

EXECUTIVE MEETING called to order, Mayor Vaccaro in the chair, at Kathryn E. Flynn Civic Center on Thursday February 14th, 2019 at 7:04 P.M.

Mayor called for Pledge of Allegiance to the Flag.

ROLL CALL: Bauer, Cirillo, Kinsella-present, Martinez, Surak- not present,
Wende-present,
Administrator- T. Ciannamea -present,
Attorney- F. Migliorino- not present
Engineer- Mr. Sachs- present

Borough Clerk stated that notice of the meeting was announced in accordance with the Open Public Meeting Act.

COMMUNICATIONS:

Neglia Engineering Associates- notice of submission of an application for a flood hazard area permit, Waterfront development permit and water quality certificate to NJDEP for Bergen County Blackflow Preventers Project in the Borough of Carlstadt, Borough of Little Ferry and Borough of Moonachie.

New Jersey Sports Exposition Authority- notice of review of an application for the construction of a 2-story addition and renovation of +/-2,090 sq. ft of warehouse to office use at president Container, Block 64.02, Lot 1 in the Borough of Moonachie.

PEAK Environmental LLC- issuance of Response Action Outcome for 250 Carol Place, Block 38, Lot 8 in the Borough of Moonachie.

PEAK Environmental LLC- issuance of Response Action Outcome for 4 Empire Blvd., Block 39, Lot 8.02 in the Borough of Moonachie.

Public Services Electric and Gas Company- notice of submission of an application for a Flood Hazard Area Individual Permit to NJDEP for the maintenance of existing PSE&G Natural Gas Transmission System Right-of-Way to permit selective herbicide application with Riparian Zones.

Borough of Tenafly- supporting Assembly Bill A-1311 and Senate Bill, S-2031m entitled "Historic Property Reinvestment Act", seek to provide credits against certain taxes for certain costs of rehabilitating historic properties.

Township of Teaneck- demanding a commitment from Suez North America to aggressively replace Lead Service Lines they own.

Moonachie Planning Board- letter regarding Planning Board's concerns about the proposed draft Ordinance for Short-Term Rentals.

REPORTS:

Mr. Sachs- mentioned that work for Moonachie Ave. pump Station MCC is substantially complete, this project has been inspected by Moonachie's Electrical Inspector 1/11/19 and approved. He spoke about award of bid to Dee-En Electrical Contracting for installation of a generator at Moonachie Road Pumping Station in the amount of \$101,500. He mentioned that the Pre-Construction meeting with Dee-En Electrical Contracting will be on February 21, 2019. He spoke about 2018 Municipal Road Program and there is no NJDOT program. He ask whether the purchase order was sent to the contractor for County Road Paving Project ADA Ramps for Moonachie Road.

BID: Twelve(12) Bids were received on February 13, 2019 at 11:00A.M. for 2018 Road Resurfacing Program:

	BID
Marini Brothers Construction Co.	<u>\$282,908.30</u>
American Asphalt & Milling Services	<u>\$289,154.19</u>
Reggio Construction, Inc.	<u>\$300,016.32</u>
4 Clean Up, Inc.	<u>\$301,739.55</u>
A.J.M. Contractors	<u>\$304,305.00</u>
D.L.S. Contracting	<u>\$307,169.00</u>
J.A. Alexander, Inc.	<u>\$314,431.14</u>
Frank A. Macchione Paving Plus	<u>\$326,306.69</u>
Smith-Sondy	<u>\$342,110.20</u>
Mike Fitzpatrick Equipment Co.	<u>\$388,814.00</u>

Black Rock Enterprises, LLC \$395,409.05

Mark Paving Co., Inc. \$426,935.25

Attorney Migliorino entered at 7:07P.M.

Mr. Sachs- spoke about Marini Brothers Construction Co. lowest bidder, who did not provide Public Works Contractor Registration and one Business Registration for the Subcontractor . He explained the in the in the schedule of prices, item 1,2, 3, 4, 20 & 32, Marini Brothers Construction Co., Inc. wrote “one” cent in words, in the “Description Unit Prices Column” and \$0.1 in the “Unit Price Column when they should have written \$0.01, it did not have any effect on the bottom line bid since the written word was employed in the calculation. He stated that Boswell is familiar with and satisfied with the work experience of Marini Brothers Construction Co., Inc. from past project.

FORMAL ACTION:

Motion by C/Bauer and second by C/Kinsella to approve the following Resolution:

RESOLUTION#19-77

WHEREAS, the owner of Block 7, Lot 5.02, Dennis M. King has applied to the Borough for a Disabled Veteran Tax Exemption pursuant to N.J.S.A. 54:4-3.30; and

WHEREAS, the taxpayer has qualified for the said property tax exemption based upon a review of the application and accompanying documents submitted to the Tax Assessor of the Borough of Moonachie; and

WHEREAS, the taxpayer has previously paid to the Borough of Moonachie the taxes for the 1st quarter of 2019 in the total amount of \$2,210.28; and

WHEREAS, it has been determined as hereinabove set forth that the said taxpayer is entitled to a full tax exemption for the subject premises, i.e. Block 7, Lot 5.02, commonly known as 32A Henry Street, Moonachie, NJ.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Moonachie, County of Bergen, State of New Jersey as follows:

1. The Tax Collector and/or any other appropriate Borough Official are hereby authorized to refund to Dennis M. King a tax refund in the amount of \$2,210.28 representing the taxes paid for 1st quarter for 2019.
2. The Tax Assessor and/or any other appropriate Borough Official contact the appropriate State Officials in order to seek any reimbursement which may be due to the municipality given the payment of the within refund to the said taxpayer. Authorize refund of taxes in the \$2,210.28 to Dennis M. King for disable veteran tax Block 7, Lot 5.02.

RESOLUTION #19-78

BE IT RESOLVED, that the Mayor and Council of the Borough of Moonachie wish to enter into Bergen County Trust Fund Project Contract (“Contract”) with the County of Bergen for the purpose of using a \$17,603.00 matching grant award from the 2017 Funding Round of the Bergen County Open Space, Recreation, Floodplain Protection, Farmland & Historic Preservation Trust Fund (“Trust Fund”) for the municipal park project entitled Joseph Street Park Improvement Project located on Block(S) 44, Lot(s) 32 on the tax maps of the Borough of Moonachie; and

BE IT FURTHER RESOLVED, that the Mayor and Council hereby authorize Mayor Dennis Vaccaro to be a signatory to the aforesaid contract; and

BE IT FURTHER RESOLVED, that the Mayor and Council hereby acknowledge that, in general the use of this Trust Fund grant towards this approved park project must be completed by or about August 1, 2020; and

BE IT FURTHER RESOLVED, that the Mayor and Council acknowledge that the grant will be disbursed to the municipality as a reimbursement upon submittal of certified Trust Fund payment and project completion documents and municipal vouchers,

invoices, proofs of payment, and other such documents as may be required by the County in accordance with the Trust Fund's requirements; and

BE IT FURTHER RESOLVED, that the Mayor and Council acknowledge that the grant disbursement to the municipality will be equivalent to fifty(50) percent of the eligible construction costs incurred(not to exceed total grant award) applied towards only the approved park improvements identified in the aforesaid Contract in accordance with the Trust Fund's requirements. Professional Services Costs may be reimbursed from grant award's unexpanded balance, should there be a balance.

RESOLUTION #19-79

BE IT RESOLVED by the Mayor and Council that Keith P. Dalton III be and is hereby appointed as Fire Protection Sub-Code Official, effective February 14, 2019 at the annual salary of \$6,756.00.

RESOLUTION # 19-80

BE IT RESOLVED, by the Mayor and Council that the quote in the amount not to exceed \$3,000.00 from Johnston Communications Voice & Data under the State Contract T-1316 Contract 80802 for additional Primary Rate Interface & associated equipment/materials and under Union County Coop Bid#41-2017 for labor to keep Telephone System for the Police Department separate from Admin/Court at the new Municipal building be and is hereby approve.

RESOLUTION # 19-81

BE IT RESOLVED, by the Mayor and Council that the quote in the amount of \$6,750.68 from Johnston Communications Voice & Data under Union County Coop Bid#42-2017 for labor and equipment for additional Telephone lines (4) for elevator and fire alarm system at the new Municipal building be and is hereby approve.

RESOLUTION # 19-82

BE IT RESOLVED, by the Mayor and Council that the quote in the amount of \$5,205.85 from Johnston Communications Voice & Data under Union County Coop Bid#42-2017 for purchase, installation and maintenance services for additional Card Reader and Cable TV connections at the Police Department at the new Municipal building be and is hereby approve.

RESOLUTION # 19-83

BE IT RESOLVED, by the Mayor and Council that the quote in the amount of \$6,261.48 from Johnston Communications Voice & Data under Union County Coop Bid#42-2017 for purchase, installation and maintenance services for additional equipment for the Court room and for the Court Clerk's office at the new Municipal building be and is hereby approve.

ROLL CALL: Bauer, Cirillo, Kinsella, Wende
All ayes. So ordered.

NEW BUSINESS:

1. Approval of payment in the amount of \$27,196.00(January 1, 2019 through January 31, 2019) to L+C Design Consultants PA for various Professional Services for New Municipal Building.-will be acted upon at the Regular Meeting on February 28, 2019.
2. Approval of payment in the amount of \$17,250.00 to Millennium Strategies for month of December, 2018 and January, 2019 for FEMA Grant Administration.- will be acted upon at the Regular Meeting on February 28, 2019.
3. Authorize issuance of a check in the amount of \$63,408.83 to 1 ACG LLC (326 Maple Street) for the redemption of Tax Sale Certificate#15-00006.-will be acted

- upon at the Regular Meeting on February 28, 2019.-will be acted upon at the Regular Meeting on February 28, 2019.
4. Approval of payment in the amount of \$3,155.00 to L+C Design Consultants PA for NJDOT Grant closeout for Moonachie Streetscape Project Phase II.-will be acted upon at the Regular Meeting on February 28, 2019.
 5. Endorsing submission of the recycling Tonnage Grant application for 2018.-will be acted upon at the Regular Meeting on February 28, 2019.
 6. Approval of payment in the amount of \$3,155.00 to L+C Design Consultant PA for various Professional Services(2009 NJDOT Grant closeout for Streetscape Project –Phase II).-will be acted upon at the Regular Meeting on February 28, 2019.
 7. Approval of Change Order No. 17 of Two Brothers Contracting, Inc. for the new Municipal building (additional contaminated soil) in the amount not to exceed\$30,000.00.-will be acted upon at the Regular meeting on February 28, 2019.

DISCUSSION:

1. New DPW Building Construction.

Mr. Sachs –mentioned that he has the minutes of January 25 for Project Coordination Meeting and there will be another meeting on 2/15/19.

C/Bauer – suggested having once a month meeting until the construction starts and he ask to cancel tomorrow’s meeting.

Mayor Vaccaro- mentioned that the contractor is in process of pumping water from the site.

2. Municipal Building rebuilding(moving Police Department to the new building).

Mayor Vaccaro- mentioned that the Police Department will be moving to new Municipal building on February 27. He spoke about copper phone line for the Police and Administration at the Municipal Building.

3. Sampling Testing at Hain Celestial Group, Inc.

Mr. Sachs- asked about sampling in coming April.

Mayor Vaccaro- mentioned that the DPW will do the testing at the main to find out the problem at Hain Celestial Group and Sewer Inspector will be going there three times a week. He asked Mr. Sachs to hold the sampling.

4. Lincoln Pl. pump station Generator.- no discussion.

5. Traffic Light between Moonachie Road and Moonachie Avenue.

Mr. Sachs- mentioned that Boswell is in the process of mobilizing their survey crew to perform their filed work which is weather dependent.

6. Personnel/Contracts (Police, Dispatcher & DPW).-discussion took place at the Closed Session.

7. Application of Time Warner Cable New York City LLC for renewal of Municipal Consent.-no discussion.

8. Energy efficiency for Municipal Building.-no discussion.

9. Fire Sub-Code Official.

Mayor Vaccaro- mentioned that the appointment was done tonight.

10. Payment in the total amount of \$177,171.25 (due to defective work of the Contractor) to L+C Design Consultants PA for New Municipal Building. -no discussion.

11. Ordinance for Short-Term Rental and Medical Marijuana.

Mayor Vaccaro- asked attorney Migliorino to draft an ordinance for 90 days minimum Short-Term Rental.

12. 2017 Corrective Action Plan.

Administrator Ciannamea- mentioned that he is working on Corrective Action Plan.

13. 2019 contracts of Lerch, Vinci & Higgins, LLP, Kevin Boswell, DeCotiis, FitzPatrick, Cole & Giblin LLP, and Helene Herbert, Esq.
Mayor Vaccaro- asked Finance Committee to review these contracts.

REMINDER:

Read Across America Celebration will be held at R. L. Crag School on March 1, 2019 at 1:15 P.M.

C/Kinsella- mentioned that a child came to enroll in School with a letter from the Landlord that the family is renting a room in the house. She spoke about School's requirement for enrollment. She mentioned that the Attorney of Board of Education said that the School has to educate that child.

The Mayor and Council discussed that the Fire Official will go to this house which is renting a room because this is illegal two- family.

Attorney Migliorino- mentioned that he wants to reach out to Attorney of Board of Education for the enrollment of this child.

C/Kinsella- mentioned that the School sent the Attendance Officer to the house and the child lives there.

Mayor Vaccaro- asked Attorney Migliorino to find out regarding regulation on recreational Marijuana and medical Marijuana.

C/Kinsella- mentioned that Easter Egg Hunt will be on April 13 at 10 AM at the School Gym and "Youth In Government" will be on March 28.

C/Wende – mentioned that he will not attend Meeting of March 14.

Administrator Ciannamea- mentioned that at the Regular Meeting the Council has to approve two Resolutions, one to confirm issuance of a purchase order to PIA Contractor by the Administrator for ADA compliant Curb Cuts & ramps for County Repaving the Road and 2nd one for not requiring Claimant Certification for purchase orders of \$2,625 or less.

C/Kinsella- mentioned that Lead graduation will be on May 8 and the Summer Recreation program will be for five weeks.

PUBLIC HEARING:

Sal DeAlessandro, 1 Frederick Street-asked about the change order for additional contaminated soil by the Municipal building.

Mayor Vaccaro- mentioned that the soil underneath the Police Trailer anticipated to be contaminated.

Mr. DeAlessandro- spoke about repair of fire house roof. He mentioned that he send the roof material to GFA for credit and previously there was flexible foam in the ridge.

Motion by C/Cirillo and second by C/Bauer to close Public hearing.

ROLL CALL:

CLOSED SESSION:

Motion by C/Cirillo and second by C/Kinsella to approve Resolution #19-84:

RESOLUTION#19-84

WHEREAS, N.J. S.A. 10:4-12 allow for a public body to go into closed session during a public meeting, and

WHEREAS, the Mayor and Council of the Borough of Moonachie has deemed it necessary to go into closed session to discuss certain matters which are exempt from the public, and

WHEREAS, the regular meeting of this governing body will reconvene,

NOW THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Moonachie will go into closed session for the following reason as outlined in N.J.S.A. 10:4-12:

Any collective bargaining agreement.

Any matter involving the employment, appointment, termination of employment, disciplinary action unless individual requests a public meeting.

ROLL CALL: Bauer, Cirillo, Kinsella, Wende
All ayes. So ordered.

Motion by C/Bauer and second by C/Cirillo to close closed session.

ROLL CALL: Bauer, Cirillo, Kinsella, Wende
All ayes. So ordered.

Mayor Vaccaro- mentioned that there was discussion regarding contracts of Police, DPW & Dispatchers and there was no action was taken.

Motion by C/Bauer and second by C/Kinsella to adjourn the meeting at 8:36 P.M.

ROLL CALL: Bauer, Cirillo, Kinsella, Wende
All ayes. So ordered.

ATTEST:

Supriya Sanyal
Borough Clerk