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

Monday, March 5, 2012

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

Absent: Township Attorney Joseph Trapanese

Township Employees present: DPW Superintendent Phillip Simone, Fire Official Edmond Pomponio 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 bulletin board at the Municipal Building, located at 225 Main Street, Little Falls, N.J. on January 5, 2012; 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.

NOMINATION AND APPOINTMENT OF CANDIDATE TO FILL VACANT COUNCIL SEAT -

Councilmember FONTANA said it would be appropriate to let the candidates say a few words if they so choose.

<u>Donald Radcliffe</u>, informed the Council of his qualifications, noting that he has a strong financial background. He also noted that he has contributed in town significantly, adding that he was previously the Mayor's assistant, during which time, he helped to prepare Budgets. He explained that he has been the President of Inwood Owners for the last 20 years, noting that he has been able to keep the maintenance payments at a consistent level. He hoped the council would consider the qualifications of each candidate.

<u>Pamela Porter</u>, explained that she has grown up in the Little Falls setting, adding that she currently lives, teaches, coaches and has her real estate license in town. She provided some of her background information noting that she has served as many positions in this town before, including Committee person, Council President, Mayor and Councilperson. She informed that she hadn't run for reelection when her term last expired due to personal issues. However, she said she has the time now and feels she can help the town.

In response to Councilmember GONZALEZ, Mrs. Porter explained that she now had the availability to fill this Council seat. Councilmember GONZALEZ asked if Mrs. Porter had any suggestions to reduce costs in town over the next nine months. Mrs. Porter said she would like to have some one-on-one time with everyone on the Council to get her up to date with all that is happening in town.

Councilmember FONTANA explained that the third candidate, Mr. Alfred Attianese, could not be here this evening.

At this time, Councilmember Gonzalez nominated Donald Radcliffe to fill the vacant Council seat. The nomination was seconded by Councilmember Sisco.

Poll:	Ayes:	Gonzalez and Sisco
	Nays:	Fontana and Vantuno

Mayor Post voted in opposition to the nomination, breaking the tie.

At this time, Councilmember Fontana nominated Pamela Porter to fill the vacant Council seat. The nomination was seconded by Councilmember Vantuno.

Poll:	Ayes:	Fontana and Vantuno
	Nays:	Gonzalez and Sisco

Mayor Post voted in favor of the nomination, breaking the tie.

The Council President declared the motion passed.

ADMINISTRATION OF OATH OF OFFICE

At this time, Mayor Post administered the Oath of Office to Council Candidate Pamela Porter.

NOMINATION AND ELECTION OF COUNCIL PRESIDENT

Cou ncilmember Vantuno nominated Councilmember Fontana. The nomination was seconded by Councilmember Porter.

Poll:	Ayes:	Fontana, Gonzalez, Porter, Sisco and Vantuno
	Nays:	None
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The Council President declared the motion passed.

ADMINISTRATION OF OATH OF OFFICE

At this time, Mayor Post administered the Oath of Office to Councilmember Fontana.

REMARKS FROM THE CHAIR

Council President FONTANA thanked everyone for the nomination. He said he is looking forward to working with everyone including Councilmember Porter, who has a lot of experience on the Council.

COUNCIL MEMBER REPORTS

Councilmember SISCO welcomed Councilmember Porter. He also informed that Sal Iuspa is a firefighter in town who is very ill and has cancer. There is a beefsteak dinner being held for him on 3/15/12 at 6:30 p.m. at The Russian Hall. He encourage everyone to come out for his benefit and to pray for him. Councilmember SISCO also informed that he had received an email today regarding the retirement of the Township's CMFO/Treasurer, Mrs. Albanese. He informed that that Mayor would like to hire someone to fill that position for more money. He disagreed that they should be hiring someone for more money, noting that the town cannot afford this.

Councilmember GONZALEZ welcomed Councilmember Porter. She also asked if Mr. Korotkin could post the information for the beefsteak dinner on his website. Referring to the Budget, she pointed out that Woodland Park's Mayor and Council all meet together to discuss the budget line by line. She wondered if Mayor Post would consider meeting with the Council to do the same.

Councilmember VANTUNO reminded that Mr. Fernandez had asked a question last week regarding the calculation of school taxes being divided. Councilmember VANTUNO provided an explanation of this at this time.

Councilmember PORTER said she is thrilled to be here and she is looking forward to working with this Council and going forward with positive things for the town.

MAYOR'S REPORT

Mayor Post welcomed Councilmember Porter back to the Council and congratulated Councilmember Fontana on his nomination as Council President. She pointed out that there has been discussion in the past as to where the Mayor should be seated. She said she would like for the Council to take a vote after her report tonight regarding where she should be sitting. After hearing the comments of the residents at the last meeting regarding the billboards, she informed that she has asked the attorney to fully withdraw the application and look for a new location. Referring to the retirement of Mrs. Albanese, she informed that they had to start fresh with the process of reviewing and interviewing the applicants for the position. She explained that it is vital for this position to be filled immediately. She assured that she is not abandoning the shared service concept. She also said she is aware of the legal costs spiraling out of control. Therefore, she has interviewed a couple of municipal attorneys to provide cost analysis. She informed Councilmember Gonzalez that she can only meet with two Council members at a time to discuss the Budget.

Councilmember SISCO pointed out that an Executive Session was not listed on this evening's Agenda. Mayor Post informed that this was requested. Councilmember SISCO said this is a Council meeting. Councilmember GONZALEZ voiced her understanding that Mr. Schaffner would be here this evening so the Council could interview him. She said they are rushing into this. Mayor Post explained that she and Mrs. Bergin have been interviewing candidates for two weeks, and Councilmember GONZALEZ pointed out that Mrs. Bergin only started working in the past week. She also said that anyone who fills this position should not be affiliated with any Passaic County politicians. Mayor Post wished to clarify that although Mrs. Bergin recently started her position as Administrator, she had been assisting the Mayor in the interview process.

ATTORNEY'S REPORT

Mr. Trapanese had nothing to report.

PUBLIC PORTION

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

Poll:	Ayes:	Fontana, Gonzalez, Porter, Sisco and Vantuno
	Nays:	None

The Council President declared the motion passed.

Louis Fernandez, 54 Harrison Street, referred to billboards and said the Lower Notch Road location has been reconsidered after hearing some of the residents expressing their opposition to same. He pointed out that these concerns are also concerns in other areas of town, and said if the billboards are bad for one part of town, then they should be bad for the rest of town as well.

He also pointed out that Councilmember Gonzalez had previously informed of another firefighter who was suspended. He explained that the town now has to pay for people to do the job, since the Fire Chief keeps suspending volunteers. He suggested they have a discussion about this with the Fire Chief.

<u>An unidentified resident,</u> 200 Lindsley Road, referred to the Governor's Checklist and asked if there are any follow up meetings planning with the Board of Education. She also questioned if any of the Council members attend these meetings or are aware of the agenda so as to look for new ways to share services. She also asked if the Council takes part in the County meetings in order to take a more proactive role in the services we receive for the dollar the residents pay.

<u>Rosemarie Bello-Truland</u>, 15 High Court, said she spoke to several of her neighbors near the billboard locations, and informed that they are all thankful for the action that was taken by the Council. She also questioned the status of the overnight parking ordinance.

Eugene Kulick, 74 Grove Street, said the taxes have gotten out of hand in town and are getting worse. He agreed with Councilmember Sisco that the town should be able to save when hiring someone. When he heard that the previous Business Administrator was resigning, he thought they would save that whole salary. Referring to the new Justice Complex, he said it is very uncalled for, and informed that four years ago, they discussed this project as an 8,500 square foot building; the new building will be 13,000 square feet. He reminded that the public chose to have the building built at this location. He provided further background information on the project, noting that former Mayor DeFrancisci fought with the Council as to where the building would go; when he resigned as Mayor, the town was \$15 million in debt. Since then, they are up to \$20 million in debt. He said the Police Station will end up costing five million dollars when it's finally completed. He urged the Mayor and Council to get together to discuss this. He also questioned whether the cost of the building includes everything or if there are additional items to be added.

Louis Fernandez, 54 Harrison Street, voiced his opinion that the Township lost one million dollars during Eugene Kulick's term as Mayor.

<u>Raymond Klepar</u>, 8 Douglas Drive, asked for an update on the communications system, and pointed out that it is still not up and running after the past three years.

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

Poll: Ayes: Gonzalez, Porter, Sisco, Vantuno and Council President Fontana Nays: None The Council President declared the motion passed.

Council President FONTANA said he understands Mr. Fernandez's point regarding the billboards and agreed that it should be the same circumstances for everyone. Mayor Post said this has only been approved by the Planning Board and anything going forward would have to be approved by the Council. President FONTANA said the Fire Department suspensions don't come before the Council, but assured he would notify Chief Sweezy of the concern.

Council President FONTANA said they can now start discussions with the Board of Education regarding shared services. Councilmember VANTUNO said he requested to have meetings with the Board once per quarter. President FONTANA said they need to be more aware of and involved with the County, noting that they can take turns doing so.

Councilmember SISCO pointed out that the Township's taxes were about a nickel less than the County's taxes two years ago, but they are now even. He explained that the County has managed to stay the same, while the Township continues to go out of control. He said they need to stop spending money.

Mayor Post said the overnight parking information was forwarded to Mr. Trapanese's office with some amendments by Chief Dmuchowski. They hope to introduce this at the next Regular meeting.

Council President FONTANA explained that they have a tight Budget and the employees are not paid as well as in other towns. He agreed with Mr. Kulick regarding the Police Station costs, adding that it would have been much cheaper at the other site. However, the public wanted here and they are doing the best they can. He informed that the professional services costs are included in the cost of the building. Mr. Lindsay provided further clarification.

Council President FONTANA said they don't have an update on the radio system. Mrs. Bergin said she could prepare this for the Council. She will educate herself on this and other topics in order to report on these issues at future Council meetings.

At this time, President FONTANA questioned a resolution on the Consent Agenda regarding payment to polling sites. Mr. Wilk provided clarification of this.

CONSENT AGENDA

All items on the Consent Agenda were considered to be routine and were enacted with a single motion. Any items under REQUISITIONS carried a Treasurer's certification as to sufficiency of funds.

REPORTS

Tax Collector's Report – Month of February 2012 MONTHLY REPORT

Municipality of <u>Township of Little Falls</u> Office of the <u>Tax Collector</u> Revenues Collector for the Month of <u>February 2012</u> Tax Collection Current Account <u>#622402226 Lakeland Bank</u>

	<u>To February 29, 2012</u>		<u>2012 Y</u>	<u>Year to Date</u>	
2012 Taxes		\$6,673,9	78.31		\$9,171,429.35
2011 Taxes		92,9	14.63		236,266.69
2010 Taxes			0.00		799.70
Prepaid 2013			0.00		0.00
Interest	9,047.04			17,407.48	
Township Tax Title Lien	0.00	0.00			
Township Tax Title Lien Int.	0.00		0.00		
Cost of Tax Sale	0.00				0.00

Meeting of March 5, 2012

Outside Tax Liens		0.00	128,454.08
<i>Duplicate Tax Bills</i> Tax Searches	45.00	65.00 0.00	0.00
Insufficient Check Charge 6% Penalty Fee	40.00 1,583.19 4,:	60.00 550.41	
Miscellaneous Line Item Fee Premium Outside Lien	$\begin{array}{c} 0.00\\ 0.00\end{array}$	0.00	0.00
Tax Sale Additional Fee Municipal Copy Fee	0.00 0.00	0.00	0.00
GRAND TOTALS	\$6,777,608.17	\$9,559,032.71	
Comparison of Years Feb. 1, 2012 to Feb. 29, 2012 Feb. 1, 2011 to Feb. 28, 2011	\$6,777,608.17 <u>6,070,803.32</u> \$ 706,804.85	<u>9,764,132,30</u> - \$ 205,099,59	\$9,559,032.71
Delinquent 2012 Taxes = \$380,Delinquent 2011 Taxes = $$312,$ Total Delinquent =\$693	,657.48 (203) 2012 1 st Qtr <u>,436.75</u> (65) 2011 1 st -4 th Q ,094.23	: taxes due 02/01/12. Qtrs. = tax sale 04/19/12.	
Comparison—same time lastDelinquent 2011 Taxes = \$454,Delinquent 2010 Taxes = \$317,Total Delinquent =\$771	,283.22 (242) 1 st Qtr. taxe		
Bounced checks this month = \$ Refunds this month = -\$		Year-to-date bou e refunds -\$470.19	nced checks = 0.00
APPLICATIONS <u>Raffles</u> St. Aloysius C	hurch, On-Premise 5	50/50, 4/14/12, Noon -	- 4:00 p.m.
Little Falls Fire Departme			mas Street, Clifton, Eagle Hose Co. #1 Avenue, Clifton, Eagle Hose Co. #1
<u>Raffles</u> Henry Buikem	a American Legion	Post #121, Annual Ins	stant Pull Tab Game
RESOLUTIONS Riddick Associates, P.C.	_		
RESOLUTION [A] 12-03-05 - #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: \$87.50			
payable to:		Riddick Associates, P.C	
representing payment for engine requirements in connection with			Lexus – Lot 3, et al – Inspection and administrative
BE IT FURTHER R incurred in connection with the			e escrow account on deposit with the Township for expenses
	Ţ		5 40
	by the Township Council		5 - #2 Falls, the Treasurer having certified to the availability of rected to issue a check in the amount of:
payable to:		Riddick Associates, P.C	
representing payment for engine requirements in connection with			Lexus – Lots 7 & 8 – Inspection and administrative
BE IT FURTHER R incurred in connection with the			e escrow account on deposit with the Township for expenses
Payments to Polling Place		Election RESOLUTION [C] 12-03-0)5- #3
1			2011 GENERAL ELECTION
directed, based upon the Clerk's	s certification as to the po	olling places used for the 20	Falls, that the Treasurer be and is hereby authorized and 11 General Election, to issue checks payable to the owners of treceived from the County of Passaic therefore, as follows:
Passaic Valley Regions St. Agnes Church	onal High School		\$50.00 100.00
School #3	200		50.00
	an Orthodox Church		50.00 50.00
Township of Little F	alls – Civic Center		$\frac{100.00}{$400.00}$

Dennis G. Lindsay, P.E.	-		NF #4
DE IT DESOLVED		RESOLUTION [D] 12-03-0	5 - #4 Falls, the Treesurer beging certified to the evoilability of

RESOLUTION [D] 12-03-05 - #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: \$1,080.00

payable to:

Dennis G. Lindsay, P.E.

representing payment for engineering services rendered in connection with Little Falls Animal Hospital - Block 70, Lot 21, et al - Use Variance with Preliminary Site Plan Review; 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 [E] 12-03-05 - #5 BE IT RESOLVED by the Township Council of the Township of Little Falls, the Treasurer having certified to the availability of funds, that the Mayor, Clerk and Treasurer be and they are hereby authorized and directed to issue a check in the amount of:

payable to:

\$437.50 Dennis G. Lindsay, P.E.

representing payment for engineering services rendered in connection with Fergesen Residence – 59 Ridge Avenue – Block 101, Lots 14 & 15 – 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 [F] 12-03-05 - #6

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: \$437.50

payable to:

Dennis G. Lindsay, P.E.

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

RESOLUTION [G] 12-03-05 - #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: \$3,285.00

payable to:

Dennis G. Lindsay, P.E.

representing payment for engineering services rendered in connection with Schumacher/Oakwood Estates/SF Development - Block 237, Lot 44, et al - Professional Services; 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. *****

Welfare

RESOLUTION [H] 12-03-05 - #8

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 #55, 60, 61, 63 & 68

representing payment of Self-Care for the month of March 2012 be and the same is hereby authorized and ratified.

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

Poll: Gonzalez, Sisco, Vantuno and Council President Fontana Aves: Nays: None Abstain: Porter The Council President declared the motion passed.

REGULAR AGENDA

The following items were individually considered.

INTERDEPARTMENTAL

Finance - - It was moved by Councilmember Gonzalez, seconded by Councilmember Fontana, that the Council approve the following: RESOLUTION AUTHORIZING A TEMPORARY EMERGENCY APPROPRIATION FOR THE 2012 MUNICIPAL BUDGET: \$154,700.00 [I]#9

Poll:	Ayes:	Gonzalez, Sisco, Vantuno and Council President Fontana
	Nays:	None
	Abstain:	Porter
The Counc	il President declared	the motion passed

The Council President declared the motion passed.

Ordinance No. 1151 - It was moved by Councilmember Gonzalez, seconded by Councilmember Sisco, that there be introduced and the meeting of March 19, 2012 set as the date and time for the public hearing on the following: INSERT ORDINANCE

Mrs. Bergin provided an explanation of this bond ordinance.

Meeting of March 5, 2012

Poll:	Ayes:	Gonzalez, Sisco, Vantuno and Council President Fontana
	Nays:	None
	Abstain:	Porter
The Council I	President declared	the motion passed.

<u>Creating a Temporary Capital Budget for 2012</u> – It was moved by Councilmember Gonzalez, seconded by Councilmember Sisco, that the Council approve the following: INSERT RESOLUTION

Mr. Wilk provided an explanation of this resolution, noting that this is in connection with Ordinance No. 1151.

Poll:	Ayes:	Gonzalez, Sisco, Vantuno and Council President Fontana
	Nays:	None
	Abstain:	Porter
The Cound	cil President declared	the motion passed.

PUBLIC PORTION

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

Poll:	Ayes:	Fontana, Gonzalez, Porter, Sisco and Vantuno		
	Nays:	None		
The Council President declared the motion passed.				

<u>Dorothy O'Haire</u>, Turnberry Road, referred to Ordinance No. 1151 and asked if these people would have to pay the ten percent since they didn't have flood insurance. Mrs Bergin said the ratio in this case is 75/25.

<u>Arnold Korotkin</u>, Long Hill Road, welcomed Councilmember Porter. Referring to Resolution [J], he asked if this should be posted on the Website for review. He also referred to past meeting Minutes, noting that they have been approved, but have not yet been posted on the Website.

<u>Eugene Kulick</u>, 74 Grove Street, referred to the money that will help out with flooding, and asked who picks up all of the interest on these bonds. Mrs. Bergin explained that the period for these is no longer than three years and the interest is not covered by FEMA. In response to Mr. Kulick, Mrs. Bergin said FEMA looks at each property to see how they have to fix the property; she clarified further. Mr. Kulick asked when these people will be notified of their rights, and Mrs. Bergin explained that the budget amount that is allotted to each person will be discussed with the property owner beforehand. They have started this process already.

Larry D'Astolfo, 82 William Street, applauded the Council with regard to what they've accomplished so far with the flooding issues. He referred to the ligitation with the Passaic Valley Water Commission, and asked Mr. Trapanese if there was any outcome of the fact-finding for this issue.

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

Poll: Ayes: Fontana, Gonzalez, Porter, Sisco and Vantuno Nays: None

The Council President declared the motion passed.

Mr. Wilk explained that the Temporary Budget will be available for review in his office tomorrow, explaining that resolutions are not usually posted on the Website. He also said he would make sure the Minutes are posted on the Website tomorrow.

Mr. Trapanese said he is not aware of the outcome of the litigation with the Passaic Valley Water Commission, but said he would look into it and report back at the next meeting.

PAYMENT OF BILLS

It was moved by Councilmember Vantuno, seconded by Councilmember Fontana, 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.

Councilmember GONZALEZ explained that she was in favor of all except the legal bills.

Poll:	Ayes:	Gonzalez, Sisco, Vantuno and Council President Fontana
	Nays:	None
	Abstain:	Porter
The Coun	cil President declared	the motion passed.

EXECUTIVE SESSION

It was moved by Councilmember Gonzalez, seconded by Councilmember Vantuno, 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: Discussion of personnel matters.

 Poll:
 Ayes:
 Fontana, Gonzalez, Sisco and Vantuno

 Nays:
 None

The Council President declared the motion passed.

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

At 9:15 p.m., the Council returned and it was moved by Councilmember Sisco, seconded by Councilmember Vantuno, that the meeting return to Open Session.

There being no further business to come before the meeting, it was moved by Councilmember Sisco, seconded by Councilmember Vantuno, that the meeting be and it was adjourned at 9:15 p.m.

William E. Wilk Municipal Clerk

Cynthia Meyer Deputy Municipal Clerk