

EXECUTIVE MEETING called to order, Mayor Dennis Vaccaro in the chair, at Kathryn E. Flynn Civic Center on Thursday May 10th, 2018 at 7:01 P.M.

Mayor called for Pledge of Allegiance to the Flag.

ROLL CALL: Bauer, Cirillo- present, Kinsella-not present, Martinez-present,
Millar- not present, Surak
Administrator- T. Ciannamea-not present,
Attorney- F. Migliorino-present, Engineer- Mr. 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 Regular Meeting of February 22, 2018 and Minutes of Executive Meeting of April 12, 2018.

ROLL CALL: Bauer, Cirillo, Martinez, Surak.

All ayes. So ordered.

COMMUNICATIONS:

Borough of Wykoff- supporting State Assembly Bill A-3736 State Senate Bill S 2473 regarding accountability of utility companies.

Township of Toms River- Sustainable and Resilient Communities Guidance Report for Municipalities.

Envirotactics, Inc. - notice of submittal of Remedial Action Protectiveness/Biennial Certification for Groundwater for Former AE&A Service Station, 270 Moonachie Avenue, Block 52/Lot 9.

REPORTS:

Mr. Sachs spoke about sampling at Hain Celestial Group. He mentioned that Boswell observed on April 26th the grease contaminant area; suggested to have meeting with Hain Celestial. He spoke about the documents that had been submitted to PSE&G for MCC and Boswell is waiting to hear back. Spoke about proposal for Moonachie Avenue force main.

Mayor Vaccaro mentioned that there are some roads to be paved. He will meet with C/Bauer to review streets that need to be paved, the Borough want to include South Joseph Street, Diamond Way, Roosevelt Place, Grand Street from Moonachie Avenue to the Carlstadt border, East Park, and Molinari Streets. He mentioned that the Borough is waiting to hear back about the grant for West Commercial Avenue.

C/Surak asked about the catch basin on the east side of West Commercial.

Mayor Vaccaro mentioned that it is a private catch basin and Superintendent Lyons will contact the company.

BIDS: Eleven Bids were received on April 18, 2018 at 11 A.M. for DPW building:

Rotonde Brothers Contracting Corp.

7-11 South Broadway, Suite 206

White Plains, NY 10601 \$395,000.00 \$2,129,000.00 \$2,524,000.00

Unimak LLC

82 Midland Ave., Suite D

Saddle Brook, NJ 07663 \$227,000.00 \$2,311,000.00 \$2,538,000.00

Belmont Construction Corp.

240 W. Passaic St., Suite 11

Maywood, NJ 07607 \$242,100.00 \$2,322,900.00 \$2,565,000.00

Tomco Construction, Inc.

22 Howard Blvd. Suite 204

Mt. Arlington, NJ 07856 \$780,635.65 \$1,815,680.00 \$2,596,315.65

Cypreco Industries, Inc.

1420 9th Avenue, PO Box822

Neptune, NJ 07753 \$471,250.00 \$2,150,713.00 \$2,621,963.00

Tricon Enterprises, Inc.

322 Beers St.

Keyport, NJ 07735 \$249,525.00 \$2,390,475.00 \$2,640,000.00

Molba Construction

392 Liberty Street

Little Ferry, NJ 07643 \$228,000.00 \$2,426,000.00 \$2,654,000.00

Fuscon Enterprises, Inc.

414 Central Ave., PO Box 2595 Westfield, NJ 07091	\$203,000.00	\$2,543,000.00	\$2,746,000.00
<u>Pharos Enterprises, Inc.</u> 879 Upper Main Street South Amboy, NJ 08879	\$328,000.00	\$2,664,000.00	\$2,992,000.00
<u>ML Inc.</u> 65 South Street Passaic, NJ 07055	\$305,000.00	\$2,690,000.00	\$2,995,000.00
<u>M&M Construction Company, Inc.</u> 540 North Avenue Union, NJ 07083	\$311,000.00	\$3,059,000.00	\$3,370,000.00

Administrator Ciannamea entered the meeting at 7:06 P.M.

Attorney Migliorino introduced the Mayor and Council to the Bidder's Counsels. Attorney Carmine Alampi for Belmont Construction Corp.- mentioned that his client is the third lowest bidder. He presented Belmont's credentials as a contractor. He mentioned that Belmont is the lowest and responsible bidder. He spoke about Rotonde Brothers Construction Corp., who did not initial the bid checklist, they put the owner's name but Rontonde is a Corporation, listed an unlicensed plumbing contractor and failure to NJ Business Registration Certificates for subcontractors. Also, He mentioned that Unimak did not provide the written dollars and cents for items 1-8 in the bid document and failed to complete the bid document checklist.

Attorney Lee Tesser for Unimak LLC- mentioned that Rotonde did not list licensed plumbing subcontractor and the electrical subcontractor was not registered at the time of the bid.

Attorney John Chiaia for Rotonde Brothers- explained that Mr. Rotonde is 100% owner. He spoke about business registration and mentioned that Rontonde will provide any other documents before a contract is awarded. Mentioned that the plumbing subcontractor is not a licensed plumber, but the HVAC subcontractor has a plumbing license.

Mayor Vaccaro mentioned that the contractor will use subcontractor of sub for plumbing. Mr. Tesser mentioned that Rotonde provided Brooks Mechanical as sub contractor for plumbing.

Mr. Chiaia provided the license of HVAC subcontractor.

Mr. Alampi mentioned Unimak failed to provide unit price.

Mayor Vaccaro mentioned that all three bidders have deficiencies, and the Borough does not want to go to Court.

Attorney Migliorino –mentioned that he will get in touch with the Attorneys within the next week and at the next Council meeting action may be taken.

Mayor Vaccaro mentioned that the Borough is looking for the lowest and responsible bidder.

FORMAL ACTION:

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

RESOLUTION#18-138

BE IT RESOLVED, by the Mayor and Council of the Borough of Moonachie that the payment in the amount of \$2,000.00 to Hackensack Meadowlands Municipal Committee be and is hereby authorized for the Municipal funding of Hackensack Meadowlands Municipal Committee Yearly Operation Budget.

RESOLUTION#18-139

BE IT RESOLVED, by the Mayor and Council that Resolution#18-104, which authorized Mayor to sign an agreement with County of Bergen for Community Development grant of \$23,000.00 for Installation of Park Equipment at Joseph St. Park, be and is hereby rescinded.

RESOLUTION#18-140

BE IT RESOLVED, by the Mayor and Council that Resolution#18-106 , 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#18-141

BE IT RESOLVED, by the Mayor and Council that Resolution#18-107, which authorized the purchase of accessories (Wood Carpet 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 rescinded.

RESOLUTION#18-142

BE IT RESOLVED, by the Mayor and Council that Resolution#18-108, which authorized installation of Swing Set and other accessories needed for the Swing Set by Corby Associates, Inc. in the amount of \$5,725.00 be and is hereby rescinded.

ROLL CALL: Bauer, Cirillo, Martinez, Surak.

All ayes. So ordered.

C/Surak mentioned that the installation cost of the swing set is too high.

Mayor Vaccaro explained that the contractor has to be certified the installation.

NEW BUSINESS:

1. Approval of payment in the amount of \$9,300.00 for month of April 2018 to Millennium Strategies for professional service for FEMA Grant Management and Administration.- will be acted upon at the Regular Meeting on May 24, 2018.
2. Approval of proposed settlement for 2016 and 2017 tax appeals of D & P Real Estate LLC (withdrawn) for Block 39, Lot 7. - will be acted upon at the Regular Meeting on May 24, 2018.
3. Approval of proposed settlement for 2013, 2014 & 2015 tax appeals of Midway Industrial Terminal LLC and Paradiso & Rosen/ Adrianna Paradiso in the amount of \$25,249.35 for Block 59, Lot 3. - will be acted upon at the Regular Meeting on May 24, 2018.
4. Appointment of Representative to Community Development Committee, from July 1st 2018 to June 30, 2019:
Mayor Vaccaro
Councilman Bruce Surak, Alternate
Council Appointment:
C/Bauer * The Mayor mentioned that Councilman Bauer will be the Council Appointment.
Anthony Ciannamea, Alternate
- will be acted upon at the Regular Meeting on May 24, 2018.
5. Authorize Mayor to sign an agreement with County of Bergen for Community Development grant of \$23,000.00 for Installation of Park Equipment at Joseph St. Park. - will be acted upon at the Regular Meeting on May 24, 2018.
6. Authorize purchase of swing set from BCI Burke Co. LLC in the amount of \$8,053.91. - will be acted upon at the Regular Meeting on May 24, 2018.
7. Authorize purchase of necessary accessories (Wood Carpet) for the Swing Sets from Ben Schaffer Recreation, Inc. in the amount of \$2,142.53.
8. Authorize installation of Swing Set and other accessories needed for the Swing Set by Corby Associates, Inc. in the amount of \$5,725.00. - will be acted upon at the Regular Meeting on May 24, 2018.

FINAL PASSAGE OF ORDINANCE:

ORDINANCE#2018-3

CALENDAR YEAR 2018

ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS

AND TO ESTABLISH A CAP BANK

(N.J.S.A. 40A: 4-45.14)

Public hearing and Final Passage of the Ordinance will be held at Regular Meeting on May 24, 2018.

BUDGET:

RESOLUTION#18-

Waiver of Reading the 2018 Municipal Budget in full
- will be acted upon at the Regular Meeting on May 24, 2018.

PUBLIC HEARING ON THE BUDGET:

Public hearing on the Budget will be held on May 24, 2018.

DISCUSSION:

1. New DPW Building Construction.

The Mayor and Council discussed that the received bids are under review.

2. Municipal Building rebuilding.

Mayor Vaccaro mentioned that the Borough got sued because Two Brothers did not pay the concrete form contractor.

3. Sampling Testing at Hain Celestial Group, Inc.

Mayor Vaccaro asked Attorney Migliorino to set up a meeting with Hain Celestial.

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

Mayor Vaccaro mentioned that the generator is not under state contract so the project has to be bid out for the generator and for the installation.

Mr. Sachs mentioned Boswell is waiting to hear back from the Mayor & Council after the Mayor discuss with the resident regarding the location of the generator and the Borough will go out to bid for the Moonachie Road generator.

5. Traffic Light between Moonachie Road and Moonachie Avenue.

Mayor Vaccaro- mentioned that the County is looking for a DOT grant.

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

7. Grants for Fire Department for a Fire Truck.

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

8. Grant for Police Department for Vest.

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

9. Hot Box South Hackensack.

Mayor Vaccaro asked C/Bauer to follow up with South Hackensack regarding Hot Box.

10. Equipment for Department of Public Works.

The Mayor and Council discussed that the ordinance will be done to money in place for the equipment.

11. Terminal Payment. -discussion took place during Closed Session.

12. Policy issue for Sick days. -discussion took place at the Closed Session.

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

Mayor Vaccaro asked C/Bauer to contact Superintendent Lyons to order the sign.

14. Solid Waste Service Agreement with Bergen County Utilities Authority (\$66.39 per ton).
-action will be taken at the Regular Meeting on May 24th.

15. Summer Recreation Registration fees.

The Mayor and Council discussed that the registration fees will be same as last year.
-action will be taken at the Regular Meeting on May 24th.

16. Application of Time Warner Cable New York City LLC for renewal of Municipal Consent.

Mayor Vaccaro- asked attorney Migliorino to contact Time Warner Cable New York City LLC for renewal of Municipal Consent.

PUBLIC HEARING:

John Wende, 353 Maple Street-spoke about lowest bidders and expressed concerns about the subcontractors.

Sal DeAlessandro, 1Frederick Street- asked about the meeting with Signature regarding the airport.

Mayor Vaccaro- mentioned the Meadowlands suggested that the airports can add pipes to take out water to tide gate by utilizing two pumps that the airport has.

Mr. DeAlessandro asked about the location of the generator at Lincoln Place.

Mayor Vaccaro mentioned about the concern of the neighbor because it will be 9' high.

Mr. DeAlessandro asked about required certification for installation of park equipment.

Mayor Vaccaro answered that the certification is required by the insurance company.

Mr. DeAlessandro –mentioned that the Fire Department wants to discuss with the committee and Mayor about the generator. He asked about the required elevation of the generator.

Mayor Vaccaro mentioned that all essential buildings such as the fire house will need an elevation of 2' above the flood elevation of 9'.

Mr. DeAlessandro spoke about the Fire Department receiving mail for Vanguard.

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

ROLL CALL: Bauer, Cirillo, Martinez, Surak.

All ayes. So ordered.

C/Martinez left the meeting at 9:01 P.M.

CLOSED SESSION:

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

RESOLUTION #18-143

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, Surak.

All ayes. So ordered.

Motion by C/Bauer and second by C/Surak close closed session at 9:36 P.M.

ROLL CALL: Bauer, Cirillo, Surak.

All ayes. So ordered.

Motion by C/Bauer and second by C/Surak to go into closed session at 9:36.

ROLL CALL: Bauer, Cirillo, Surak.

All ayes. So ordered.

Motion by C/Bauer and second by C/Cirillo close closed session at 9:37 P.M.

ROLL CALL: Bauer, Cirillo, Surak.

All ayes. So ordered.

C/Bauer recommended purchasing two solar speed warning signs at \$2,925.00 for the Police Department.

Mayor Vaccaro mentioned that in closed session discussion took place about personnel.

Motion by C/Bauer and second by C/Surak to adjourn the meeting at 9:40 P.M.

ROLL CALL: Bauer, Cirillo, Surak.

All ayes. So ordered.

ATTEST:

Supriya Sanyal
Borough Clerk