from any residents' homes as possible.

Mr. Lindsay explained that when he spoke to Chuck Silverstein, he noted that he thought it was a safer intersection in this fashion because of the reduced amount of traffic. He told Mr. Silverstein that he made a recommendation that there be no right-hand turn, and Mr. Silverstein thought this would also qualify as a safe intersection. He also spoke to him about site improvements on Highland, and Mr. Silverstein understood. Mr. Lindsay agreed that they should push the rotary as far back east as possible, and make this part of the plan. Mayor DeFrancisci thanked him for all of his work on this project, noting that this seems to be the best plan for everyone.

Councilmember HUGGINS requested that Mr. Trapanese provide the Council with information as to the liability level of each plan during the next Workshop meeting, and Mr. Trapanese agreed to do so. He asked Mr. Lindsay to provide him with the latest plan, so he could include the details in a resolution.

PUBLIC PORTION

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

Poll: Ayes: Fontana, Huh, Huggins, Liess and President Sisco
Nays: None

The Council President declared the motion passed.

Charlene Bidwell, 10 Riverview Circle, explained that she and her husband have lived through five floods in the past 14 years in Little Falls. She informed that due to the publicity with the most recent flood, she and her husband won't be able to sell their home, and her husband is therefore, unable to retire. They have applied for the green acres program, and in response, received a letter stating that they would be willing to buy her property if the town would be willing to manage the property. She asked the Council to consider doing this for them, stressing her financial disadvantage due to all they lost in the recent flood.

Councilmember HUGGINS suggested that she also get in touch with Joanne Bergin to discuss the Severe Repetitive Flood Loss Program (SRL).

Frank Zimmerman, Long Hill Road, explained he has two unanswered questions regarding the original overlay zone, which he has asked several times and also submitted to the Council as well as the Planning Board in writing. He asked how he should go about getting these answers and repeated his questions to the Council. He questioned the minimum lot area as well as the bulk and setback requirements for an attached single-family home in the existing overlay zone. He would like clarification. If these items are not included in the ordinance, then maybe they can't build these attached homes. Referring to New Business, he asked why Ordinance No. 1097 is being held. It refers to 1097 as an ordinance establishing a new affordable housing overlay zone in the code – he believes the word, "new" should read, "amended".

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

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

Poll: Ayes: Fontana, Huh, Huggins, Liess and President Sisco
Nays: None

The Council President declared the motion passed.

Council President SISCO referred to Mr. Trapanese and reminded that at a recent meeting, they obtained some information for Green Acres. Mr. Kazmierczak explained that Mrs. Bidwell's home is one of the homes that was discussed; they are aware of it.

Responding to Mr. Zimmerman, Mr. Lindsay explained that when this application came before the Planning Board, he gave a report and it has been in discussions since that time. Mr. Trapanese explained that this is in litigation and he has submitted Mr. Zimmerman's questions to Mr. Kauker, who may be in attendance during the next Workshop meeting. He further noted that the ordinance is being held as instructed by COAH to do so. Mr. Lindsay also noted that these questions were given to the Planning Board, but the Planning Board had advised Mr. Zimmerman that this matter is before the Council now and there is litigation. Therefore, the board thought it to be more appropriate for the questions to be referred back to the Council. President SISCO asked Mr. Trapanese to contact Mr. Kauker again to ask him to come to the next meeting to answer these questions.

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.

REPORTS

Tax Collector's Report – Month of July 2010
MONTHLY REPORT

Municipality of the Township of Little Falls
Office of the Tax Collector
Revenues Collector for the Month of July 2010
Tax Collection Account #622402226 Lakeland Bank

To July 30, 2010

2010 YEAR TO DATE

2010 Taxes	\$3,222,748.58	\$21,402,322.01
2009 Taxes	44,207.10	225,439.89
Prepaid 2011 Taxes	0.00	0.00
Interest	11,893.91	36,263.74
Township Tax Title Lien	0.00	1,357.11
Township Tax Title Lien Int.	0.00	203.63

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Cost of Tax Sale		0.00		0.00
Outside Tax Liens		26,648.18		82,735.47
Duplicate Tax Bills	85.00	365.00		
Tax Searches		0.00	10.00	
Insufficient Check Charge			20.00	200.00
6% Penalty Fee	1,503.32		2,190.74	
Miscellaneous Line Item Fee		25.00		25.00
Premium Outside Lien	0.00		0.00	
Tax Sale Additional Fee		0.00		0.00
Misc. Munic. Fee/Copies		3.75		11.25
GRAND TOTALS			\$3,307,134.84	\$21,751,123.84

Comparison of Years

July 1, 2010 to July 30, 2010	\$3,307,134.84	\$21,751,123.84	
July 1, 2009 to July 31, 2009		<u>2,643,434.09</u>	<u>20,848,941.81</u>
		+\$663,700.75	+ \$902,182.03

Delinquent 2009 Taxes = \$ 97,269.03 (24) Subject to Tax Sale 10/20/10.
 Delinquent 2010 Taxes 303,795.84 (112) 1st & 2nd Quarters 2010.
 \$401,064.87

2010 Refunds this Month = -\$2,906.27 Year-to-date refunds = -\$37,794.22.
 Bounced checks this month = \$2,548.94 Year-to-date bounced checks = \$16,756.02.

Township Clerk's Report – Month of July 2010

TOWNSHIP CLERKS REPORT
 Month of July 2010

ABC LICENSES		\$26,730.00
OTHER LICENSES		
Business Licenses	\$605.00	
Pre-paid Business Licenses		
Raffle Licenses		
		\$27,335.00
REGISTRAR OF VITAL STATISTICS		
Fees & Permits	\$976.00	
Marriage Licenses-LF	21.00	
Marriage Licenses-NJ	175.00	
		\$1,172.00
MRNA		
Street Maps	\$3.00	
Zoning Maps	6.00	
Zoning Ordinances	20.00	
Document Copies	.86	
Garage Sales	35.00	
Misc. Fees & Refunds:		
		\$64.86
TOTAL MRNA		<u>\$28,571.86</u>
TOTAL CURRENT ACCOUNT		<u>\$28,571.86</u>
TOTAL TO TREASURER		<u>\$28,571.86</u>

Township Clerk's Dog/Cat License Report – Month of July 2010

TOWNSHIP CLERK'S DOG/CAT LICENSE REPORT
 Month of July 2010

Dog Licenses issued 7/1/10 thru 7/31/10	
Nos. 297 to 332 = 36 Licenses	
Amount due Little Falls	\$244.80
Amount due State	52.20
Total Cash Received	\$297.00

APPLICATIONS

Raffles - - Samantha Lorene Calafiore Memorial Fund, On-Premise Draw for Merchandise,
 10/23/10, 6:00 p.m. – 10:00 p.m.

NJ State Firemen's Association – John V. Pasquariello, Crestmont Road, Eagle Hose Company #1
 - Scott F. Fogelman, McBride Avenue, Woodland Park, Eagle Hose Company #1

Blue Light Permit – Jeffrey Altonjy, Randolph Place, Little Falls Fire Department
 - Michael Schimpf, Reiners Road, Little Falls Fire Department
 - Salvatore Iuspa, Oak Drive, Little Falls Fire Department

Little Falls Fire Department Auxiliary – Tammy M. Hearney, Hudson Street, Eagle Hose Company #1

RESOLUTIONS

Dog License Fees

RESOLUTION [A] 10-08-09 - #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:

\$52.20

payable to:

NJ State Dept. of Health

representing payment of State dog license fee, license Nos. 297 to 332 for the month of July 2010.

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Welfare

RESOLUTION [B] 10-08-09 - #5

BE IT RESOLVED by the Township Council of the Township of Little Falls, the Treasurer having timely certified to the availability of funds therefor, that the action of the Mayor, Clerk and Treasurer in issuing checks in the amount of:

\$1,050.00 (\$210.00 each)

payable to:

Welfare Clients #54, 58, 61, 62 & 63

representing payment of Self-Care for the month of August 2010 be and the same is hereby authorized and ratified.

RESOLUTION [C] 10-08-09 - #6

BE IT RESOLVED by the Township Council of the Township of Little Falls, the Treasurer having timely certified to the availability of funds therefor, that the action of the Mayor, Clerk and Treasurer in issuing checks in the amount of:

\$210.00

payable to:

Welfare Clients #64

representing payment of Self-Care for the month of August 2010 be and the same is hereby authorized and ratified.

Dennis G. Lindsay, P.E.

RESOLUTION [D] 10-08-09 - #7

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

\$568.75

payable to:

Dennis G. Lindsay, P.E.

representing payment for engineering services rendered in connection with Ciasulli – Lexus – Block 203, Lot 3.02, et al – Site Plan with Variances; and

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

Tax Sale of October 21, 2009 refund

RESOLUTION [E] 10-08-09 - #8

WHEREAS, the Tax Collector has received the lien monies in the amount of \$26,648.18 from Duane Morris, LLP on the property known as Block 252 Lot 1, assessed to Notch Road/Jackson Lane, LLC of 485 Notch Road, Little Falls, NJ; and

WHEREAS, these lien monies redeemed Certificate #2009-15 from my tax sale of October 21, 2009 which included premium monies collected in the amount of \$17,000.00; and

WHEREAS, the Tax Collector must refund the lienholder from the trust account a total of \$43,648.18 made payable to U.S. Bank Corporate Trust Services, Tax Lien Services Group, 2 Liberty Place, 50 South 16th Street-Suite 1950, Philadelphia, PA 19102; and

WHEREAS, the penalty/interest due to U.S. Bank Corporate Trust Services when the Chief Finance Officer is completing the 1099 form is in the amount of \$2,639.71.

NOW, THEREFORE BE IT RESOLVED by the Township Council of Little Falls on this 9th day of August 2010 that the above lienholder be reimbursed the amount of \$43,648.18. This check shall be forwarded to the Tax Collector on August 10, 2010, as she must surrender the tax sale certificate from the lienholder before they receive their redemption monies.

NJ Regulated Medical Waste Generator Registration

RESOLUTION [F] 10-08-09 - #9

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

\$85.00

payable to:

Treasurer – State of New Jersey

NJDEP

Division of Revenue

P.O. Box 638

Trenton, N.J. 08646-0638

representing payment of NJ Regulated Medical Waste Generator Registration (BOH #035).

Kauker & Kauker, LLC

RESOLUTION [G] 10-08-09 - #10

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

\$472.50 - *Paid on 7/12/10 bill list*

payable to:

Kauker & Kauker, LLC

representing payment for planning services rendered in connection with Rosalie Rizzo; 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.

Trapanese & Trapanese, Esq.

RESOLUTION [H] 10-08-09 - #11

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

\$465.00

payable to:

Trapanese & Trapanese, Esq.

representing payment for legal services rendered in connection with Tri County Lexus; and

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

RESOLUTION [I] 10-08-09 - #12

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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:

\$30.00

payable to:

Trapanese & Trapanese, Esq.

representing payment for legal services rendered in connection with KLT TWO LLC – Entenmann’s/Trabona; and

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

RESOLUTION [J] 10-08-09 - #13

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

\$60.00

payable to:

Trapanese & Trapanese, Esq.

representing payment for legal services rendered in connection with Damiano/Ridge Road; 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.

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

Poll: Ayes: Fontana, Huggins, Liess and President Sisco
Nays: Huh

The Council President declared the motion passed.

REGULAR AGENDA

The following items were individually considered.

INTERDEPARTMENTAL

Finance - - It was moved by Councilmember Huggins, seconded by Councilmember Liess, that the Council approve the following:

RESOLUTION [K] 10-08-09 - #14

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

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

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

NOW, THEREFORE, BE IT RESOLVED that the Township Council hereby approves the attached Corrective Action Plan for the 2009 Annual Audit;

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

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

Poll: Ayes: Fontana, Huggins, Liess and President Sisco
Nays: Huh

The Council President declared the motion passed.

- It was moved by Councilmember Huggins, seconded by Councilmember Liess, that the Council approve the following:

RESOLUTION [L] 10-08-09 - #15

SPECIAL ITEMS OF REVENUE AND APPROPRIATION

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

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

NOW, THEREFORE, BE IT RESOLVED, that the Township Council of the Township of Little Falls in the County of Passaic, New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2010 in the sum of \$20,066.00, which is now available from Miscellaneous Revenues – Section F – Special Items of General Revenue Anticipated with prior written consent of Director of Local Government Services - Public & Private Revenues Offset with Appropriations – Community Foundation of New Jersey – Pedestrian Safety Improvements in the amount of \$20,066.00;

BE IT FURTHER RESOLVED, that the like sum of \$20,066.00 is hereby appropriated under the caption:

General Appropriations

(A)	Operations – Excluded from “CAPS”	
	Public & Private Programs Offset by Revenues	
	Community Foundation of New Jersey – Pedestrian Safety	Improvements
	\$20,066.00	

Councilmember HUH questioned if the town would be reimbursed by the grant, and Mr. Wilk explained that this is the anonymous donor who was giving money for crosswalks and we had already received a portion of it. This is the housekeeping for the second portion of that grant; it is tied in with some work we are doing with the mid-block crosswalks.

Poll: Ayes: Fontana, Huggins, Liess and President Sisco
Nays: Huh

The Council President declared the motion passed.

NEW BUSINESS

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Ordinance No. 1097 – Mr. Wilk reminded that they can take no action based on a recommendation from COAH. The reason this was listed on the Agenda this evening is because it was advertised that there would be a public hearing this evening, before hearing from COAH to take no action on same.

Renewal of Township Alcoholic Beverage License – Prime Restaurant, LLC – It was moved by Councilmember Huggins, seconded by Councilmember Liess, that the Council approve the following:

RESOLUTION [M] 10-08-09 - #16

BE IT RESOLVED by the Little Falls Township Council as follows:

WHEREAS, applications for renewal of PLENARY RETAIL CONSUMPTION/PLENARY RETAIL DISTRIBUTION have been filed as follows:

<u>License No.</u>	<u>License and/or t/a name</u>	<u>Fee</u>
1605-33-003-008	Prime Restaurant Group, LLC t/a South City Prime 1 Newark Pompton Tpke.	\$2,200.00

and WHEREAS, it appears that the said application is in satisfactory form; that the applicant has complied with all necessary requirements; that the application is for renewal by the same person for the same stand; and that no objections, in writing or otherwise, have been made or filed to said application; and

WHEREAS, the Township Council is familiar with all of the aforementioned applicant and the place for which it applies and sees no objection to any;

NOW, THEREFORE, BE IT RESOLVED that the above-listed application be and the same is hereby granted, subject to receipt of the applicant’s filed Alternate Trade Name Certificate, for usage of the name, “Fire & Oak”; and

BE IT FURTHER RESOLVED that license be issued accordingly, to become effective on July 1, 2010 and expire on June 30, 2011.

Mr. Trapanese explained that this resolution should be subject to a filed alternate trade name certificate for *Fire & Oak*, as the town has not yet received same.

Poll: Ayes: Fontana, Huh, Huggins, Liess and President Sisco
 Nays: None

The Council President declared the motion passed.

Execution of a Reimbursement Agreement with MSU – It was moved by Councilmember Fontana, seconded by Councilmember Liess, that the Council approve the following:

RESOLUTION [N] 10-08-09 - #17

AUTHORIZING THE MAYOR TO EXECUTE A REIMBURSEMENT AGREEMENT WITH MONTCLAIR STATE UNIVERSITY WITH REGARD TO THE TOWNSHIP FIRE DEPARTMENT

WHEREAS, a portion of the campus of Montclair State University is located within the Township of Little Falls; and
WHEREAS, the Fire Department of the Township of Little Falls responds to fire alarms and other emergencies from Montclair State University; and

WHEREAS, Montclair State University seeks to reimburse the Township of Little Falls for costs incurred by the Township’s Fire Department to respond to alarms and other calls from Montclair State University; and

WHEREAS, Montclair State University has tendered a Reimbursement Agreement to the Township of Little Falls with regard to such reimbursement;

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

1. That the Mayor be and he is hereby authorized to execute the Reimbursement Agreement in a form approved by the Township Attorney.

Poll: Ayes: Fontana, Huggins, Liess and President Sisco
 Nays: None
 Abstain: Huh

The Council President declared the motion passed.

PUBLIC PORTION

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

Poll: Ayes: Fontana, Huh, Huggins, Liess and President Sisco
 Nays: None

The Council President declared the motion passed.

Frank Zimmerman, Long Hill Road, disagreed with the fact that they cannot tell him what an existing ordinance states. He also informed that he spoke with COAH recently with regard to Ordinance No. 1097, and they told him that this would be heard in September. He said he would now be calling COAH to find out why this was held. He agreed with the request to amend the overlay zone, but disagreed with the procedure. He voiced his opinion that the Planning Board and the public should’ve had some input before being sent to COAH. Besides removing the term, “attached” from the ordinance, there are several other changes included in the ordinance. He read each of these changes at this time to make everyone aware of them. He asked who came up with these extra changes and if the Council was aware of them. He also questioned the \$35,000 in lieu of construction clause – he asked if this is still in affect. He asked how the town’s COAH obligation has been affected as a result of the Planning Board’s rule.

Fire Chief Jack Sweezy, Little Falls Fire Department, explained that the Fire Department would like to be heard at the Workshop meeting on 9/16/10 in reference to a new boat launch site on the Passaic River. He also informed that the generator project is underway at the Firehouses that do not have generators at this time.

Glenn Hundertmark, 614 Upper Mountain Avenue, asked if anyone reached out to Mr. Kharawala to talk with him about the Clove/Long Hill Road project to keep him updated on the project.

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

Poll: Ayes: Fontana, Huh, Huggins, Liess and President Sisco
 Nays: None

The Council President declared the motion passed.

Councilmember HUGGINS agreed that Mr. Zimmerman should get an answer today with regard to the current ordinance, since it is the law. He explained that the overlay zone is an entity separate from other zones, so even though there are residential homes going there, it doesn't necessarily mirror the ordinances or regulations of setbacks and impervious area. Mr. Lindsay explained that they have interpreted the overlay zone as one that overlays an existing zone and certain properties within that zone are encompassed in the overlay zone. He commented further, noting that there are different requirements in the different zones. He explained that if there aren't certain setback requirements, you would use the underlying zone. Mr. Zimmerman commented further on this topic, and Councilmember HUGGINS explained that all ordinances are created with three entities: the person with the objection to the plan, the Council and COAH. He explained that their objective is to have affordable housing. The ordinance that was sent out has not been passed; it was only sent out to COAH to request the change to the ordinance. They have not heard back yet and the public will still have a chance to comment on this.

Council President SISCO assured that he would get in touch with Mr. Kharawala sometime next week.

PAYMENT OF BILLS

It was moved by Councilmember Liess, seconded by Councilmember Huggins, 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, Huggins, Liess and President Sisco
 Nays: Huh

The Council President declared the motion passed.

Chilton Occup. Health Center	General Admin.	350.00
Clarion Office Supply		`11.99
Verizon Wireless		`118.69
Birdsall Services Group	A & E	1300.00
Cablevision Systems Corp.		`59.95
E-Z Landscaping Inc.		`275.00
Key Equipment Finance		`715.11
North Jersey Media Group		`43.38
North Jersey Media Group		`46.59
North Jersey Media Group		`139.85
North Jersey Media Group		`83.80
NJ State of Municipalities		`176.00
Sparctech		`1150.00
Integrated Document Technology	Treasurer	7.50
Key Equipment Finance		`112.17
Lerch, Vinci & Higgins		`2537.21
Passaic County Assessors Assoc.	Tax Assessor	125.00
Vital Communications		`700.00
Atlantic Envelope Co., Inc.	Tax Collector	362.25
Clarion Office Supply		`35.99
Key Equipment Finance		`112.17
Trapanese & Trapanese, Esqs.	Legal	1170.00
Trapanese & Trapanese, Esqs		825.00
Trapanese & Trapanese, Esqs		`3330.00
Trapanese & Trapanese, Esqs		`1245.00
Trapanese & Trapanese, Esqs		`3135.00
Trapanese & Trapanese, Esqs		`4620.00
Trapanese & Trapanese, Esqs		`2400.00
Trapanese & Trapanese, Esqs		`675.00
Trapanese & Trapanese, Esqs		`1012.20
Action Interpreting LLC	Municipal Court	232.50
Cablevision Systems Corp.		`49.95
Key Equipment Finance		`112.17
NPC		`294.78
Poland Spring		`10.99
West Group		`491.04
Patrick A. Quagliana Jr.	Public Defender	300.00
Kauker & Kauker	Planning Board	1647.50
Tree King, Inc.	Shade Tree	
Delta Dental Plan of NJ	Group Health Ins.	3014.36
Delta Dental Plan of NJ		`2840.29
NJSHBP		`67,735.71
Teamsters Local 97 Benefit Fund		`1160.00
Teamsters Local 97 Benefit Fund		`1500.00
General Motors Acceptance Corp.	Aid to Volunteer Fire	1451.64
Joe Casillo		`150.00
Joe Casillo		`150.00
Jonathan Cespedes		`150.00
Pinnacle Wireless, Inc.		`152.50
Passaic County Comm. College		`640.00
Robert W. Vita		`150.00
Robert W. Vita		`150.00
Tekntkat, Inc.		`911.61
Timothy Conti		`150.00
Timothy Conti		`450.00
Trailerama		`15.50
Turnout Fire & Safety, Inc.		`2509.87
Turnout Fire & Safety, Inc.		`209.32
Verizon Wireless		`127.40

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Verizon Wireless		85.26
Chilton Occup. Health Center	PEOSH	485.00
Chilton Occup. Health Center		110.00
Cablevision Systems Corp.	Police	84.90
Chilton Occup. Health Center		110.00
Chilton Occup. Health Center		110.00
Clarion Office Supply		141.96
Fed Ex		29.43
I.D.M. Medical Supply Co.		151.25
Mobile Mini Inc.		262.00
Pinnacle Wireless		100.00
Sparctech Solutions LLC		89.00
Verizon Wireless		260.49
Verizon Wireless		160.14
Clarion Office Supply	Construction Code Official	47.94
Integrated Document Technology		26.00
Joseph Macones		18.49
Kay Printing Envelope Co., Inc.		585.00
Verizon Wireless		98.58
Advanced Plumbing & Drain	DPW	400.00
American Hose & Hydraulic Co.		670.12
Cablevision Systems Corp.		74.95
Charles Bahr & Son Inc.		13.98
Charles Bahr & Son Inc.		13.98
Charles Bahr & Son Inc.		12.77
Charles Bahr & Son Inc.		12.48
Clifton Power Equipment, Inc.		419.43
D2L Associates, Inc.		250.00
Floyd Services		496.28
Home Depot		34.49
Home Depot		4.95
Home Depot		82.21
Integrated Document Tech.		13.00
Jesco Inc.		66.76
O'Connell Sports Inc.	2009	3000.00
One Call Concepts		DPW78.83
Outstanding Service Co., Inc.		29.95
Outstanding Service Co., Inc.		29.95
Pinnacle Wireless, Inc.		11.50
Poland Spring		97.22
Regal Maintenance Supply Co.		453.45
Salomone Brothers, Inc.		640.33
Stone Industries, Inc.		105.84
Tilcon New York Inc.		57.95
Tools Plus Industries		241.12
Verizon Wireless		329.54
Walker's Hardware		10.11
Cablevision Systems Corp.	Emergency Mgmt.	49.95
Chilton Occup. Health Center	Solid Waste	245.00
Clarion Office Supply		46.10
Gaeta Recycling Co., Inc.		35,713.34
S. Rotondi & Sons, Inc.		4062.50
Dave Stern Inc.	Vehicle Maintenance-DPW	207.56
Dave Stern Inc.		860.40
Dave Stern Inc.		352.09
General Parts Group, Inc.		24.06
General Parts Group, Inc.		185.98
Guaranteed Rebuilders, Inc.		295.00
Wayne Ford Auto Sales		46.79
Power Battery & Truck Parts	Vehicle Maintenance-Fire	84.35
Totowa Auto Parts LLC		4.80
PSE&G	Street Lighting	8511.53
A.C. Moore Inc.	Recreation	108.73
Cablevision Systems Corp.		49.95
Cintas Corporation		168.60
Gayla Iglody		100.00
Integrated Document Tech.		39.65
Kevah Konner, Inc.		275.00
Mr. John Inc.		233.10
Panorama Tours, Inc.	Senior Citizen Transportation	375.00
Panorama Tours, Inc.		375.00
Trapanese & Trapanese, Esqs.	Bond Ord. - 856	45.00
North Jersey Media Group	Bond Ord. - 856	49.35
Trapanese & Trapanese, Esq.	Bond Ord. - 1020	135.00
Clarion Office Supply	Bond Ord. - 1020	1362.00
Paul Schilling & Son	Bond Ord. - 856	4640.00
Paul Schilling & Son	Bond Ord. - 1048	1505.00
North Jersey Media Group	Bond Ord. - 1092	47.51
TFI Fleet Maintenance	Bond Ord. - 1094	36,481.53
North Jersey Media Group	Bond Ord. - 1095	47.97
Paul Schilling & Son	Bond Ord. - 1098	7350.00
North Jersey Media Group	Bond Ord. - 1098	49.81
North Jersey Media Group	Bond Ord. - 1099	48.43
North Jersey Media Group	Bond Ord. - 1100	47.97
North Jersey Media Group	Bond Ord. - 1101	47.51
North Jersey Media Group	Bond Ord. - 1102	48.89
David A. Capalbo	Bond Ord. - 1105	13,250.00
Lerch, Vinci & Higgins	Bond Ord. - 945	47.79
Lerch, Vinci & Higgins	Bond Ord. - 577	3915.00
MCI Communications	Telephone	55.98
Verizon		246.33
Verizon		3587.68
PSE&G	Gas & Electric	20,680.26
NJ American Water	Water	3568.44
Rachles/Michele's	Gasoline	5298.50
National Terminal, Inc.	Diesel	2494.80
NJ American Water	Fire Hydrants	12,863.76

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Arrow Elevator, Inc.	Public Bldg. & Grounds	140.00
Barcia Brothers		`800.00
Grainger		`79.20
Natural Lawn of America		`840.00
Ocean Clean Inc.		`1445.00
O'Connell Sports Inc.		`3500.00
Prime Pest Control LLC		`100.00
S & A Irrigation & Lawn Svc		`637.65
S & A Irrigation & Lawn Svc		`708.45
Spot-A-Way Inc.		`105.00
The Terre Co of NJ		`83.30
Totally Secure, Inc.		`95.00
Totally Secure, Inc.		`634.37
County of Passaic	County Taxes	2,620,489.45
County of Passaic		`46,692.70
Gaeta Recycling Co., Inc.	Flood	220.00
Gaeta Recycling Co., Inc.		`220.00
Gaeta Recycling Co., Inc.		`220.00
Little Falls Bd. of Ed.	Local School	1,009,461.00
Passaic Valley Regional HS	Regional School	528,813.92
Barcia Brothers	Passaic City Open Space Trust	21,300.00
NJ Unemployment Compensation	Unemployment Trust	4073.00
Deborah Gessler	Widows	416.66
Depository Trust Co.	Interest on Bonds	18,418.75
Depository Trust Co.		`38,600.00
Depository Trust Co.	Payment on Bonds	210,000.00

Councilmember LIESS explained that this would only include those bills that have been signed by the Finance Committee; all others would be held.

Poll: Ayes: Fontana, Huggins, Liess and President Sisco
 Nays: Huh

The Council President declared the motion passed.

EXECUTIVE SESSION

It was moved by Councilmember Liess, seconded by Councilmember Huggins, that the Council approve the following:

RESOLUTION [EX]

WHEREAS, N.J.S.A. 10:4-12 allows for a Public Body to go into executive session during a Public Meeting; and

WHEREAS, the Governing Body of the Township of Little Falls has deemed it necessary to go into executive session to discuss certain matters which are exempted from the Public; and

WHEREAS, the regular meeting of this Governing Body will reconvene;

NOW, THEREFORE, BE IT RESOLVED that the Township Council of the Township of Little Falls will go into executive session for the following reason(s) as outlined in N.J.S.A 10:4-12: Justice Complex, Township email accounts and traffic light agreement with State Department of Transportation.

Poll: Ayes: Fontana, Huh, Huggins, Liess and President Sisco
 Nays: None

The Council President declared the motion passed.

The Council entered Executive Session at 8:40 p.m.

At 9:25 p.m., the Council returned and it was moved by Councilmember Fontana, seconded by Councilmember Liess, that the meeting return to Open Session.

Poll: Ayes: Fontana, Huh, Huggins, Liess and President Sisco
 Nays: None

The Council President declared the motion passed.

There being no further business to come before the meeting, it was moved by Councilmember Huggins, seconded by Councilmember Fontana, that the meeting be and it was adjourned at 9:25 p.m.

William E. Wilk
Municipal Clerk

Cynthia Meyer
Deputy Municipal Clerk

