

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

Monday, October 28, 2013

Council President John Vantuno called the meeting to order at 7:30 p.m. with the following members present: Louis Fontana, Joseph Maceri and Pamela Porter. Also present were Mayor Darlene Post, Township Attorney William Northgrave, Township Engineer Dennis Lindsay, Municipal Clerk Cynthia Kraus, Township Administrator Joanne Bergin and Municipal Court Judge Dolph Corradino.

Absent: Construction Official Joseph Macones

Township Employees present: Recreation Director John Pace, DPW Superintendent Phillip Simone, Police Chief John Dmuchowski, Fire Chief Jack Sweezy, Assistant to Municipal Clerk Marlene Simone

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 8, 2013; 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

Council President VANTUNO explained that the Council will interview candidates to fill the vacant Council seat at this time. He clarified the process for filling a Council vacancy and informed that the three candidates were sent four questions via email last week, to which they will respond publicly this evening. The four questions were as follows: Why are you running for Town Council? Will you run for the Town Council in the next November election? What do you believe are the top three most pressing issues facing our town? What steps would you take to correct those issues?

William Organisciak, 20 Yolanda Drive, expressed his interest in filling the position of Councilmember. One of the issues he would like to address in Little Falls is taxes; he would like to see where improvements can be made. He is also concerned with the issue of flooding in town, adding that he would like to keep all of the residents in Little Falls. He commended the Recreation Department, noting that it is a great program in town, which should have more funding for the kids. Programs like such are what bring people into town, which would in turn, bring more revenue into town.

Raymond Kostroski, said he has been a resident of the town for about 16 years and he attends a lot of Council meetings. Some issues he would like to focus on are the cell tower and the completion of the Police Department. Something needs to be done with this. Regarding the schools in town, he explained that they don't need more than one Superintendent and Principal; the positions can be combined. Councilmember FONTANA asked if he had any specific ideas for the Township. Mr. Kostroski said the Council is doing a good job and he doesn't have any further suggestions. He explained that taxes are an issue, but he understands that not many cuts can be made.

Council President VANTUNO read Rita Connizzo's responses, which she replied to via email. She has been a resident of Little Falls for 30 years and absolutely loves the town. Her family volunteers for many different departments in town. If appointed, she will be willing to run for the Council seat in November. Her main focuses in Little Falls would be to address flooding and taxes. She is not sure how to control the flooding, but is sure there are budget remedies to control taxes.

Councilmember Fontana nominated William Organisciak and Councilmember Porter seconded the nomination.

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Poll: Ayes: Fontana, Maceri, Porter and President Vantuno
 Nays: None

The Council President declared the motion passed.

OATH OF OFFICE administered to WILLIAM ORGANISCIAK by Municipal Court Judge G. DOLPH CORRADINO

APPROVAL OF MINUTES

It was moved by Councilmember Fontana, seconded by Councilmember Porter, that the Minutes of the meetings of September 9, 2013 and September 23, 2013 be approved.

Poll: Ayes: Fontana, Maceri, Porter and President Vantuno
 Nays: None
 Abstain: Organisciak

The Council President declared the motion passed.

REMARKS FROM CHAIR

Councilmember FONTANA welcomed Councilmember Organisciak and offered to help him out if he should have any questions. He informed that the Recreation Department started a new tennis program recently, which includes 37 children of all ages ranging from Kindergarten through fourth grade. The Recreation Department also held its Annual Halloween Bash on Saturday, which was very successful. Friday was the Senior Citizen's Annual Harvest Moon Dinner Dance, which was also a nice event. He also explained that he and Mrs. Bergin recently attended a Flood Plane Management Seminar. Mrs. Bergin received a scholarship to attend this two-day seminar, which earns points toward the CRS Program. Mrs. Bergin was asked to speak on the subject while she was there and did a great job. The gentleman hosting the seminar commended her. Councilmember FONTANA thanked Mrs. Bergin for all of her hard work and dedication.

COUNCIL MEMBER REPORTS

Councilmember PORTER informed that she attended the Halloween Bash on Saturday as well, which turned out to be a nice time. She congratulated Councilmember Organisciak and said she is looking forward to working with him. She informed that last week was Red Ribbon Week in school. This coming Friday is the Municipal Alliance Dance for the fifth and sixth graders. She was not able to attend the Harvest Moon Dinner Dance, but she did have a chance to stop in before it began; everything looked fabulous. She congratulated all involved in preparing for this event, and said they did a great job.

Councilmember MACERI congratulated and welcomed Councilmember Organisciak. He also thanked the other candidates for their interest and time. In recognition of October being National Domestic Violence Month, the Committee hosted a candlelight vigil at the Police Academy in Wayne in early October; it was well attended. He thanked everyone who helped to organize the event. He also informed that he attended the Harvest Moon Dinner Dance and the Annual Halloween Bash, which were both nice events.

Council President VANTUNO welcomed Councilmember Organisciak and congratulated him.

Councilmember ORGANISCIAK thanked the Little Falls Republican Organization for choosing him as a candidate, and thanked the Council for their confidence in him. He looks forward to working with everyone and representing the residents of the town.

MAYOR'S REPORT

Mayor Post thanked all three candidates and congratulated Councilmember Organisciak. This past Wednesday, she attended the AAA Annual Community Traffic Awards Safety Program with Sergeant Gianduso. She was pleased to announce that Little Falls was presented with an award of merit. They are truly blessed to have the Police Department to serve Little Falls. The Library recently hosted Susan and Clifford Rump's Hurricane Sandy exhibit. They were the first to host this exhibit; other libraries are scheduled to do so in the future. She informed that she attended a Super bowl Task Force meeting on Friday. This was the first time that the NFL has made an exemption with regards to the Super bowl being hosted here. The usual requirements are fair weather and a dome, neither of which we have. Plans have been in place to provide security within a large radius of the stadium. Another meeting

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will be held closer to the event, at which Mrs. Bergin, the Police Chief and OEM will be in attendance. She explained that she was not able to attend the Harvest Moon Dinner Dance, but she congratulated all involved in organizing this event. She informed that the Halloween Bash was a great success; she thanked Mr. Pace and the Recreation Department, adding that this year's bash included a few tables of business owners who provided gift certificates and prizes.

ATTORNEY'S REPORT

Mr. Northgrave had nothing to report.

ADMINISTRATOR'S REPORT

Mrs. Bergin reported as follows:

Thank you Council President

The draft Master Plan Re-Examination Report is complete. There will be a discussion before the Planning Board on Thursday, November 7. That meeting will be held here and begins at 7:30 pm. The draft report will be posted on the web site this week for review prior to the meeting.

Work continues to relocate the police to this building on or before November 14. The dispatch tower has been installed and the antennas are in progress. Phone lines and the security system are also underway. The Department of Corrections completed a site visit this past Friday. Special thanks to Chief Dmuchowski, Lt. Calafiore and Phil Simone for their hard work getting the building ready for the relocation.

Resolution L is part of the Township's ongoing flood mitigation project. In SRL FY11, the Township secured additional funds to allow for acquisitions. These funds are provided by HUD and funneled through NJDCA and then the Passaic County CBDG program. These funders are new to the world of flood mitigation and are requesting things that fall outside of the usual requirements outlined by FEMA and NJOEM. For example, although we a contract with McManimon Scotland Bauman, for legal services, NJDCA is requesting a separate agreement for legal services connected with this grant. Those services are paid by the grant and include preparing the closing documents needed with each acquisition.

Resolutions M is the award of contract to Unique Floors LLC for the elevation of 5 homes in the SRL FY10 grant. These homes were included in two previous bids, but a contract was not awarded based on flaws in the bids. After directly negotiating with contractors, the Township is now in a position to proceed with a contract award. This contract award is helpful at this time, as we hope to complete the project prior to the ground freezing.

Resolution O is the supplemental debt statement required as the result of the previous capital bond ordinance approved by Council. The \$2.1 million bond previous approved will fund repairs to two of our pump stations and the replacement of failing sewer lines, building improvements at the Recreation Center and the Township's share of a trunk line replacement.

Ordinance #1185 is the introduction of a bond ordinance for improvements at Inwood Park. The Township was awarded a \$75,000 grant from the Passaic County Open Space Trust Fund for improvements to Inwood Field. Typically, we have funded the full amount of the project based on cost estimates, but do not spend what we don't need. The cushion is needed as this is a reimbursement grant.

I'll ask Dennis to address Resolution N and the Township Attorney to address the towing ordinances.

Mr. Lindsay provided an explanation of Resolution [O] at this time.

PUBLIC PORTION

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

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Poll: Ayes: Fontana, Maceri, Organisciak, Porter and President Vantuno
Nays: None

The Council President declared the motion passed.

Al Attianese, 27 Dewey Avenue, explained that he recently received a letter from the Township Attorney, Mr. Northgrave. He read a caveat that is placed on every email that comes from and goes to Township officials, indicating that all emails are subject to the Open Public Records Act and suggesting alternate forms of communications should you not want your correspondence read by another party. He then read Mr. Northgrave's letter in response to his OPRA Request dated 10/15/13, which he said was forwarded to the mayor. Mayor Post advised that she does not have any emails that are required under OPRA. He pointed out that it was the mayor who made this determination of the law, and not the Attorney. He asked the Mayor to specify one of the 24 exemptions cited in the act, to which she based her determination of denying his request.

Bob Dombrowski, 49 Parkway, referred to the houses included under the mitigation project, and asked if these open space areas will have trees planted. He also informed that he has spoken with several Township officials regarding a drug problem at Suchorsky Park; there needs to be lighting at the park to avoid these problems.

Arlene Krell, 23 Clove Road, asked about the status of the Clove Road project. She also asked if the Council meeting schedule will continue to be the second and fourth Monday of each month.

Chris Keenan, 87 Wilmore Road, informed that this past summer, a memorial was placed on the bike path at Wilmore Park. He respectfully requested that this memorial be moved to a more appropriate location, noting that the tree that was planted will not have room to grow roots where it is placed and will eventually topple over into the woods. This land should be preserved as a natural area. Precedence is being set by allowing this memorial in this location. He requested that the memorial be moved to the right side of the Wilmore Road Rescue Squad.

Dorothy O'Haire, Turnberry Road, welcomed Councilmember Organisciak. She thanked Mr. Simone for the brand new road by her house. She explained that there is a grant available to the Passaic Basin towns on a competitive basis. The towns with previous high damage costs would get priority ratings. She explained that the Regional Flood Board was formed seven years ago to apply for grants and have more collateral with the combination of the three towns. Hurricane Floyd did lots of damage and killed a resident; the Regional Flood Board has been working hard ever since. All upstream towns are working on these grants as is Little Falls. However, Woodland Park and Cedar Grove are working on their own grant, which creates a problem, as they are now competing with Little Falls for the grant. All three towns should be applying together. If all of the upstream towns clean everything up, the water is going to come down to Little Falls faster; Beattie's Dam cannot handle the water it has now; this will make it worse.

Renea Shaprio, Little Falls ABC, reminded everyone that the ABC is having a Boutique Bonanza on 11/15/13, which helps to pay for the summer concerts. She thanked Mr. Simone for a stop sign he installed. The Morris Canal project is almost complete; the bridge will be put in next week and the pathway is already made to the water. Passaic Valley Sewerage Commission brought over some rocks from the river to make it look nice along the pathway. At the last meeting, she brought up the idea of hiring a landscaper or requesting local landscapers to adopt an area of Little Falls to take some work away from the DPW. She is hoping a discussion will be held about this idea. She also requested that the Council reinstate the second public comment during meetings. She thanked the Council for the consideration of underground electrical wires in town. During the last Transportation Committee meeting, they discussed the 'quiet zone'. She explained that horns blowing on the train should stop after a certain time. Regarding property code violations, she questioned whether there is a timeframe for residents to comply with after getting a warning. She asked if this is part of the ordinances.

Louis Fernandez, 54 Harrison Street, pointed out that it has been nearly one year since Super Storm Sandy hit the State. The Passaic River and the Peckman River both caused excessive flooding in Little Falls. After all of these years, still nothing has been done; this is the town's fault. He explained they must fix the river to stop the flooding. He informed that he had to call the Police Department today regarding canvassers. He was told that these specific canvassers had a permit in effect until 9:00 p.m. He asked if there is a time limit in connection with canvassing permits.

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Mercedes Gonzalez, Jacobus Avenue, congratulated Councilmember Organisciak. She noted how it was expressed this evening by the Mayor and Council that one specific department in Little Falls is running great. She voiced her concern that the Township is running with a skeleton crew. She asked what the Mayor is doing to run the town and how. She also asked the Mayor to give one accomplishment since becoming the mayor.

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

Poll: Ayes: Fontana, Maceri, Organisciak, Porter and President Vantuno
 Nays: None

The Council President declared the motion passed.

Mr. Northgrave said he made the legal determination regarding the OPRA Request. He explained that the only email found in response to his request was a completely personal matter and therefore, does not qualify as a public record.

Mrs. Bergin informed that the town is limited with what it can do with open space land. They can do recreation related things; they are looking at butterfly gardens and other types of water retention enhancements. She will follow up on the lighting situation with Mr. Simone and Chief Dmuchowski.

Mr. Lindsay said nothing has been received from the County regarding a revised schedule for Clove Road. He explained that the Council had decided on a plan for this based upon several meetings with the County and the residents. He hasn't heard any other updates.

Council President VANTUNO said the meeting schedule does vary due to certain events and holidays, but they do try to stick to the schedule.

Mayor Post referred to the memorial at Wilmore Park and said she thinks it would be disrespectful to disassemble the memorial at this point. The Township is currently looking to implement a policy and procedure for any future memorials. She understands that the stone has been removed and is being cut down to a more appropriate size and made into two pieces. In response to Mr. Keenan, Mayor Post informed that the Council was not included in this decision; she approved it. Mr. Simone agreed to go to the site to take a look at the tree.

Mrs. Bergin expressed the same concerns as Mrs. O'Haire regarding the grant applications with Woodland Park and Cedar Grove. She has also expressed this concern to Woodland Park. Thanks to this Flood Board, several thousands of cubic feet of debris was removed from the Peckman River last year alone. She believes the other towns may be reconsidering this.

Council President VANTUNO said he likes the idea of landscapers adopting an area of town to care for. Regarding the quiet zone, he informed that there was a Transportation Committee meeting on Thursday. He can email the representative from NJ Transit to discuss limiting the noise after a certain time. Mrs. Bergin said they are required by Federal law to blow the horn no matter what time in certain situations.

Mrs. Bergin said she would speak with Mr. Macones regarding the time limit for fixing property issues.

Councilmember VANTUNO informed that they spoke about the idea of underground wiring at the Transportation meeting; they would have to look into this further.

Council President VANTUNO understands Mr. Fernandez's frustration regarding the issue of flooding. Mrs. O'Haire is always working hard to help out with this, as well as the Flood Board. They are always looking for grants to help out.

Mrs. Bergin said they realize the significance of flooding and the CRS Program. They are trying to do all they can to mitigate flooding.

Chief Dmuchowski informed that there is a time limit between 9:00 a.m. and 5:30 p.m. for solicitation. The information he was given was incorrect. He will make sure the employees at the Police Department are informed. He also encouraged residents to call the Police Department at any time with any questions or concerns.

Mayor Post said one of her greatest achievements was hiring Mrs. Bergin as the Township Administrator. This has saved the Township so much money and Mrs. Bergin is one of the town's greatest assets. She also saved money when she hired a new Township Attorney. She explained that the town also saves money from a shared service

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agreement it has with Mrs. Bergin and Parsippany for Grant Coordinator. She agreed that the town has a skeleton crew, but said they are cross-training employees. They also hope to move forward with billboards in the future.

CONSENT AGENDA

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

APPLICATIONS

Blue Light Permit – Daniel DeLeon, Louis Street, Little Falls Fire Department

RESOLUTIONS

Refund of Overpayment of Taxes

RESOLUTION [A] 13-10-28#1

WHEREAS, there is a State Tax Court Judgment on Block 79 Lot 1.01, known as AMB-AMS Operating Partnership for the Year 2013 reducing the assessed value by \$140,000.00;

YEAR 2013

Original Assessment	\$2,980,000.00
STCJ	<u>2,840,000.00</u>
Difference	\$140,000.00
2013 Tax Rate	x <u>2.845%</u>
	\$3,983.00

WHEREAS, the taxpayer paid their 4th quarter taxes in full prior to the judgment amount for a total paid of \$20,209.55 on October 11, 2013; and

WHEREAS, the Tax Collector authorizes the Treasurer to refund the total amount of \$3,983.00 for the Year 2013 payable to AMB-AMS Operating Partnership, LP, Zipp & Tannenbaum, LLC, 166 Gatzmer Avenue, Jamesburg, NJ 08831; and

WHEREAS, the above monies **shall be refunded on or before November 27, 2013** as per the Stipulation of Settlement dated August 30, 2013, states whereas statutory interest shall be waived if paid 60 days of the date of entry of the Tax Court Judgment (date of entry was September 27, 2013);

NOW, THEREFORE BE IT RESOLVED by the Township Council of Little Falls on this 28th day of October 2013 that the above attorney and taxpayer be refunded the total amount of \$3,983.00 for the overpayment of taxes due to a State Tax Court Judgment on Block 79 Lot 1.01.

RESOLUTION [B] 13-10-28#2

WHEREAS, there is a County Board Judgment on Block 102 Lot 3, previously known as Bayview Loan Servicing LLC (n/k/a NNN Little Falls LLC) of 112 Stevens Avenue for the Year 2013:

YEAR 2013

Original Assessment	\$440,100.00
CBJ	<u>290,100.00</u>
Difference	\$150,000.00
2013 Tax Rate	x <u>2.845%</u>
	\$4,267.50

WHEREAS, the amount of \$3,847.55 from the above judgment was applied to the unpaid open taxes for the 3rd and 4th quarters of 2013 (\$1,934.78 3rd; \$1,912.77 4th) leaving a remaining credit of \$419.95; and

WHEREAS, the Tax Collector authorizes the Treasurer to refund the total amount of \$419.95 for the Year 2013 payable to Bayview Loan Services, LLC, Plaintiff and/or McKirdy & Riskin, P.A., as attorneys for to "Bayview Loan Services, LLC, Plaintiff" and forwarded to McKirdy & Riskin, P.A., 136 South Street, P.O. Box 2379, Morristown, NJ 07962-2379; and

NOW, THEREFORE BE IT RESOLVED by the Township Council of Little Falls on this 28th day of October 2013 that the above attorney and taxpayer be refunded the total amount of \$419.95 for the overpayment of taxes due to a County Board Judgment on Block 102 Lot 3.

Hudson-Essex-Passaic Soil Conservation District

RESOLUTION [C] 13-10-28 - #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:

\$775.00

payable to:

Hudson-Essex-Passaic Soil Conservation District
15 Bloomfield Avenue
North Caldwell, NJ 07006

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representing payment for Application for Soil Erosion and Sediment Control Plan Certification in connection with William, Barber & Louis Streets Improvements.

Dennis G. Lindsay, P.E.

RESOLUTION [D] 13-10-28 - #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:

\$1,341.25

payable to:

Dennis G. Lindsay, P.E.

representing payment for engineering services rendered in connection with PSE&G Company Notch Road Substation – Block 182, Lot 10 – Route 46 at EB Ramp at Notch Road – Site Plan with Variances for Substation; 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] 13-10-28 - #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:

\$462.50

payable to:

Dennis G. Lindsay, P.E.

representing payment for engineering services rendered in connection with Baskinger Residence – Block 156, Lot 29 – 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] 13-10-28 - #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:

\$740.00

payable to:

Dennis G. Lindsay, P.E.

representing payment for engineering services rendered in connection with Angels Medical Transportation – Block 89, Lot 5.03 – Site Plan Amendment and Use 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.

Murphy McKeon, P.C.

RESOLUTION [G] 13-10-28 - #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:

\$112.50

payable to:

Murphy McKeon, P.C.

representing payment for legal services rendered in connection with Angels Care – Review of File and Preparation for Meeting; 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] 13-10-28 - #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:

\$150.00

payable to:

Murphy McKeon, P.C.

representing payment for legal services rendered in connection with Kreitzman – Review of file, plans and notes; draft 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.

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RESOLUTION [I] 13-10-28 - #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: \$30.00

payable to:

Murphy McKeon, P.C.

representing payment for legal services rendered in connection with Meccia – Snapology – telephone conference regarding application requirements; 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] 13-10-28 - #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: \$37.50

payable to:

Murphy McKeon, P.C.

representing payment for legal services rendered in connection with Baskinger – Review of File and Preparation for Meeting; 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 [K] 13-10-28 - #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: \$112.50

payable to:

Murphy McKeon, P.C.

representing payment for legal services rendered in connection with Schumacher – Preliminary and Final Site Plan Approval – Woods 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.

NJ Motor Vehicle Commission

RESOLUTION [L] 13-10-28 - #12

WHEREAS, the Little Falls Police Department has purchased a 2014 Ford Taurus for its use; and

WHEREAS, said vehicle needs to be registered to the Township of Little Falls; and

WHEREAS, the Treasurer issued a check to the New Jersey Motor Vehicle Commission in the amount of \$60 for vehicle registration.

NOW, THEREFORE, BE IT RESOLVED, that the Township Council does hereby authorize the Treasurer to issue a check in the amount of \$60.00 to the New Jersey Motor Vehicle Commission for proper registration of this vehicle.

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

Poll: Ayes: Fontana, Maceri, Porter and President Vantuno
 Nays: None
 Abstain: Organisciak

The Council President declared the motion passed.

REGULAR AGENDA

The following items were individually considered.

CORRESPONDENCE

LETTER FROM SINGAC FIRE COMPANY #3 REQUESTING PERMISSION TO CONDUCT ITS ANNUAL COIN TOSS ON FRIDAY, NOVEMBER 29, 2013 AND SATURDAY, NOVEMBER 30, 2013 AT THE INTERSECTION OF ROUTE 23 AND MAIN STREET

There was an affirmative consensus from the Council to approve this.

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NEW BUSINESS

Authorizing Mayor, Administrator & Clerk to Execute Agreement in Connection with CDBG-DR Grant for Flood Mitigation – It was moved by Councilmember Fontana, seconded by Councilmember Porter, that the Council approve the following:

RESOLUTION [M] 13-10-28 - #13

BE IT RESOLVED that a Professional Services Agreement is needed in connection with CDBG-DR Grant for Flood Mitigation.

BE IT FURTHER RESOLVED that Mayor Darlene Post, and the Administrator and/or Clerk are hereby authorized to sign the agreement on behalf of the Township of Little Falls and that their signature constitutes acceptance of the terms and conditions of the agreement and approves the execution of the grant agreement and Township Administrator is authorized to submit all documents.

Poll: Ayes: Fontana, Maceri, Porter and President Vantuno
 Nays: None
 Abstain: Organisciak

The Council President declared the motion passed.

Authorizing Award of a Contract to Unique Floors, LLC for SRL #1 Elevating Structures – Phase I – It was moved by Councilmember Fontana, seconded by Councilmember Maceri, that the Council approve the following:

RESOLUTION [N] 13-10-28 - #14

RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF LITTLE FALLS, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING THE AWARD OF A CONTRACT TO UNIQUE FLOORS WITH RESPECT TO THE REQUEST FOR BIDS:

SRL#1 ELEVATING OF STRUCTURES –PHASE I

WHEREAS, the Township of Little Falls issued a Request for Bids (the “RFB”) SRL #1 for Elevating of Structures – Phase 1 for various properties and on August 23, 2013, received four (4) bids in response to the solicitation; and

WHEREAS, it has been determined that the bid submitted by Unique Floors, LLC for the properties: 1 Garden Street, 144 William Street; 145 William Street; 60 William Street; and 91 William Street, was the most responsive and reasonable as to costs, in accordance with the requirements of the RFB; and

WHEREAS, the Township desires to award a contract to Unique Floors, LLC for the work set forth in the RFB and in accordance with the bid proposal submitted by the company with respect to the properties set forth herein ; and

WHEREAS, adequate funds are available for this contract as certified by the Township.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF LITTLE FALLS, PASSAIC COUNTY, NEW JERSEY, the Council hereby authorizes the award of a contract to Unique Floors, LLC in accordance with RFB SRL#1 for Elevating of Structures – Phase I and the bid proposal submitted by the company with respect to the properties: 1 Garden Street, 144 William Street; 145 William Street; 60 William Street and 91 William Street.

Poll: Ayes: Fontana, Maceri, Porter and President Vantuno
 Nays: None
 Abstain: Organisciak

The Council President declared the motion passed.

Award of Fair and Open Contract to Reivax Contracting for Improvements to Third Avenue – It was moved by Councilmember Maceri, seconded by Councilmember Porter, that the Council approve the following:

RESOLUTION [O] 13-10-28 - #15

AUTHORIZING THE AWARD OF A FAIR AND OPEN CONTRACT FOR IMPROVEMENTS TO THIRD AVENUE

WHEREAS, the Township of Little Falls received sealed bids for improvements to Third Avenue as follows:

AJM Contractors, Inc.

Crossroad Construction

Bid: \$271,725.25

Bid: \$339,367.50

D&L Paving

Reivax Contracting

Bid: \$320,672.75

Bid: \$236,318.55

Haskell Paving

DLS Contracting

Bid: \$276,615.00

Bid: \$326,167.50

WHEREAS, the Treasurer has provided a Certification of the Availability of Funds (a copy of which is appended to the original of the with Resolution) pursuant to Rule 5:30-1.10 of the Local Finance Board; and

WHEREAS, the Township Engineer has reviewed the bids for technical sufficiency, and recommends that a contract be awarded to Reivax Contracting; and

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

1) That the bid of

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Reivax Contracting
46 Washington Street
Harrison, NJ 07029

in the amount of

\$236,318.55

be and the same is hereby accepted; and

2) That the Mayor and Clerk be and they are hereby authorized to execute a contract in a form prepared and approved by the Township Attorney for the purchase of the within designated services subject to the successful contractor’s filing the required New Jersey Employee Information Report (Form AA302)or providing a Certificate of Employee Information to the Township.

Poll: Ayes: Fontana, Maceri, Porter and President Vantuno
 Nays: None
 Abstain: Organisciak

The Council President declared the motion passed.

Ordinance No. 1181 – It was moved by Councilmember Fontana, seconded by Councilmember Porter, that the public hearing on Ordinance No. 1181, “**AN ORDINANCE AMENDING CHAPTER 249, ‘TOWING’**”, be and it was opened.

Poll: Ayes: Fontana, Maceri, Organisciak, Porter and President Vantuno
 Nays: None

The Council President declared the motion passed.

No one having come forward to be heard, it was moved by Councilmember Maceri, seconded by Councilmember Porter, that the public hearing on Ordinance No. 1181 be and it was closed.

Poll: Ayes: Fontana, Maceri, Organisciak, Porter and President Vantuno
 Nays: None

The Council President declared the motion passed.

It was moved by Councilmember Fontana, seconded by Councilmember Porter, that the Ordinance No. 1181 be and it was adopted.

Poll: Ayes: Fontana, Maceri, Porter and President Vantuno
 Nays: None
 Abstain: Organisciak

The Council President declared the motion passed.

Ordinance No. 1182 – It was moved by Councilmember Fontana, seconded by Councilmember Maceri, that the public hearing on Ordinance No. 1182, “**ORDINANCE OF THE TOWNSHIP OF LITTLE FALLS, IN THE COUNTY OF PASSAIC, NEW JERSEY, REGULATING HEAVY TOWING AND STORAGE SERVICES WITHIN THE TOWNSHIP**”, be and it was opened.

Poll: Ayes: Fontana, Maceri, Organisciak, Porter and President Vantuno
 Nays: None

The Council President declared the motion passed.

No one having come forward to be heard, it was moved by Councilmember Maceri, seconded by Councilmember Porter, that the public hearing on Ordinance No. 1182 be and it was closed.

Poll: Ayes: Fontana, Maceri, Organisciak, Porter and President Vantuno
 Nays: None

The Council President declared the motion passed.

It was moved by Councilmember Fontana, seconded by Councilmember Porter, that the Ordinance No. 1182 be and it was adopted.

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Poll: Ayes: Fontana, Maceri, Porter and President Vantuno
Nays: None
Abstain: Organisciak

The Council President declared the motion passed.

Ordinance No. 1185 – It was moved by Councilmember Fontana, seconded by Councilmember Maceri, that there be introduced and the meeting of November 18, 2013 set as the date and time for the public hearing on the following:

BOND ORDINANCE NO. 1185
BOND ORDINANCE PROVIDING FOR IMPROVEMENTS TO INWOOD PARK IN AND
BY THE TOWNSHIP OF LITTLE FALLS, IN THE COUNTY OF PASSAIC, NEW
JERSEY, APPROPRIATING \$149,000 THEREFOR AND AUTHORIZING THE ISSUANCE
OF \$141,550 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE
COST THEREOF.

BE IT ORDAINED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF LITTLE FALLS, IN THE COUNTY OF PASSAIC, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:

Section 1. The improvement described in Section 3(a) of this bond ordinance is hereby authorized to be undertaken by the Township of Little Falls, in the County of Passaic, New Jersey (the "Township") as a general improvement. For the improvement or purpose described in Section 3(a), there is hereby appropriated the sum of \$149,000, including the sum of \$7,450 as the down payment required by the Local Bond Law and further including a Passaic County Open Space Trust Fund Grant awarded to the Township in the amount of \$70,000 (the "County Grant"). The down payment is now available by virtue of provision for down payment or for capital improvement purposes in one or more previously adopted budgets.

Section 2. In order to finance the cost of the improvement or purpose not covered by application of the down payment and in anticipation of receipt of the County Grant, negotiable bonds are hereby authorized to be issued in the principal amount of \$141,550 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. (a) The improvement hereby authorized and the purpose for the financing of which the bonds are to be issued is improvements to Inwood Park, including but not limited to new baseball field equipment and structures, safety fencing, additional room for protected spectator seating, improved park access, upgraded playground equipment and sitting areas and the installation of steps, including all work and materials necessary therefor and incidental thereto.

(b) The estimated maximum amount of bonds or notes to be issued for the improvement or purpose is as stated in Section 2 hereof.

(c) The estimated cost of the improvement or purpose is equal to the amount of the appropriation herein made therefor.

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer; provided that no bond anticipation note shall mature later than one year from its date. The bond anticipation notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer. The chief financial officer shall determine all matters in connection with bond anticipation notes issued pursuant to this bond ordinance, and the chief financial officer's signature upon the bond anticipation notes shall be conclusive evidence as to all such determinations. All bond anticipation notes issued hereunder may be renewed from time to time subject to the provisions of the Local Bond Law. The chief financial officer is hereby authorized to sell part or all of the bond anticipation notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the bond anticipation notes pursuant to this bond ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the bond anticipation notes sold, the price obtained and the name of the purchaser.

Section 5. The Township hereby certifies that it has adopted a capital budget or a temporary capital budget, as applicable. The capital or temporary capital budget of the Township is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith. To the extent that the purposes authorized herein are inconsistent with the adopted capital or temporary capital budget, a revised capital or temporary capital budget has been filed with the Division of Local Government Services.

Section 6. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvement or purpose described in Section 3(a) of this bond ordinance is not a current expense. It is an improvement or purpose that the Township may lawfully undertake as a general improvement, and no part of the cost thereof has been or shall be specially assessed on property specially benefitted thereby.

(b) The period of usefulness of the improvement or purpose within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the bonds authorized by this bond ordinance, is 15 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the Township as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$141,550, and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$30,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the purpose or improvement.

Section 7. The Township hereby declares the intent of the Township to issue bonds or bond anticipation notes in the amount authorized in Section 2 of this bond ordinance and to use the proceeds to pay or reimburse expenditures for the costs of the purposes described in Section 3(a) of this bond ordinance. This Section 7 is a declaration of intent within the meaning and for purposes of Treasury Regulations.

Section 8. Any grant moneys received for the purpose described in Section 3 hereof shall be applied either to direct payment of the cost of the improvement or to payment of the obligations issued pursuant to this bond ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are so used.

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Section 9. The chief financial officer of the Township is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Township and to execute such disclosure document on behalf of the Township. The chief financial officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Township pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the ARule@) for the benefit of holders and beneficial owners of obligations of the Township and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Township fails to comply with its undertaking, the Township shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

Section 10. The full faith and credit of the Township are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Township, and the Township shall be obligated to levy *ad valorem* taxes upon all the taxable real property within the Township for the payment of the obligations and the interest thereon without limitation of rate or amount.

Section 11. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

Poll: Ayes: Fontana, Maceri, Porter and President Vantuno
 Nays: None
 Abstain: Organisciak

The Council President declared the motion passed.

Amending the 2013 Capital Budget – It was moved by Councilmember Fontana, seconded by Councilmember Porter, that the Council approve the following:

RESOLUTION TO AMEND THE 2013 CAPITAL BUDGET TO REFLECT THE SUPPLEMENTAL APPROPRIATION FOR VARIOUS CAPITAL IMPROVEMENTS [P] #16

Poll: Ayes: Fontana, Maceri, Porter and President Vantuno
 Nays: None
 Abstain: Organisciak

The Council President declared the motion passed.

PAYMENT OF BILLS

Council President VANTUNO explained that the Council does not have the bill list due to a system error today. Mr. Northgrave suggested that the Council take action this evening subject to review of the bill list by all members of the Council by tomorrow. Each Council member can contact Mrs. Bergin with their affirmative vote after review of same.

It was moved by Councilmember Fontana, seconded by Councilmember Porter, 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, Maceri, Porter, and President Vantuno
 Nays: None
 Abstain: Organisciak

The Council President declared the motion passed.

There being no further business to come before the meeting, it was moved by Councilmember Fontana, seconded by Councilmember Porter, that the meeting be and it was adjourned at 8:55 p.m.

Cynthia Kraus
Municipal Clerk