

EXECUTIVE MEETING called to order, Mayor Dennis Vaccaro in the chair, at Kathryn E. Flynn Civic Center on Thursday April 12th, 2018 at 7:08 P.M.

Mayor called for Pledge of Allegiance to the Flag.

ROLL CALL: Bauer, Cirillo- present, Kinsella, Martinez, Millar- not present,
Surak- present
Administrator- T. Ciannanea Attorney- F. Migliorino-present
Engineer- E. Sachs- present

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

Motion by C/Surak and second by C/Bauer to approve the Minutes of Executive Meeting of March 8th, 2018.

ROLL CALL: Bauer, Cirillo, Surak.

All ayes. So ordered.

COMMUNICATIONS:

David B. Bole, Attorney of Borough of Teterboro- notification of amended judgment of compliance and Response regarding Housing Element and Fair Share Plan(affordable housing).

Malick & Scherer, PC- notification of issuance of Response Action Outcome for the remediation of the site located at 100 Grand Street (Former Photogravure and Color Company), Block 70, Lot 9, in the Borough of Moonachie.

Bergen County Utilities Authority-notice of public hearing regarding the recalculation of the connection fee for new direct or indirect connections to the Authority's sanitary wastewater collection and treatment system.

Borough of Teterboro- extending the shared services agreement with the Borough of Moonachie for Emergency Management Coordinator Services.

Will be acted upon at Regular Meeting on April 26, 2018.

New Jersey Department of Environmental Protection- advising that NJ DEP has received a complete Industrial Site Recovery Act General Information Notice for Algar/Display Connection, 131 W. Commercial Ave., in the Borough of Moonachie.

Borough of Little Ferry- notice of adoption of an ordinance amending an ordinance entitles "I-L Light Industrial Zone" of the revised General Ordinances of the Borough of Little Ferry.

New Jersey Department of Environmental Protection- advising that NJ DEP has received a request to terminate the Deed Notice for President Container, 200 W. Commercial Ave., Block 64.02, Lots 1 & 2.

REPORTS:

Mr. Sachs -mentioned that he received an email from Neglia Engineering, Borough Engineer for Hasbrouck Heights regarding a meeting with the surrounding town's engineers for the expansion of the hangars at Teterboro Airport.

Mayor Vaccaro -mentioned that there will be a joint meeting with the NJSEA, Signature, the County, Teterboro Airport, and surrounding towns on May 1st regarding the expansion of the hangars.

Mr. Sachs -asked about the 2018 Road Paving Project.

Mayor Vaccaro- mentioned that the committee will discuss with Superintendent Lyons regarding the Road Project.

C/Surak- mentioned that the catch basin on West Commercial is sinking near Coca-Cola.

Mr. Sachs -mentioned that he will find out whether the work was done in that area.

C/Kinsella entered the meeting at 7:17 P.M.

FORMAL ACTION:

Motion by C/Bauer and second by C/Cirillo to approve the following Resolutions:

RESOLUTION#18-104

BE IT RESOLVED, that the Mayor and Council of the Borough of Moonachie wishes to enter into a grant agreement with the County of Bergen for the purpose of using \$ 23,000.00 in 2018 Community Development Block Grant funds for Installation of Park Equipment at Joseph Street Park; and

BE IT FURTHER RESOLVED, that the Mayor and Council hereby authorizes Mayor Dennis Vaccaro to be a signatory for the aforesaid grant agreement; and

BE IT FURTHER RESOLVED, that the Mayor and Council hereby authorizes Administrator Anthony Ciannamea to sign all County vouchers submitted in connection with the aforesaid project; and

BE IT FURTHER RESOLVED, that the Mayor and Council recognizes that the Borough of Moonachie is liable for any funds not spent in accordance with the Grant Agreement; and that liability of the Mayor and Council is in accordance with HUD requirements.

RESOLUTION #18-105

BE IT RESOLVED, by the Mayor and Council that Resolution#18-92 , which authorized the purchase of Swing Sets from BCI Burke Co. LLC, P.O. Box 549, Fond Du Lac, WI 54936-0549 for the amount \$8,053.91, be and is hereby rescinded.

RESOLUTION #18-106

BE IT RESOLVED by the Mayor and Council of the Borough of Moonachie that the purchase of Swing Set and necessary accessories for the Swing Set for Joseph Street Park under NJ Start Master Blanket Purchase Order(Contract) number 16-FLEET-00134 from BCI Burke Co. LLC, P.O. Box 549, Fond Du Lac, WI 54936-0549 is hereby authorized for the amount \$8,053.91.

RESOLUTION#18-107

WHEREAS, two quotes for necessary accessories (Wood Carpet) for the Swing Set were solicited as follows:

1. Ben Schaffer Recreation, Inc., PO Box 844, Lake Hopatcong, NJ 07849 under NJ Start Master Blanket Purchase Order(Contract) number 16-FLEET-00135-\$2,529.75
2. Ben Schaffer Recreation, Inc., PO Box 844, Lake Hopatcong, NJ 07849 -\$2,142.53

BE IT RESOLVED by the Mayor and Council of the Borough of Moonachie that the purchase of accessories (Wood Carpets) for the Swing Set, at Joseph Street Park from Ben Schaffer Recreation, Inc., PO Box 844, Lake Hopatcong, NJ 07849: in the amount of \$2,142.53 (15% less than NJ Start Master Blanket Purchase Order(Contract) number 16-FLEET-00135) be and is hereby authorized.

RESOLUTION#18-108

BE IT RESOLVED by the Mayor and Council of the Borough of Moonachie that the installation of Swing Set Structure, Stone Border, and Wood Carpets by Corby Associates, Inc., 590 Grand Avenue, PO Box 496, Englewood, NJ 07657 be and is hereby authorized in the amount \$5,725.00.

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

Administrator Ciannamea mentioned that the Borough received a 2.2 Community Disaster Loan for Sandy damages. He explained about the cancellation of \$1,138,947 of the CDL and mentioned that the Borough is asking for a five-year extension to repay the remaining CDL. Also he mentioned that the Borough will appeal the remaining balance of the CDL.

Motion by C/Surak and second by C/Bauer to approve the following Resolutions:

RESOLUTION#18-109

BE IT RESOLVED, by the Mayor and Council of the Borough of Moonachie that Borough Administrator be and is hereby authorized to request New Jersey Division of Local Government Services for the cancellation of \$1,138,947.00 Traditional Community Disaster Loan for the Borough of Moonachie and to request Federal Emergency

Management Agency for a five-year extension of time to repay remaining Traditional Community Disaster Loan.

RESOLUTION#18-110

WHEREAS, Two Brothers Contracting, Inc. submitted an invoice for Payment No. 19 for work performed and material furnished in the construction of Moonachie Municipal Building in the amount of \$360,295.64; and

WHEREAS, L+C Design Consultants PA and Borough Attorney reviewed and approve the payment as presented; and

NOW THEREFORE, BE IT RESOLVED by the Mayor and Council that the payment in the amount of \$360,295.64 to Two Brothers Contracting, Inc. be and is hereby approved.

RESOLUTION#18-111

WHEREAS, Two Brothers Contracting, Inc. submitted an invoice for Payment No. 20 for work performed and material furnished in the construction of Moonachie Municipal Building in the amount of \$184,460.50; and

WHEREAS, L+C Design Consultants PA and Borough Attorney reviewed and approve the payment as presented; and

NOW THEREFORE, BE IT RESOLVED by the Mayor and Council that the payment in the amount of \$184,460.50 to Two Brothers Contracting, Inc. be and is hereby approved.

RESOLUTION #18-112
RESOLUTION EMPLOYING SPECIAL TAX COUNSEL
WITHOUT COMPETITIVE BIDDING

WHEREAS, there exists a need for the services of Special Tax Counsel in accordance with appropriate New Jersey law; and

WHEREAS, the provisions of said contract shall be in accordance with the dictates of N.J.S.A. 19:44A-20.5; and

WHEREAS, the Borough Administrator has determined and certified in writing that the value of said service will exceed \$17,500.00; and

WHEREAS, the anticipated term of this contract is one (1) year; and

WHEREAS, the maximum amount of the Contract is \$45,000.00 at the hourly rate of \$112.00 and funds are subject to an appropriation by the Mayor and Council of the Borough of Moonachie and will be provided by the local finance office when appropriated; and

WHEREAS, HELENE C. HERBERT, ESQ. has completed and submitted a Business Entity Disclosure Certification which certifies that HELENE C. HERBERT ESQ. has not made any reportable contributions to a political or candidate committee in the Borough of Moonachie in the previous one year, and that the contract will prohibit HELENE C. HERBERT, ESQ. from making any reportable contributions through the term of the contract; and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A:111 et seq.) requires that the Resolution authorizing the award of contracts for "Professional Services" without competitive bids and the Contract itself must be available for public inspection;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Moonachie as follows:

1. The Mayor and Borough Clerk are hereby authorized and directed to execute the attached Contract with HELENE C. HERBERT, ESQ.

2. This Contract is awarded without competitive bidding as a "Professional Service" in accordance with N.J.S.A. 40A:11-5(1)(a) of the Local Public Contracts Law because the services are to be performed by a person authorized by law to practice a recognized profession.

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

NEW BUSINESS:

1. Approval of payment in the amount of \$8,850.00 for month of March 2018 to Millennium Strategies for professional service for FEMA Grant Management and Administration. -Will be acted upon at Regular Meeting on April 26, 2018.
2. Approval of proposed settlement for 2013, 2014, 2015, 2016, 2017 & 2018 tax appeals of Dominick Associates LLC and Leonard Rosen Family LLC, Tenants in Common in the amount of \$67,938.06 for Block 62, Lot 10.01.
-Will be acted upon at Regular Meeting on April 26, 2018.
3. Approval of proposed settlement for 2013, 2014, 2015, 2016, 2017 & 2018 tax appeals of Dominick Associates LLC and Leonard Rosen Family LLC, Tenants in Common in the amount of 62,736.99 for block 62, Lot 10.02.
-Will be acted upon at Regular Meeting on April 26, 2018.
4. Approval of payment in the amount of \$13,695.19 to L+C Design Consultants PA for redesign Reduced Scope of New Municipal Building.
-Will be acted upon at Regular Meeting on April 26, 2018.

FINAL PASSAGE OF ORDINANCES:

ORDINANCE # 2018-1

AN ORDINANCE TO AMEND CHAPTER VII "TRAFFIC" OF THE REVISED GENERAL ORDINANCE OF THE "BOROUGH OF MOONACHIE" COUNTY OF BERGEN, STATE OF NEW JERSEY

ORDINANCE # 2018-2

AN ORDINANCE TO AMEND CHAPTER XXII "ZONING" OF THE REVISED GENERAL ORDINANCE OF THE "BOROUGH OF MOONACHIE" COUNTY OF BERGEN, STATE OF NEW JERSEY

Public Hearing and Final Passage will be held on April 26, 2018.

DISCUSSION:

1. New DPW Building Construction.

Mr. Sachs- mentioned that the bid for the DPW Building will be received on April 18th at 11 A.M. at the office of Arcari. He suggested to invite Jennifer Richardson from the Port Authority for the bid opening.

Mayor Vaccaro- asked Attorney Migliorino to send the received bids to the Port Authority to be reviewed after the bid opening.

Attorney Migliorino- suggested that Ed Arcari will send the bids simultaneously to the Port Authority and to him to review.

2. Municipal Building rebuilding.

Mayor Vaccaro- mentioned that this project is moving forward and he and Attorney Migliorino reached out to the bonding company to know if the bond is effective.

Attorney Migliorino- mentioned that he received an email from the bonding company to confirm that the bond is effective.

3. Sampling Testing at Hain Celestial Group, Inc.

Mr. Sachs- mentioned that the sampling will be done within the next two weeks.

Mayor Vaccaro asked Attorney Migliorino to send a letter to Hain Celestial regarding the cost of cleaning of the sewer line because there was a problem there.

4. Bid for Lincoln Pl. pump station and Moonachie Road pump station Generator.

Mr. Sachs- mentioned that Boswell Engineering has continued working on preparing the plans and specifications for final PEOSHA work for the Moonachie Avenue Pump Station, it is approximately 70% complete.

5. Traffic Light between Moonachie Road and Moonachie Avenue.

Mayor Vaccaro- mentioned that he spoke to the Chief of Staff for the County Executive regarding the traffic light at the intersection, he is waiting for the County's commitment for the funding. He mentioned that the County is having a meeting with Rebuild By Design regarding the intersection.

6. Personnel (Police, DPW & Administration). -discussion took place in Closed Session.
7. Grants for Fire Department for a Fire Truck.

Mayor Vaccaro -mentioned that the Borough is waiting to hear back about this grant.

8. Grant for Police Department for Vest.

Mayor Vaccaro- mentioned that another grant for Click It or Ticket was submitted.

9. Hot Box South Hackensack.

Mayor Vaccaro- mentioned that Superintendent Lyons attended a demonstration for a Hot Box today.

10. Professional Contract of Paul Lerch, Auditor.

The Mayor and Council discussed that the committee is in process of reviewing the contract.

11. Professional Contract of Boswell Engineering.

The Mayor and Council discusses that the committee is reviewing the contract.

12. Professional Contract of Helene Herbert, Special Tax Counsel.

-Formal action was taken.

13. 2017 & 2018 Professional contract of Associated Appraisal Group.

The Mayor and Council discussed that the committee will review these contracts.

14. Equipment for Department of Public Works.

The Mayor and Council reviewed the list of equipment that needs to be purchased. Mayor Vaccaro asked the committee to discuss with Superintendent Lyons regarding the equipment.

15. Fire Department LOSAP payment.

The Mayor and Council discussed that the LOSAP payment for the Fire Department will be done with the Cost of Living Adjustment.

16. Request from NJ Transit Police Department for reimbursement of total cost that incurred by the corporation in the examination, hiring and training of the personnel.

The Mayor and Council discussed that the Resolution will be done for the reimbursement to NJ Transit Police Department.

-Will be acted upon at Regular Meeting on April 26, 2018.

17. Terminal Payment.

Discussion took place in Closed Session.

18. Policy issue for Sick days pay.

Discussion took place in Closed Session.

19. Request from Kristina Meyer for "Autism Child Area".

The Mayor and Council discussed that the sign will be done as per the Police Chief's recommendation.

PUBLIC HEARING:

Botros Botros, 42 Bruno Street- mentioned that his home is under renovation for elevation and he did not use the sewer because he has not been living in there for the past 19 months.

Mayor Vaccaro explained if Mr. Botros knocked down his home and the sewer is capped then he would not have to pay the sewer bill. Mr. Botros should ask the building

Department about the sewer. He mentioned that unfortunately the sewer was not capped at the curb so the sewer tax has to be paid.

Mr. Botros felt that he should not have to pay when he did not receive the service.

Attorney Migliorino explained that he does not have any children, but he still pays taxes for school.

Mr. Botros explained that he did not receive a quarterly bill for last year.

Mayor Vaccaro explained that the Borough sent one bill for all four quarters. He reviewed Mr. Botros' bill and told him that he was billed for last year. He mentioned that unfortunately Mr. Botros has to pay the bill. Mentioned that 10 homes were elevated and they all paid their sewer bills.

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

ROLL CALL: Bauer, Cirillo, Kinsella, Surak.

All ayes. So ordered.

CLOSED SESSION:

Motion by C/Kinsella and second by C/Cirillo to approve the following Resolution at 8:35 P.M.

RESOLUTION #18-113

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

ROLL CALL: Bauer, Cirillo, Kinsella, Surak.

All ayes. So ordered.

Motion by C/Bauer and second by C/Kinsella to close closed session at 9:05 P.M.

ROLL CALL: Bauer, Cirillo, Kinsella, Surak.

All ayes. So ordered.

Mayor Vaccaro -mentioned that in closed session there was discussion about terminal pay and a grievance, the Mayor and Council directed Attorney Migliorino to find out more about the sick day policy.

C/Kinsella -mentioned that the Robert L. Craig School is inviting everyone to join the school for Autisn's Heroes Fight Against Pediatric Cancer as an event sponsor, the event will raise money for Tackle Kids Cancer and Tomorrow's Children's Fund in the name of Austin Macalintal. She spoke about the walk-a-thon on May 25 to raise funds.

Administrator Ciannamea -mentioned that the newsletter will be delivered on Friday to Borough Hall and will be mailed on Monday or Tuesday.

C/Surak- mentioned that he is working with All Covered and ProComm for moving Borough Hall to the new Municipal Building and each desk will have one data and phone line. He will be sending an email to everyone with instructions on how to save emails on a flash drive. Mentioned that the instructions were done with the help of Jennifer. Spoke about the cars on Joseph Street that are speeding when the green light on Moonachie Road and Joseph Street. He suggested to use a solar speed warning panel by the Joseph Street Park. He got the price for a solar speed warning side at \$2,100. He mentioned that the Police Chief would like to at least get two warning signs. Mentioned that several of the Board of Health Meetings has started late and he asked the Board to start on time. Also, he mentioned that the Board of Health recommended that one regular member

could be appointed as an alternate member at the end of term this year, this member missed five meetings and one alternate member can be appointed as a regular member. Mayor Vaccaro -asked C/Surak to contact Michael Milla from L+C Design regarding the police communications desk. He mentioned that the finance committee will receive a draft budget to review and the budget may be introduced on April 26.

Motion by C/Surak and second by C/Cirillo to adjourn the meeting at 9:25 P.M.

ROLL CALL: Bauer, Cirillo, Kinsella, Surak.

All ayes. So ordered.

ATTEST:

Supriya Sanyal
Borough Clerk