

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

Monday, December 13, 2010

Councilmember Paul Huggins called the meeting to order at 7:35 p.m. with the following members present: Louis Fontana, 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: Council President Joseph Sisco

Township Employees present: 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.

REMARKS FROM CHAIR

Councilmember HUGGINS was happy to report that the SRL (Severe Repetitive Loss) money has officially been granted to the town; they will now be able to raise 34 homes at no cost to the town. He informed that they have appointed Joanne Bergin to oversee this project, and he asked that a resolution ratifying same be passed at the next meeting. He recommended the resolution be prepared for the new council to review and also recommended that Ms. Bergin continue to work with the town in the coming year.

COUNCIL MEMBER REPORTS

Councilmember LIESS explained that a requirement of the Regional Flood Board is to submit an annual report to the Township Council; he explained that said report has also been filed with the Township Clerk's Office. He explained that they meeting every second Thursday of the month, and the meeting location rotates throughout the three towns for each meeting. He also pointed out that there hasn't been any flooding of the Peckman River since the Regional Flood Board has been established to oversee the river. He thanked the board members for their continued dedication and work, and he also thanked Congressman Pascrell for helping with grant monies, as well as the Passaic Valley Sewerage Commission for helping to clean the river bank to prevent flooding. The board has also been dealing with the issue of the Cedar Grove Road wall, which is deteriorating. He explained that the wall is the responsibility of the Board of Chosen Freeholders; however, they have had many issues with the board as to resolving the issue. Within the next few weeks, there will be a walk-through of the Peckman River to see if there are areas that need to be cleaned before the spring rain comes.

Councilmember FONTANA said the Annual Fire Department Meeting was held on Thursday, which he described as a very nice event. He informed that there were about 600 calls for the year, and said that two calls also came through during the meeting. He voiced his appreciation toward all of the volunteers and thanked them for their service to the town.

Councilmember HUH said she is honored to serve on the Regional Flood Board, noting that the elected officials and the residents work together to solve problems. She hoped this partnership would continue with the new Council in the coming year. She also informed that both Houses in State adopted resolutions on anti-bullying recently. A similar resolution was distributed to the Township Council in October and she thinks they should adopt same, as it is an important issue. She is hoping to adopt this resolution this evening, as she doesn't see any problems with the language. She also informed that the NJDOT is going to go through town to put up some signs since the holidays are coming. She further noted that Councilmember Fontana has agreed to take over on the Transportation Committee, and she hoped they would address this in January. She is happy that the pink house has been knocked down in relation to the construction of the Justice Complex. She asked the Mayor when the ground breaking would be held, noting that the Council has been working on this matter for years and would like to see commencement before leaving the Council. She also pointed out that although they had agreed for the Workshop meetings to be televised, this will depend on the volunteers. She wished everyone a happy holiday.

MAYOR'S REPORT

Mayor DeFrancisci said no one is dragging their feet with the Justice Complex; he scheduled a ground breaking for next Monday, 12/20/10 at 10:00 a.m. He also informed that he hosted a Super Bowl Parade two weeks ago for the A Squad victory. It was a good time for the kids and he hopes to be able to give out proclamations in the new year. He also attended the FD meeting and he commended and thanked the Fire Department for their dedication. He reminded that they are now receiving money from MSU for fire calls to the college; it is starting to add up.

TOWNSHIP ATTORNEY'S REPORT

Mr. Trapanese said the issue of Occidental Chemical Corporation litigation should be placed on the next Workshop meeting agenda for discussion. His partner has written to the Council with regard to the need for a resolution to be adopted before the end of the year in order to continue with this.

PUBLIC PORTION

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

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

The Council President declared the motion passed.

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Trevor Borthwick, 9 DeYoung Drive, explained that the camera they received from the school had issues and the one they received to replace that one is also having issues. He suggested that the town purchase new equipment that can be used within the new security system for the new building if they wish to continue recording the meetings.

Arnold Korotkin, Long Hill Road, said it is important for the town to realize they live in a multi-diverse community with regard to religions and holidays celebrated. He was curious as to the \$160 the town gets per call from MSU; he asked if where this money goes, and questioned when the cost per fire call would be revisited. He asked if it reflects the actual cost of the equipment for the department. He also explained that he is looking forward to the passage of the resolution regarding Council decorum. With regard to the upcoming Reorganization Meeting, he asked for a definite date. He informed that he had hand-delivered a letter several weeks ago, asking for a public portion at the Reorganization Meeting; he referred to the law and said that the public should be allowed to speak at all meetings of the town.

Frank Zimmerman, Long Hill Road, asked if it is possible for the Council to give an update on the litigation between the Planning Board and Mr. Schumacher. He asked if the Council still has a liaison on the Planning Board or if the position has been abolished. He also asked that the current Council comment on Woods Road before the new Council takes office.

Renea Shapiro, Little Falls ABC, asked why the section of Main Street near Van Ness Avenue was not paved along with the rest of Main Street, noting that this section of the road is in terrible shape. She also informed that there are trucks parked by the Civic Center instead of the Recycling Center, where it is not on a public street. She also informed that they received the signed agreement from the County on the Morris Canal Grant. She was curious as to whether they could ask the Sheriff's Department to cut down some trees on that property so it will be easier when they go in to do the work. She also informed that if the town doesn't have funds, they will not give Open Space money; this is the first time they have ever received money. They need to think about putting some money into the Open Space Trust fund so that money will eventually come back to the town.

Barry Delaney, 12 Chestnut Street, Kearney, NJ, explained that the Township ordinance states that you must be a member of a surrounding town in order to be a member of the Little Falls Fire Department. He informed that he was suspended one year ago because he moved, but he has not heard anything recently regarding this issue. He asked for the status of this, and questioned why he cannot be a part of the department.

Dorothy O'Haire, Turnberry Road, member of the Regional Flood Board, asked for an update regarding the pump stations. She also informed that it is a grant they are looking for, for an early warning system on the Peckman River. She explained that there was an existing gage on Francisco Avenue, adding that the Army Corps has just finished all new maps for this entire area. The system takes the new maps and feeds them into the system that is already there. This grant is \$17,700; it is a working system at the Meadowlands Commission; they have done all the research and made all necessary adjustments; all the town would need to do is to buy the system. It requires very little maintenance and it takes the maps and connects to NOAA, so they can track a storm coming from South America. It will then be able to tell you where and when in NJ it is going to rain. It will give three days notice of storms moving in their direction so they can be more prepared for flooding. Referring to the Cedar Grove Road wall, she explained that it is sending all of the debris downstream. They have cleaned the river three times and they are now scheduled to do it again. She has spoken to the Mayor and Joanne Bergin regarding a grant for this, and she informed that the original 1998 grant for \$153,000 from Senator Robertson still has \$30,000 available. Councilmember HUGGINS asked if it is a fully funded grant for the warning system; Mrs. O'Haire said that it is the total cost of it; she is not sure of how grants work. The \$17,700 is the complete cost. Mayor DeFrancisci clarified that she is suggesting they find a grant to fund the \$17,700 cost of the system.

Ahmad Mirghahari, 38 Newark Pompton Tpke, Subway, had a question about an ordinance on this evening's agenda. Councilmember HUGGINS explained that there would be a hearing later in the meeting with regard to this ordinance, noting that Mr. Mirghahari could then ask questions about same.

Brian Reynolds, 7 Notch Road, referred to budgets and said we are currently in a recession. He urged the town to cut back on expenses, noting that money is being allotted at every meeting for different things; they are not cutting back anywhere. He explained that the amount of homes for sale in town is triple the average amount, and informed that half of the homes are being reduced in price. He explained that this is a serious issue in which the town is not reflecting the recession that is going on in the world. Referring to the Consent Agenda, he asked for an explanation of the resolution regarding the transfer of funds.

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.

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

The Council President declared the motion passed.

Councilmember HUGGINS pointed out that the cameras are very old and said the monitor was donated to the town. He agreed that they need to purchase new equipment if they want to continue to televise meetings. They have a new Justice Complex being built and cameras are a part of that cost. They hope to improve the system to require less volunteers. He would like to reach out to Passaic Valley High School to see if there are cameras to use in the interim until the new building is completed. Mayor DeFrancisci said they borrowed the current camera from Passaic Valley High School, and suggested they call the high school about the problem they are having. They can call them again tomorrow to see if there is anything else they can lend to the town.

Referring to Mr. Korotkin, Councilmember HUGGINS agreed with his comments regarding religious holidays. He also informed that they will be voting on the decorum resolution. Referring to the public portion of the meeting, he said he cannot speak as to what the new council will do, but he has faith that they will continue the communication between the government and the public. The date of the Reorganization Meeting will be January 3, 2011; the time will be determined and posted on the Website. Mayor DeFrancisci said the money from MSU for fire calls goes to the general treasury. He also explained that

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the \$160 figure is a number that was derived from the Fire Department when this was asked to be negotiated; it will be looked at and reconsidered every year.

Councilmember HUGGINS referred to Mr. Zimmerman and said he does serve as the Council Liaison on the Planning Board. He doesn't attend many meetings now because, theoretically, any decision by the Board of Adjustment can come before the Council on appeal. Something they need to look into is whether or not a Council Liaison is able to ask questions on variance applications. He was excluded by an applicant who cited this. The legal department has looked into this. He does keep abreast of all issues with the Planning Board to relay to the Council; therefore, the Council is still aware of everything that happens on that board.

Referring to the status of the COAH lawsuit, Mr. Trapanese said they have answered Mr. Zimmerman regarding the Schumacher litigation; they are still in the middle of negotiating this. Mr. Schumacher has instituted a lawsuit against the town, because he feels he is being deprived of his right to build under the Affordable Housing Overlay Zone under COAH. They are not yet able to comply with their Third Round rules, because they don't know what the new rules are yet. The Governor has also threatened to abolish COAH in its entirety.

In response to further inquiry from Mr. Zimmerman, Councilmember HUGGINS said during that time, when someone objects to your round and it goes to mitigation, all three parties have to agree to that final outcome, which means all three parties have some say in what happens. That agreement was reached and Mr. Schumacher did have input into that, as well as COAH. COAH came in and looked at our town to verify and that was identified as a possible development that would include COAH obligations.

Mayor DeFrancisci explained that the County comes to the town and says what roads will be repaved; the town does submit requests for certain roads every year. He is not aware as to why they excluded that section of Main Street. Mr. Lindsay said he wasn't sure as to why either, noting that Cedar Grove Road and Main Street were both on their request list. He said he would check with Mr. Simone on this.

Mayor DeFrancisci said he spoke to Senator O'Toole's office regarding the Statute pertaining to curbing, and he has created a resolution asking the County to be responsible for curbs and roadways. Councilmember HUGGINS said they asked for a resolution to be put on the meeting of 12/27/10 in support of this issue.

Referring to the trucks at the Civic Center, Councilmember HUGGINS agreed that they should be moved, and said he didn't know of a reason why they were there. Mayor DeFrancisci said he would check with the DPW to see if there is another place to store them. Detective Batelli said there is no space at the DPW for these emergency vehicles.

Councilmember HUGGINS commended the Little Falls ABC for applying for the Morris Canal Grant, along with the town; they each received \$75,000. He explained that the existence of an Open Space Fund makes the town more eligible for grants. He thinks a presentation should be done stating what kind of investment this is for the town. He pointed out that they had invested in a grants writer, which was a good investment in the long run, since they ended up getting more grant monies.

Referring to Mr. Delaney, Mr. Kazmierczak said he has been in touch with the Township Attorney and they are in the process of setting up this hearing. They spoke to Chief Sweezy to arrange the hearing he and his attorney have requested. Mr. Trapanese said that Mr. Delaney is represented by a firm, adding that disciplinary charges have been filed against Mr. Delaney. They are trying to come up with a date for a hearing, which is a process. They will supply the date to his attorney as soon as they schedule same; this process is pending.

Councilmember HUGGINS said they were looking for further grants for one pump station. Mr. Lindsay said they applied shortly after the flooding for hazard mitigation grant funds. These grants were denied and they spoke to the State, who encouraged them to make application under two other competitive grant programs. They made applications for both Lewis Street and Fairfield Avenue, which are the larger pump station costs. They had a cost benefit ratio that was an excessive one for the combined pump stations. Referring to the SRL claims, he said if they could take the entire group of 34 homes and apply them as one unit, all could be approved as one. They made application to combine the pump stations, but they had heard back from the State that weren't going to accept that. Referring to Fairfield Avenue pump station, he said this application is still pending before the State and they hope to hear back early next year.

Councilmember HUGGINS referred to the appointment of Joanne Bergin and explained that the Council would introduce an ordinance on 12/27/10, with a public hearing on same in January, so the new Council could make a final decision. Referring to the Cedar Grove Road wall, he said this needs to be fixed. The \$30,000 that is allocated can only go toward this; it can't go toward anything else, and it would be irresponsible not to use it. They should at least spend it to look into the cost of fixing the wall. Mrs. O'Haire said the plans were already drawn for the new wall, and explained that the cost has increased since then. Councilmember HUGGINS said they need to find a solution for this regardless.

Councilmember HUGGINS said they do make cuts in the budget and they make tough decisions on what they can and cannot do. He acknowledged that there were raises given this year, but said they will soon have to make some decisions about what the priorities are. They have very little to play with; they are only spending money for things that are absolutely necessary. He pointed out that they also need to aggressively seek new ratables in town. They are aware of the seriousness of this issue. Mayor DeFrancisci said he is not prepared at this point, but at the next meeting, he will try to present what they have been doing the past few months to save money in the Township. They have been doing everything they can. Councilmember HUH said in order to prioritize, they need to look at all aspects of their current situation.

Mayor DeFrancisci said the services that Little Falls provides to MSU are primarily through the FD; they don't provide day-to-day Police services to MSU, since the college has its own police force. It doesn't impact the town the way some people may believe.

Councilmember HUGGINS pointed out that legal costs should be audited, and suggested that the new Council go through last year's legal costs to see what was spent and where they can cut. They need to come up with a way to cap this. Part of the transfers they are doing tonight is for legal and part is for employee group health. He further explained the two emergency transfer resolutions to Mr. Reynolds at this time. Mr. Wilk explained that many things can change throughout the year, but he is not aware of the cause for this, as he does not possess the backup for same.

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.

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REPORTS

Tax Collector's Report – Month of November 2010

MONTHLY REPORT

Municipality of the Township of Little Falls

Office of the Tax Collector

Revenues Collector for the Month of November 2010

Tax Collection Account #622402226 Lakeland Bank

To November 1, 2010	2010 YEAR TO DATE	
2010 Taxes	\$9,095,928.49	\$38,803,214.93
2009 Taxes	824.43	314,831.27
Prepaid 2011 Taxes	23,915.98	111,334.29
Interest	5,831.54	76,066.02
Township Tax Title Lien	0.00	1,357.11
Township Tax Title Lien Int.	0.00	203.63
Cost of Tax Sale	0.00	977.22
Outside Tax Liens	12,949.75	190,316.09
Duplicate Tax Bills 115.00 495.00		
Tax Searches	0.00	20.00
Insufficient Check Charge	40.00	320.00
6% Penalty Fee	0.00	2,935.55
Misc. Line Item Fee	0.00	50.00
Premium Outside Lien	0.00	47,600.00
Tax Sale Additional Fee	0.00	625.00
Municipal Copy Fee	0.00	11.25
GRAND TOTALS	\$9,139,605.19	\$39,550,357.36
Comparison of Years		
Nov. 1, 2010 to Nov. 30, 2010	\$9,139,605.19	\$39,550,357.36
Nov. 2, 2009 to Nov. 30, 2009		<u>5,977,173.43</u>
		+ \$3,162,431.76
		<u>37,204,301.51</u>
		+ \$2,346,055.85

Delinquent 2010 Taxes = \$712,962.32 (205) 1st –4th Qtrs. 2010. **Last Year \$593,703.93(211 items)**

2010 Refunds this Month = -\$1,502.38 Year-to-date refunds = -\$46,461.61
 Bounced checks this month = \$5,218.00 Year-to-date bounced checks = \$24,671.21

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

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

Dog Licenses issued 11/1/10 thru 11/30/10

Nos. 360 to 368 = 9 Licenses

Amount due Little Falls	\$61.20
Amount due State	16.80
Total Cash Received	\$78.00

Total to Treas. \$78.00

Township Clerk's Report – Month of November 2010

TOWNSHIP CLERKS REPORT
 Month of November 2010

ABC LICENSES

OTHER LICENSES

Business Licenses	\$100.00	
Pre-paid Business Licenses	4,585.00	
Raffle Licenses	60.00	
		\$4,745.00

REGISTRAR OF VITAL STATISTICS

Fees & Permits	\$520.00	
Marriage Licenses-LF	18.00	
Marriage Licenses-NJ	150.00	
		\$688.00

MRNA

Street Maps	\$	
Zoning Maps	3.00	
Zoning Ordinances		
Document Copies	14.15	
Garage Sales	10.00	
Misc. Fees & Refunds:		
TOTAL MRNA		<u>\$27.15</u>
TOTAL CURRENT ACCOUNT		<u>\$5,460.15</u>
TOTAL TO TREASURER		<u>\$5,460.15</u>

APPLICATIONS

Little Falls Fire Department Auxiliary – Richard Rosario, Tolstoi Place, Singac Fire Co. #3

Blue Light Permit – Joey Scotto, Edison Street, Clifton

- Colin McNeil, Fourth Avenue, Little Falls

Raffles – Rotary Club Pequannock Valley, On-Premise Merchandise Raffle, 2/12/11, 6:00 p.m. to 12:00 a.m.

- Rotary Club Pequannock Valley, On-Premise 50/50 Raffle, 2/12/11, 6:00 p.m. to 12:00 a.m.
- Diane D'Apollito-May "Beyond the Rainbow" Charitable Foundation, On-Premise Merchandise Raffle, 3/26/11, 7:00 p.m. to 11:00 p.m.

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- Diane D’Apolito-May “Beyond the Rainbow” Charitable Foundation, On-Premise 50/50 Raffle, 3/26/11, 7:00 p.m. to 11:00 p.m.
- Diane D’Apolito-May “Beyond the Rainbow, Charitable Foundation, Off-Premise 50/50 Raffle, 3/26/11, 7:00 p.m. to 11:00 p.m.

RESOLUTIONS

Dennis G. Lindsay, PE

RESOLUTION [A] 10-12-13 - #1

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

\$2,012.50

payable to:

Dennis G. Lindsay, P.E.

representing payment for engineering services rendered in connection with Bask2, Inc. d/b/a 381 Main Street – Block 77, Lot 4 – Site Plan Amendment 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.

Bernard B. Montalbano, Esq.

RESOLUTION [B] 10-12-13 - #2

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:

\$300.00

payable to:

Bernard B. Montalbano, Esq.

representing payment for legal services rendered in connection with Baskinger resolution; 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.

Riddick Associates, P.C.

RESOLUTION [C] 10-12-13 - #3

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:

\$262.50

payable to:

Riddick Associates, P.C.

representing payment for engineering services rendered in connection with Northbrook/Steve Laudia/Wilmore Road – Inspection and administrative requirements in connection with approved subdivision; 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.

Bernard B. Montalbano, Esq.

RESOLUTION [D] 10-12-13 - #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:

\$350.00

payable to:

Bernard B. Montalbano, Esq.

representing payment for legal services rendered in connection with Tri County Lexus Resolution; 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 22, 2007

RESOLUTION [E] 10-12-13 - #5

WHEREAS, the Tax Collector has received the lien monies in the amount of \$28,272.06 from Abdy & Kane on the property known as Block 88.02 Lot 1 C201, (formerly known as Block 88 Lot 1 CB201) assessed to Debra Sanchez, of 240 Main Street, Unit 201; and

WHEREAS, these lien monies redeemed Certificate #06-2007 from my tax sale of October 22, 2007; and

WHEREAS, the Tax Collector shall authorize the CMFO to refund the lienholder from the trust account a total of \$28,272.06 made payable to Crusader Lien Services, 115 West Avenue, Suite 300, Jenkintown, PA 19046; and

WHEREAS, the penalty/interest due to Crusader Lien Services when the Chief Finance Officer is completing the 1099 form is in the amount of \$7,066.47;

NOW, THEREFORE BE IT RESOLVED by the Township Council of Little Falls on this 13th day of December 2010 that the above lienholder be reimbursed the amount of \$28,272.06. This check shall be forwarded to the Tax Collector on December 14, 2010, as she must surrender the tax sale certificate from the lienholder before they receive their money.

Refund of 2010 Taxes

RESOLUTION [F] 10-12-13#6

WHEREAS, there is a State Tax Court Judgment on Block 56 Lot 12, known as Joseph & Eileen Martorana, et al of 453 Main Street for the Year 2010 reducing the assessed value by \$766,800.00;

<u>YEAR 2010</u>	
Original Assessment	\$3,891,800.00
STCJ	<u>3,125,000.00</u>
Difference	766,800.00
'10 Tax Rate	x <u>2.062%</u>
	\$15,811.42

WHEREAS, the Tax Collector shall refund the total amount of \$15,811.42 for the Year 2010 payable to Michael A. Vespasiano, Attorney Trust Account, Michael A. Vespasiano, Esq., 331 Main Street, Chatham, NJ 07928;

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NOW,
THEREFORE BE IT RESOLVED by the Township Council of Little Falls on this 13th day of December 2010 that the above attorney be refunded the total amount of \$15,811.42 for the overpayment of taxes due to a State Tax Court Judgment on Block 56 Lot 12.

Dennis G. Lindsay, PE

RESOLUTION [G] 10-12-13 - #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:

\$1,268.75

payable to:

Dennis G. Lindsay, P.E.

representing payment for engineering services rendered in connection with Walgreens Pharmacy – Block 202, Lot 1 – 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.

RESOLUTION [H] 10-12-13 - #8

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:

\$1,181.25

payable to:

Dennis G. Lindsay, P.E.

representing payment for engineering services rendered in connection with Ciasulli – Lexus – Block 203, Lot 3, et al; 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] 10-12-13 - #9

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 Piazza-Farnese/Dr. Farnese – Block 53, Lot 8, et al; 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] 10-12-13 - #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:

\$175.00

payable to:

Dennis G. Lindsay, P.E.

representing payment for engineering services rendered in connection with Nath/100 Lower Notch Road – Block 171, Lot 24 – Building Expansion with Bulk/Area Variance; 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.

NJ State Dept. of Health - Dog License Fees

RESOLUTION [K] 10-12-13 - #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:

\$16.80

payable to:

NJ State Dept. of Health

representing payment of State dog license fee, license Nos. 360 to 368 for the month of November 2010.

Refund of 2009 Taxes

RESOLUTION [L] 10-12-13#12

WHEREAS, there is a State Tax Court Judgment on Block 170 Lot 7, known as E. Baldecchi & G. Albano, Trustees of 2 Chilton Drive for the Year 2009 reducing the assessed value by \$150,000.00;

	<u>YEAR 2009</u>	
Original Assessment	\$1,189,800	
STCJ	<u>1,039,800</u>	
Difference	150,000	
'09 Tax Rate	x 1.933%	
	\$2,899.50	

WHEREAS, the Tax Collector shall refund the total amount of \$2,899.50 for the Year 2009 payable to The Irwin Law Firm, P.A., as attorneys for E. Baldecchi Trustees, et al., 80 Main Street, Suite 410, West Orange, NJ, 07052.

NOW,

THEREFORE BE IT RESOLVED by the Township Council of Little Falls on this 13th day of December 2010 that the above attorney be refunded the total amount of \$2,899.50 for the overpayment of taxes due to a State Tax Court Judgment on Block 170 Lot 7.

Welfare

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RESOLUTION [M] 10-12-13 - #13

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:
\$1680.00 (\$210.00 each)

payable to:

Welfare Clients #54, 55, 58, 60, 61, 62, 63 & 65

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

Refund of 2010 Taxes

RESOLUTION [N] 10-12-13#14

WHEREAS, there is a State Tax Court Judgment on Block 170 Lot 7, known as E. Baldecchi & G. Albano, Trustees of 2 Chilton Drive for the Year 2010 reducing the assessed value by \$150,000.00;

YEAR 2010	
Original Assessment	\$1,189,800
STCJ	<u>1,039,800</u>
Difference	150,000
'10 Tax Rate	x 2.062%
	\$3,093.00

WHEREAS, the Tax Collector shall refund the total amount of \$3,093.00 for the Year 2010 payable to The Irwin Law Firm, P.A., as attorneys for E. Baldecchi Trustees, et al., 80 Main Street, Suite 410, West Orange, NJ, 07052.

NOW,

THEREFORE BE IT RESOLVED by the Township Council of Little Falls on this 13th day of December 2010 that the above attorney be refunded the total amount of \$3,093.00 for the overpayment of taxes due to a State Tax Court Judgment on Block 170 Lot 7.

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

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

The Council President declared the motion passed.

REGULAR AGENDA

The following items were individually considered.

INTERDEPARTMENTAL

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

RESOLUTION [O] 10-12-13 - #15

WHEREAS, the following Current Fund budget appropriation balances remain unexpended:

Passaic Valley Sewer Commission	351.08
Fire O/E – Flood	30,577.18
DPW S/W – Flood	41,746.73
DPW O/E – Flood	33,143.78
Solid Waste O/E – Flood	27,605.01

And; WHEREAS, it is necessary to formally cancel said balances so that the unexpended balances may be credited to Surplus;

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Little Falls, that the above listed unexpended balances of the Current Fund be cancelled.

Councilmember Liess said on most of these, the surplus is coming from monies that were unexpended. Without Federal Aide, they wouldn't have had this surplus.

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

The Council President declared the motion passed.

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

RESOLUTION AUTHORIZING TRANFERS IN THE 2010 BUDGET: \$162,802.00 [P]#16

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

The Council President declared the motion passed.

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

RESOLUTION REQUESTING AN EMERGENCY APPROPRIATION FOR THE 2010 MUNICIPAL BUDGET ENTITLED INSURANCE – EMPLOYEE GROUP HEALTH: \$50,000.00 [Q]#17

Councilmember HUGGINS said they would like to see the backup for this item.

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

The Council President declared the motion passed.

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

RESOLUTION REQUESTING AN EMERGENCY APPROPRIATION FOR THE 2010 MUNICIPAL BUDGET ENTITLED LEGAL SERVICES AND COSTS – OTHER EXPENSES” \$40,000.00 [R]#18

Councilmember LIESS said the Budget for legal services should be more appropriate to the actual expenditures next year. He understands that they have unknown litigation during the year, but he said the budget should be more to the actual expenditures they will spend during the year. Mayor DeFrancisci said he is discussing this matter with Mr. Trapanese’s office at this time. Mr. Trapanese listed several litigation matters that have come up this year which have cost the town more money unexpectedly. He and the Mayor are working on a more simplified method of determining legal fees for the coming year. Councilmember HUGGINS suggested that the Mayor include the future Finance Committee in the creation of the Mayor’s Budget, which has not been done in the past. It helps to keep the Council informed of the reasons why a certain amount of money is in a line item. He believes it is in the best interest of the town to do so.

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

The Council President declared the motion passed.

NEW BUSINESS

Ordinance No. 1111 – It was moved by Councilmember Huh, seconded by Councilmember Liess, that the public hearing on Ordinance No. 1111, “**AN ORDINANCE AUTHORIZING THE SALE OF SINGAC PLACE IN THE TOWNSHIP OF LITTLE FALLS TO BE SOLD AT PRIVATE SALE IN ACCORDANCE WITH N.J.S.A. 40A:12-13(b)**”, be and it was opened.

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

The Council President declared the motion passed.

Ahmed Mirghahari, Subway, asked how he can find out what portion of this property is or isn’t in the flood zone, so he can base his bid on that information. Paul said the flood maps are here in town hall and he can review them to determine same. Dennis said they didn’t survey that area, but they do have maps of that area, which indicate flood zone lines. You can also go online to FEMA’s website. Mr. Trapanese said his lawyer should also be able to find this information for him.

No one further having come forward to be heard, it was moved by Councilmember Liess, seconded by Councilmember Fontana, that the public hearing on Ordinance No. 1111, be and it was closed.

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

The Council President declared the motion passed.

It was moved by Councilmember Liess, seconded by Councilmember Fontana, that the Ordinance No. 1111 be and it was adopted.

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

The Council President declared the motion passed.

Ordinance No. 1112 - It was moved by Councilmember Fontana, seconded by Councilmember Liess, that the public hearing on Ordinance No. 1112, “**A CAPITAL ORDINANCE APPROPRIATING THE SUM OF \$60,000 FOR THE ACQUISITION OF A SPORT UTILITY VEHICLE FOR THE POLICE DEPARTMENT AND THE ACQUISITION AND INSTALLATION OF UP-FITTING EQUIPMENT FOR VARIOUS POLICE VEHICLES OF THE TOWNSHIP OF LITTLE FALLS AND TO APPROPRIATE \$60,000 FROM CAPITAL FUND BALANCE**”, be and it was opened.

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

The Council President declared the motion passed.

No one having come forward to be heard, it was moved by Councilmember Liess, seconded by Councilmember Fontana, that the public hearing on Ordinance No. 1112 be and it was closed.

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

The Council President declared the motion passed.

It was moved by Councilmember Fontana, seconded by Councilmember Liess, that the Ordinance No. 1112 be and it was adopted.

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

The Council President declared the motion passed.

Ordinance No. 1113 – It was moved by Councilmember Liess, seconded by Councilmember Fontana, that there be introduced and the meeting of December 27, 2010 set as the date and time for the public hearing on the following:

**ORDINANCE NO. 1113
AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 7 (“TRAFFIC”), ARTICLE 1 (“ON-STREET REGULATIONS”), SECTION 19 (“THROUGH STREETS”), SECTION 20 (“STOP INTERSECTION”) AND SECTION 21 (“YIELD INTERSECTION”) 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:

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Section 1 – Chapter 7, Article I, Section 20 of the Revised General Ordinances of the Township of Little Falls, is hereby amended and supplemented to provide for additional stop signs at the following intersection:

- 1. Paterson Avenue and Main Street: STOP signs shall be installed on Paterson Avenue.

Section 2 – Chapter 7, Article I, Section 19 of the Revised General Ordinances of the Township of Little Falls, is hereby amended and supplemented to replace the Yield sign facing Paterson Avenue with a Stop sign:

- 1. Main Street – Long Hill Road: c. Stop sign facing Paterson Avenue

Section 3 – Chapter 7, Article I, Section 21 of the Revised General Ordinances of the Township of Little Falls, is hereby amended and supplemented to replace the regulations for existing yield signs at the following intersection:

- 1. Paterson Avenue and Main Street: the YIELD signs installed on Paterson Avenue shall be replaced by STOP signs.

Section 4 – Severability

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

Section 5 – Repealer and Merger

All Township Ordinances and parts of Ordinances inconsistent with this Ordinance are hereby repealed.

Section 6 – Effective Date

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

Mr. Trapanese said there was a request to amend our ordinances to provide a stop sign at Paterson Avenue and Main Street, to replace the yield sign that is currently there. There was an investigation analysis by the Police Department and they drafted the ordinance based upon that.

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

The Council President declared the motion passed.

Contract with MC Co-op for Rock Salt and Liquid Calcium Chloride – It was moved by Councilmember Liess, seconded by Councilmember Fontana, that the Council approve the following:

RESOLUTION [S] 10-12-13 - #19
ACCEPTING BID AND AWARDING CONTRACT
For the furnishing and delivery of
ROCK SALT AND LIQUID CALCIUM CHLORIDE
Under County Cooperative Purchasing
Contract Period December 1, 2010 through November 30, 2011

WHEREAS, the County of Passaic’s Purchasing Agent has advised that pursuant to advertising duly made, bids were received by the County of Passaic as lead agency for the Voluntary Cooperative Pricing System for the furnishing and delivery of Rock Salt and Liquid Calcium Chloride (Contract No. 38-PCCP-10-1) for the Contract period December 1, 2010 to November 30, 2011; and

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

WHEREAS, the Township of Little Falls wishes to participate in the master contract for the purchase of ROCK SALT AND LIQUID CALCIUM CHLORIDE because the price under Contract No. 38-PCCP-10-1 is lower than the prices quoted to the Township by other suppliers; and

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

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

- 1) That the bid of

Atlantic Salt, Inc.
(Rock Salt)
Howell, MA

Based on 500 Tons at the bid price of \$50.40 per ton
In the total lump sum amount of \$25,200.00

(the said price representing the extended amount of the unit bid price of \$50.40 per ton, and the award being based upon the unit price; and payment to be made based upon the unit price multiplied by the quantities), be and the same is hereby accepted; and

- 2) That the bid of

Setcom Industries, Inc.
(Liquid Calcium Chloride)
Riverdale, NJ

Based on 100 gallons at the bid price of \$.92 per Gal
In the total lump sum amount of \$92.00

(the said price representing the extended amount of the unit bid price of \$.92 per gallon, and the award being based upon the unit price; and payment to be made based upon the unit price multiplied by the quantities), be and the same is hereby accepted; and

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

Councilmember HUH asked if they are saving money and how much. Mr. Wilk said they are saving money; he is not aware of how much, but this is something they do every year.

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

The Council President declared the motion passed.

Award of Contract to 4 Clean-Up for Morris Canal Bikeway – It was moved by Councilmember Fontana, seconded by Councilmember Liess, that the Council approve the following:

RESOLUTION [T] 10-12-13 - #20
AWARDING CONTRACT FOR MORRIS CANAL BIKEWAY

WHEREAS, sealed proposals were requested for MORRIS CANAL BIKEWAY; and
WHEREAS, on October 19, 2010, seventeen (17) proposals were received as follows:

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4 Clean-Up, Inc., North Bergen, NJ	\$353,759.80
D&S Land Development, Ramsey, NJ	369,200.00
T&S Builders, LLC, New Milford, NJ	398,874.00
Olympic Construction, Brooklyn, NY	399,876.00
Hutton Construction, Cedar Grove, NJ	414,141.40
Zenith Construction, East Newark, NJ	416,142.00
SCS Contracting, Inc., Ramsey, NJ	424,358.00
R. Vernieri Contractor, Inc., Franklin Lakes	430,778.00
JA Alexander, Inc., Bloomfield, NJ	439,940.50
V&K Construction Company, Edison, NJ	441,242.00
English Paving Company, Clifton, NJ	444,236.30
Vollers Excavating & Construction, N. Branch	452,614.00
Colonnelli Brothers, Inc., Hackensack, NJ	468,289.00
Concrete Construction Corp., S. Hackensack	470,949.30
Cifelli & Son, Nutley, NJ	612,345.00
DLS Contracting, Nutley, NJ	629,775.00
Andy-Matt, Inc., Wharton, NJ	691,036.00

and; WHEREAS, the bid has been reviewed and approved by the Township Attorney, Joseph S. Trapanese, Esq.; and WHEREAS, the Treasurer has provided in advance of the award of contract a Certification of the Availability of Funds (copy of which is appended to the original of the within Resolution) pursuant to Rule 5:30-1.10 of the Local Finance Board;

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

1. That the proposal of

4 Clean-Up, Inc.
North Bergen, NJ

in the amount of

\$353,759.80

be and it is hereby accepted subject to compliance with Public Contracts regulations N.J.S.A 10:5-31 et seq. and N.J.A.C. 17:27, as well as Pay-to-Play Law N.J.S.A. 19:44A-20.4 et seq. and subject to receiving confirmation from NJDOT that Morris Canal Grant Funds have been fully allocated to the Township of Little Falls.

2. That the Mayor and Clerk be and they are hereby authorized to execute a Contract for the said services.

Councilmember HUH asked if this money is from a grant. Mr. Lindsay explained that he had made a recommendation to the Council that the resolution include a requirement that the NJDOT be contacted and that the award of the contract to the low bidder be condition upon the DOT verifying that the funds that were committed to the community many years ago, are still available to the Township. He also explained there were very competitive bids on this. The DOT has been contacted, and suggested that they pass the award based on this condition, and then they will take it down to Trenton to make sure the money is available. Mr. Wilk said this resolution should be passed, subject to Dennis' comments regarding consultation with the DOT.

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

The Council President declared the motion passed.

Township Council Decorum – It was moved by Councilmember Huh, seconded by Councilmember Liess, that the Council approve the following:

Resolution [U] 10-12-13 - #21

WHEREAS, the Little Falls Township Council wishes to establish rules of conduct for the Council meetings; and
WHEREAS, the rules are intended to establish as method for the civil discourse of subjects relating the municipality,
NOW, THEREFORE, BE IT RESOLVED, the following rules shall go into effect immediately for all Council meetings:

Conduct of Council Members. Each member of the Council shall cooperate with the chair in preserving order and decorum, and no member shall, by conversation or otherwise, delay or interrupt the proceedings of the Council nor disturb any member while speaking or fail to abide by the orders of the Council or its President, except as specifically permitted by these rules.

Conduct of public. Any person who shall disturb the peace of the Council, make offensive or abusive remarks or conduct himself in a boisterous manner while addressing the Council shall be forthwith barred by the presiding officer from further audience before the Council, except that if the speaker shall submit to proper order under these rules, permission for him to continue may be granted by a majority vote of the Council. Anyone refusing to comply with the orders of the Council or its President may be removed by the Little Falls Police Department

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

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 and Liess
 Nays: None

The Council President declared the motion passed.

Frank Zimmerman, Long Hill Road, thanked Councilmember Huggins for answering his questions. He asked for clarification of the litigation with COAH and Mr. Schumacher. He read into the record a quote from page two of COAH's response to the Council's request to amend the Overlay Ordinance: "From 2000 to 2003, Little Falls was involved in a Builder's Remedy Lawsuit that resulted in the transfer of the proceedings from the Superior Court to COAH jurisdiction in accordance with N.J.S.A. 52:27d-316. Little Falls re-petitioned COAH on 9/23/04 with a plan that was objected to by Mr. Schumacher, a property owner and developer." He asked for clarification of Mr. Schumacher's objection that allowed him to negotiate with the town. He also questioned whether the Builder's Remedy Lawsuit that was going on from 2000-2003 involved Mr. Schumacher, or if he was involved later on.

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Arnold Korotkin, Long Hill Road, agreed that they need to look for new ratables but also suggested that they should be maintaining current ratables and specifically referred to the Ward Trucking site. He also asked if the Fire Department's annual report is available to the public and how he could obtain a copy of same. Referring to the State DEP Flood Commission, he explained that the commission had been given a mandate in the Spring to come up with a report for the Governor about a final solution for the flooding of the Passaic River. He questioned the progress of this, and asked if the committee would have a report submitted to the Governor by the 1/31/11 deadline.

John Herman, 122 Ridge Avenue, was under the impression that they contracted with Cablevision. He suggested that the town require Cablevision to televise the Council meetings when the new contract comes up.

Brian Reynolds, 7 Notch Road, explained that he had asked the Mayor about the budget impact with regard to the promotion of four officers to Sergeants during the last meeting. At the time, the Mayor had told him that the impact was \$2,000. He also pointed out that the Council passed a resolution this evening for health benefits, but they weren't aware of the reason; they need more of a business sense.

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
 Nays: None

The Council President declared the motion passed.

Councilmember HUGGINS said they could build ratables, noting that they must start somewhere. It may not be for next year's budget, but they need to start now. He assured that they work diligently every year to cut the budget. Their Capital Budget has been diminished and their reliance on bonding has also been diminished in recent years. Referring to the health insurance resolution, he explained that the health insurance parameters are monitored by law. It is good to know why the shortfall occurred for this line item, but he said it is something they must pay regardless. They have diminished paying things up front.

Mr. Kazmierczak said that this expenditure is coming from Capital Fund Balance, which means that it is not a new expenditure for the Township. In reference to the additional costs for police vehicles, he said they are hoping to save money in the budget for vehicle repairs for next year.

Councilmember HUGGINS pointed out that the Infrastructure Trust Fund allowed them to do repairs for a lower rate than typical bonding, which allows them to save money over a longer period of time. They are a much more fiscally responsible town than most; however, taxes still do go up.

Councilmember HUGGINS referred to the comments regarding Ward Trucking, and informed that they recently looked into the zoning of this property. The development of this needs would probably have to be a mixed use, which has the most amount of ratables. They hope to get an analysis in the future of how to develop this land; they need to be proactive.

Councilmember HUGGINS asked for a copy of the Annual Fire Department Meeting Report for the public's viewing, and Chief Sweezy said he would review this with Mr. Korotkin personally. Councilmember HUGGINS also requested posting the report on the Website. Chief Sweezy said the Fire Department has its own website that they can post information on.

Councilmember HUH asked Mr. Wilk to provide a copy of the report to the Council in the next packet.

Mayor DeFrancisci said this commission has been meeting since March of last year- there will be a report issued to the Governor by 12/31/10. One of the most important parts is to try to address some short-term solutions that people will be able to see. However, anything long term will still be years away.

Councilmember HUGGINS said he would like to see the gates at Beattie's Dam as a part of that report and asked the Mayor to voice this concern. Mayor DeFrancisci explained that the Beattie's Dam is part of the report, but he is not sure that the gates are a part of it. Mr. Lindsay said it was agreed that it would be part of the study; he has reviewed the 1989 report. They spoke of the benefits for Little Falls. The problem is that the report was not very positive for Little Falls, in terms of possible downstream impacts. Dennis elaborated further on the history of the 1989 report. He welcomed anyone to review and study the downstream impacts to hopefully make improvements on Beattie's Dam. He explained that the gates at Beattie's Dam is a significant project in itself. Councilmember HUGGINS also asked the Mayor to mention the idea of a hydroelectric generator in that area. He will be checking in to see the status of this. Mayor DeFrancisci said he spoke to Mr. Jones and they did have a meeting scheduled, but Mr. Jones had cancelled; he will keep the Council updated on this.

Mr. Kazmierczak said Cablevision1 does pay for the actual channels, but explained that Cablevision abides by the State Contract and will not offer more than Verizon does. They do get more money back in the State Contract through the fees. Councilmember HUGGINS said this was one of the first things he addressed when he first came on Council; now the State has decreased their leverage ability. However, he suggested that, in the coming years, they ask for as much as they can. Councilmember LIESS said they had a committee on this and they had met with Cablevision, who agreed to provide a channel for the Council meetings. They also provided some of the equipment for recording at that time. However, since they are now under the State Contract, they don't have to do that anymore. They have agreed to assist the Township in as much as they could regarding the new equipment for the new building.

Mr. Trapanese explained that when a builder files a lawsuit against the town that doesn't have COAH certification, it is a builder's remedy lawsuit. He explained the process of a Builder's Remedy Lawsuit in detail, noting that any resident of the Township has a right to object to the Township's COAH plans. Someone who objects would then have the right to participate in the mediation and negotiation process. Councilmember HUGGINS said that when the Second Round numbers were proposed, no one on this current Council was a part of that.

Mr. Reynolds commented briefly regarding the promotion of the Sergeants and Mayor DeFrancisci said he would get the numbers for this.

PAYMENT OF BILLS

It was moved by Councilmember Fontana, seconded by Councilmember Liess, 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

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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 and Liess
Nays: Huh

The Council President declared the motion passed.

Verizon Wireless	General Admin.	118.56
Action Data Services, Inc.	A & E	481.42
Action Data Services, Inc.		271.08
AM/PM Services		99.00
Cablevision Systems Corp.		59.95
North Jersey Media Group		242.37
Sparctech		1150.00
Rutgers, State University of NJ	Treasurer	25.00
Treasurer, State of NJ		50.00
WB Mason		54.95
Lerch, Vinci & Higgins, LLP		400.00
Lerch, Vinci & Higgins, LLP		850.00
Clarion Office Supply	Tax Assessor	60.08
Vital Communications		700.00
Munidex, Inc.	Tax Collector	1741.00
Regal Stamp & Sign		32.25
Vital Communications Inc.		53.70
John A. Spizziri, Sr., Esq.	Legal	112.50
Mc Manimon & Scotland, LLC		2606.87
Trapanese & Trapanese, Esq.		1755.00
Trapanese & Trapanese, Esq.		390.00
Trapanese & Trapanese, Esq.		5565.00
Trapanese & Trapanese, Esq.		4815.00
Trapanese & Trapanese, Esq.		2475.00
Trapanese & Trapanese, Esq.		945.00
Trapanese & Trapanese, Esq.		510.00
Trapanese & Trapanese, Esq.		885.00
Trapanese & Trapanese, Esq.		119.35
Trapanese & Trapanese, Esq.		1215.00
Trapanese & Trapanese, Esq.		1305.00
Trapanese & Trapanese, Esq.		805.00
Action Interpreting LLC	Municipal Court	338.00
Cablevision Systems Corp.		49.95
N P C		565.40
Bernard B. Montalbano, Esq.	Planning Board	300.00
North Jersey Media Group		33.73
Delta Dental Plan of NJ	Group Health Ins.	3014.36
Delta Dental Plan of NJ		2999.27
Shop Rite Pharmacy		10,945.56
Shop Rite Pharmacy		12,239.96
Teamsters Local 97 Benefit Fund		1450.00
Teamsters Local 97 Benefit Fund		1500.00
James Di Maria	Aid to Volunteer Fire	150.00
John Conti		150.00
Pinnacle Wireless		152.50
Turnout Uniforms Inc.		3245.14
Verizon Wireless	Aid to Volunteer Fire	127.08
Verizon Wireless		86.79
CNP Fit Testing of NJ LL		1440.00
Jonathan Cespedes		300.00
Clarion Office Supply	Fire Hazard	52.98
Cablevision Systems Corp.	Police	84.90
Cartridge World		51.78
Clarion Office Supply		16.95
I.D.M. Medical Supply Co.		183.25
Konica Minolta		175.78
Murphy Comm. & Emergency Lights		174.00
Pinnacle Wireless		75.00
Verizon Wireless		159.08
Clarion Office Supply	Construction Code Official	62.44
Integrated Document Technology		26.00
Tri-County Tactical LLC		55.49
Verizon Wireless		117.70
Amer. Wear Ind. Uniform	DPW	355.00
Amer. Wear Ind. Uniform		744.00
Athenia Mason Supply		514.50
Cablevision Systems Corp.		74.95
Charles Simone		249.43
Clifton Power Equipment, Inc.		17.89
D2L Associates, Inc.		250.00
First Class Towing		200.00
Guaranteed Rebuilders, Inc.		240.00
Home Depot		239.39
Home Depot		97.56
Home Depot		198.25
Home Depot		144.90
Integrated Document Tech		13.00
Jen Electric Inc.		906.40
Phillip Simone		350.00
Pinnacle Wireless		11.50
Poland Spring		24.75
Rossi Decorating Center, Inc.		37.74
S. Meltzer & Sons, Inc.		2000.00
Tilcon New York Inc.		59.90
Verizon Wireless		329.88
Walker's Hardware		6.54
Cablevision Systems Corp.	Emergency Mgmt.	49.95
Little Falls Shoprite, Inc.		64.26

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Needle Works		325.00
Verizon Select Services Inc.		26.20
Gaeta Recycling Co., Inc.	Solid Waste	35,713.34
Gaeta Recycling Co., Inc.		220.00
S. Rotondi & Sons, Inc.		4062.50
Airgas East	Vehicle Maintenance – DPW	367.67
General Parts Group, Inc.		94.70
General Parts Group, Inc.		163.52
Guaranteed Rebuilders, Inc.		140.00
Meadowlands Ford		3125.39
Wayne Ford Auto Sales		10.49
Wayne Ford Auto Sales		609.77
ZEP Manufacturing Co.		272.15
Little Falls Auto Svc & Trans	Vehicle Maintenance – Police	2091.06
Rt. 46 Chrysler Jeep Dodge		100.00
Rt. 46 Chrysler Jeep Dodge	Vehicle Maintenance - Police	162.00
Tapco Industries, Inc.		165.00
PES&G	Street Lighting	10,350.84
Bulb Depot	Recreation	66.96
Cablevision Systems Corp.		49.95
Cestone Electric Co. Inc.		500.00
Cintas Corporation		167.17
Integrated Document Tech.		26.00
La Piazza		700.00
Mr. John Inc.		234.75
Nevco, Inc.		60.12
Rossi Decorating Center, Inc.		112.43
Staples Inc.		164.40
Staples Inc.		197.93
Bridy sales & Leasing		212.15
Smiley Guy Amusements LLC		500.00
City of Clifton	Board of Health	3118.50
Deer Carcass Removal Svc. LLC		60.00
MGL Printing Solutions		348.00
MGL Printing Solutions		58.00
R&R Pump & Control Services, LLC	Bond Ord. – 0905	13,792.00
ACE Reprographics	Bond Ord. – 1020	515.30
Comerro Coppa Architects, PC	Bond Ord. – 1020	3187.50
Campbell Foundry Company	Bond Ord. – 1093	2028.00
TFI Fleet Maintenance	Bond Ord. – 1094	222.38
Paul Schilling & Son	Bond Ord. – 1098	4135.00
Trapanese & Trapanese, Esq.	Bond Ord. – 1098	195.00
Trapanese & Trapanese, Esq.	Bond Ord. – 856	345.00
A & A Construction	Bond Ord. – 1020	21,038.00
MCI Communications	Telephone	56.50
Verizon		3643.29
Verizon		275.00
PSE&G	Gas & Electric	18,429.28
NJ American Water	Water	823.73
National Terminal, Inc.	Diesel	2454.00
National Terminal, Inc.		910.40
Veolia Environmental Services	Tipping Fees	26,861.71
NJ American Water	Fire Hydrants	12,863.76
Arrow Elevator, Inc.	Public Bldg. & Grounds	140.00
Athenia Mason		245.00
Caldwell Nursery		240.00
Naturalawn of America		1560.00
Ocean Clean		1445.00
Spot-A-Way Inc.		105.00
Chief	DWI	334.17
Municipal Inspection Corp.	Elevator Trust	4650.00
Advanced Video Surveillance	Reserve for Recycling Trust	105.00
Deborah Gessler	Widows	416.66
Little Falls Shoprite, Inc.	Municipal Alliance	82.18
Kathleen Radcliffe		98.02
Toscana Restaurant	Municipal Alliance	310.62
Depository Trust Company	Interest on Bonds	102,906.00
Depository Trust Company		3375.00
Depository Trust Company	Bond Principal	200,000.00

FINANCE COMMITTEE

Paul Huggins

Joseph Sisco

William Liess

It was moved by Councilmember Liess, seconded by Councilmember Fontana, that the meeting be and it was adjourned at 9:51 p.m.

William E. Wilk
Municipal Clerk

Cynthia Meyer
Deputy Municipal Clerk