

EXECUTIVE MEETING called to order, Council President Bruce Surak in the chair, at Kathryn E. Flynn Civic Center on Thursday June 14th, 2018 at 7:10P.M.

C/Surak called for Pledge of Allegiance to the Flag.

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

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

Motion by C/Bauer and second by C/Kinsella approve the Minutes of Executive Meeting of May 10, 2018.

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

COMMUNICATIONS:

Borough of Closter- expressing condolences and support for victims of gun violence and their families.

New Jersey Department of Environmental Protection- notification of draft Environmental Impact Statement on the Rebuild By Design Meadowlands Flood Protection Project(proposed project).

Township of Rochelle Park- recognizing national Gun Violence Awareness Day.

City of Hackensack- supporting the adoption of A-3736 for the purpose of holding utilities companies accountable and to provide the NJBPU with a mechanism to fulfill its mission when utilities do not provide or restore critical service in a reasonable timeframe by allowing a municipal governing body to request the revocation of the privilege of a franchise territory.

Neglia Engineering Associates- notification on the submission of a flood hazard area verification to NJDEP for Modular Temp Classrooms project at Block 63, Lot 9.01 in the Borough of Little Ferry.

Borough of Closter- opposing to H.R. 38 and S.446, the Concealed Carry Reciprocity Act of 2017 and the Constitutional Concealed Carry Reciprocity Act of 2017.

REPORTS:

Mr. Pomante mentioned that the MCC Project will be ready to go out to bid next week. The Council discussed that the Borough Clerk will be authorized to go out to bid for the MCC.

FORMAL ACTION:

Motion by C/Bauer and second by C/Kinsella approve following Resolutions:

RESOLUTION#18-180

WHEREAS, CASTREMAR, INC. trading as SEGOVIA RESTAURANT, 150 Moonachie Road, Moonachie, New Jersey has applied for a renewal of their PLENARY RETAIL CONSUMPTION LICENSE NO. 0237-33-006-004 for 2018-2019; and
WHEREAS, Manuel Martinez has partnership in Castremar, Inc.; and

WHEREAS, since Mr. Manuel Martinez is a member of the governing body of the Borough of Moonachie, which also acts as the ABC issuing authority, the subject license is a “conflict” license. Accordingly, said renewal license application will be forwarded to the Director of the Division of Alcoholic Beverage Control for consideration pursuant to N.J.S.A. 33:1-20 and N.J.A.C. 13:2-4.1; and

WHEREAS, N.J.A.C. 13:2-4.6 requires the issuing authority to submit to the Director a certified Resolution setting forth that the issuing authority has no objection to the renewal of the subject license and consents thereto, and furthermore, is not aware of any circumstances or provisions of law or local ordinance which would prohibit the renewal of the subject license; and

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

THAT the Mayor and Council has no objection to the renewal of Plenary Retail Consumption License No. 0237-33-006-004 and consents thereto, and furthermore, is not aware of any circumstances or provisions of law or local ordinance which would prohibit the renewal of the subject license.

RESOLUTION#18-181

WHEREAS, DUGOUT, INC. has applied for a renewal of their PLENARY RETAIL CONSUMPTION LICENSE for 2018-2019; and

WHEREAS, no objections have been filed with the Borough Clerk to date and DUGOUT, INC. has complied with all legal requirements;

NOW THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Moonachie that the application for the renewal of Plenary Retail Consumption License 0237-33-004-002, be and is hereby approved.

ROLL CALL: Bauer, Cirillo, Kinsella- ayes, Martinez- abstain, Surak- aye. Four ayes and one abstain. Motion carried.

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

RESOLUTION#18-182

WHEREAS, Resolution#18-157 authorized a refund of overpayment of taxes in the amount \$67,938.04 due to the Judgments of Tax Court of New Jersey for Dominick Associates LLC and Leonard Rosen Family LLC, Tenants in Common; and

WHEREAS the correct amount of refund should be as follows

<u>Year</u>	<u>Block</u>	<u>Lot</u>	<u>Amount</u>
2014	62	10.01	\$14,797.40
2015	62	10.01	\$15,610.85
2016	62	10.01	\$21,137.42
2017	62	10.01	<u>\$16,392.39</u>
	TOTAL		\$67,938.06

BE IT RESOLVED, by the Mayor and Council that Resolution #18-157 be and is hereby amended to correct the refund amount to \$67,938.06; and

BE IT FURTHER RESOLVED, that the tax overpayment in the amount of \$67,938.06 shall be made payable to "Archer & Greiner, P.C. as Trustee for Dominick Associates LLC and Leonard Rosen Family LLC, Tenants in Common,." and mailed to Archer & Greiner, 101 Carnegie Center, 3rd Floor, Suite 300, Princeton, NJ 08540.

RESOLUTION#18-183

WHEREAS, two applications were received for the Municipal Alliance Scholarship Award Program; and

WHEREAS, the Moonachie Scholarship Fund reviewed the application and made it's recommendation; and

NOW THEREFORE, BE IT RESOLVED by the Mayor and Council that Ethan Ciannamea be and is hereby awarded the amount of \$250.00 for the Municipal Alliance Scholarship.

RESOLUTION#18-184

WHEREAS, Resolution#17-313 confirmed approval of Construction Change Directive (Change Order No. 4) for the amount not to exceed \$20,662.72 of Two Brothers Contracting Inc. for construction of New Municipal building; and

WHEREAS, this was only a Construction Change Directive; and

WHEREAS, Resolution#17-313 needs to be amended to eliminate the language of (*Change Order No. 4*); and

NOW THEREFORE, BE IT RESOLVED by the Mayor and Council that Resolution#17-313 be and is hereby amended to eliminate the language of (*Change Order No. 4*) and to confirmed approval of Construction Change Directive for the amount not to exceed \$20,662.72 of Two Brothers Contracting Inc. for construction of New Municipal building.

RESOLUTION#18-185

WHEREAS, Two Brothers Contracting, Inc., submitted Change Order No. 4 for the reduction of \$8,800.00 for work performed and material furnisher for the construction of new Municipal Building; and

WHEREAS, L+C Design Consultants PA and the Borough Attorney have approved Change Order No. 4 as presented; and

NOW THEREFORE, BE IT RESOLVED by the Mayor and Council that Change Order No. 4 for the reduction of \$8,800.00 be and is hereby approved.

RESOLUTION#18-186

WHEREAS, Two Brothers Contracting, Inc., submitted Change Order No. 5 (part of General allowance) in the amount of \$22,501.70 for work performed and material furnisher for the construction of new Municipal Building; and

WHEREAS, L+C Design Consultants PA and the Borough Attorney have approve Change Order No. 5 as presented; and

NOW THEREFORE, BE IT RESOLVED by the Mayor and Council that Change Order No. 5 (part of General allowance) in the amount of \$22,501.70 be and is hereby approved.

RESOLUTION#18-187

WHEREAS, Two Brothers Contracting, Inc., submitted Change Order No. 6 (deletion of Cash allowance No. 4) in the amount of \$125,000 for work performed and material furnisher for the construction of new Municipal Building; and

WHEREAS, L+C Design Consultants PA and the Borough Attorney have approve Change Order No. 6 as presented; and

NOW THEREFORE, BE IT RESOLVED by the Mayor and Council that Change Order No. 6 (deletion of Cash allowance No. 4) in the amount of \$125,000 be and is hereby approved.

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

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

RESOLUTION #18-188

WHEREAS, Two Brothers Contracting, Inc., submitted Change Order No. 7 (deletion of Cash allowance No. 5) in the amount of \$125,000 for work performed and material furnisher for the construction of new Municipal Building; and

WHEREAS, L+C Design Consultants PA and the Borough Attorney have approved Change Order No. 7 as presented; and

NOW THEREFORE, BE IT RESOLVED by the Mayor and Council that Change Order No. 7 (deletion of Cash allowance No. 5) in the amount of \$125,000 be and is hereby approved.

RESOLUTION#18-189

RESOLUTION TO REFUND CREDIT BALANCES
ON PROPERTY TAX ACCOUNTS

WHEREAS, Frank J. Santora, Tax Collector, has advised that credit balances exist on the accounts detailed below, said credit balances being the result of excess or duplicate payments by homeowners, Attorneys or mortgage holders, and adjustments in Assessed Value, and

WHEREAS, these credit balances represent funds belonging to the those who remitted payment, and

WHEREAS, the tax accounts are otherwise current, a refund is due; and

Blk	Lot	Name/Add	Refund	Payable to & Mail to
3	6	Hot, Kemal & Dervisevic, Minela 32 Joseph Street Moonachie, NJ 07074	\$2,219.51	Corelogic 3001 Hackberry Road Irving, TX 75063 Re: B 3 L 6
6	8.01	Kolar, Stephen & Pamela 25 Henry Street Moonachie, NJ 07074	\$6,065.10	Kolar, Stephen & Pamela 726 Seventh Street Secaucus, NJ 07094
42	4	Lee Wha Ja & Young Joo 56 Jackson Place Moonachie, NJ 07074	\$2,336.18	Corelogic 3001 Hackberry Road Irving, TX 75063 Re: B 42 L 4

NOW THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Moonachie, County of Bergen, State of New Jersey be and is hereby authorize to issue checks to refund the above-mentioned recipients in the total amount of **\$10,620.79.**

RESOLUTION#18-190

Whereas, the local capital budget for the year 2018 was adopted on the 24th day of May, 2018; and,

Whereas, it is desired to amend said adopted capital budget section,

Now, Therefore Be It Resolved, by the Borough Council of the Borough of Moonachie, County of Bergen, that the following amendment(s) to the adopted capital budget section of the 2018 budget be made:

1 PROJECT	2 PROJECT NUMBER	3 ESTIMATED TOTAL COST	4 AMOUNTS RESERVED IN PRIOR YEARS	PLANNED FUNDING SERVICES FOR CURRENT YEAR 2018					6 TO BE FUNDED IN FUTURE YEARS
				5a 2018 Budget Appropriations	5b Improvement Fund	5c Capital Surplus	5d Grants in Aid and Other Funds	5e Debt Authorized	
TOTAL ALL PROJECTS		\$ -			\$ -			\$ -	\$ -

3 YEAR CAPITAL PROGRAM 2018- 2020
Anticipated PROJECT Schedule and Funding Requirement

1 PROJECT	2 PROJECT NUMBER	3 ESTIMATED TOTAL COST	4 ESTIMATED COMPLETION TIME	5 FUNDING AMOUNTS PER YEAR					
				Budget Year 2018	2019	2020	2021	2022	2023
TOTAL ALL PROJECTS		\$ -		\$ -	\$ -	\$ -			

3 YEAR CAPITAL PROGRAM 2018- 2020

SUMMARY OF ANTICIPATED FUNDING SOURCES AND AMOUNTS

1 PROJECT	2 Estimated TOTAL COST	3 Budget Appropriations		4 Capital Improvement Fund	5 Capital Surplus	6 Grants in Aid And Other Funds	7 BONDS AND NOTES			
		Current Year 2018	Future Years				General	Self Liquidating	Assessment	School
None										
TOTAL ALL PROJECTS	\$ -			\$ -			\$ -			

TO
CAPITAL BUDGET (Current Year Action)
2018

1 PROJECT	2 Project Number	3 Estimated Total Cost	4 Amounts Reserved in Prior Years	5a 2018 Budget Appro- priations	PLANNED FUNDING SERVICES FOR CURRENT YEAR 2018					
					5b Capital Improvement Fund	5c Capital Surplus	5d Grants in Aid and Other Funds	5e Debt Authorized	6 To Be Funded in Future Years	
2 Ton Falcon RME Asphalt Hot Patcher										
Dump Trailer		\$ 16,900				\$16,900				

TOTAL ALL PROJECTS			\$ 16,900			\$ -			\$ -	\$ -

3 YEAR CAPITAL PROGRAM 2018 - 2020
Anticipated PROJECT Schedule and Funding Requirement

1 PROJECT	2 PROJECT NUMBER	3 ESTIMATED TOTAL COST	ESTIMATED COMPLETION TIME	Budget Year 2018	5 FUNDING AMOUNTS PER YEAR					
					2019	2020	2021	2022	2023	
2 Ton Falcon RME Asphalt Hot Patcher										
Dump Trailer		\$ 16,900		\$16,900						
TOTAL ALL PROJECTS		\$ 16,900		\$16,900						

3 YEAR CAPITAL PROGRAM 2018 - 2020
SUMMARY OF ANTICIPATED FUNDING SOURCES AND AMOUNTS

1 PROJECT	2 Estimated TOTAL COST	3 Budget Appropriations		4 Capital Improvement Fund	5 Capital Surplus	6 Grants in Aid and Other Funds	7 BONDS AND NOTES			
		Current Year 2018	Future Years				Self			
							General	Liquidating	Assessment	School
2 Ton Falcon RME Asphalt Hot Patcher										
Dump Trailer	\$ 16,900				\$16,900					
TOTAL ALL PROJECTS	\$ 16,900			\$ -			\$ -			

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

NEW BUSINESS:

1. Approval of payment in the amount of \$9,300.00 for month of May 2018 to Millennium Strategies for professional service for FEMA Grant Management and Administration. -action will be taken at the Regular Meeting on June, 28, 2018.
2. Approval of payment in the amount of \$6,299.79 to L+C Design Consultants PA for redesign Reduced Scope of New Municipal Building. -action will be taken at the Regular Meeting on June, 28, 2018.
3. Authorize Mayor to sign an agreement with Joseph Licata for the service of Ombudsman.-action will be taken at the Regular Meeting on June, 28, 2018.
4. Authorizing a refund of overpayment of taxes in the amount \$3,153.49 due to the Judgments of Tax Court of New Jersey for Secure Watch 24 LLC Block 72, Lot 1 for the year 2013.-action will be taken at the Regular Meeting on June, 28, 2018.

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

RESOLUTION #18-191

WHEREAS, Two Brothers Contracting, Inc. submitted an invoice for Payment No. 21 for work performed and material furnished in the construction of Moonachie Municipal Building in the amount of \$180,285.70; 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 \$180,285.70 to Two Brothers Contracting, Inc. be and is hereby approved.

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

INTRODUCTION OF ORDINANCE:

Motion by C/Bauer and second by C/Martinez

BE IT RESOLVED that the following ordinance:

ORDINANCE 2018-4

**AN ORDINANCE OF THE BOROUGH OF
MOONACHIE, IN THE COUNTY OF BERGEN,
NEW JERSEY, APPROPRIATING \$16,900 FOR 2-
TON FALCON RME ASPHALT HOT PATCHER
DUMP TRAILER**

heretofore introduced, do now pass on first reading, and that said ordinance be further considered for final passage at a meeting to be held on the day of July 12th, 2018 at 7 :00 P.M. or as soon thereafter as the matter can be reached, at the regular meeting of the Mayor and Council and that at such time and place all persons interested be given an opportunity to be heard concerning said ordinance, and that the Borough Clerk be and hereby is, authorized and directed to publish said ordinance according to law with a notice of introduction and passage on first reading and of the time and place when and where said ordinance will be further considered for final passage.

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

DISCUSSION:

1. New DPW Building Construction.

C/Surak mentioned that the DPW Building bids will be received on June 27.

2. Municipal Building rebuilding.

C/Cirillo mentioned that he is attending the construction meeting for the Municipal Building every Tuesday. Spoke about the problem with the brick and that the contractor should start the brick on the other side. He mentioned that the sheetrock on the inside has started.

C/Surak mentioned that he went inside the building and the contractor will start the brick on the north side. He suggested that the Borough should look for the furniture for the building. He mentioned that he asked L+C about the furniture and the recording system in the courtroom, both are not in the specification or proposal.

3. Sampling Testing at Hain Celestial Group, Inc.

Mr. Pomante spoke about sampling results at Hain Celestial in April. The average BOD was 1999 and in the May the BOD was 935mg.

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

Mr. Pomante spoke about Lincoln Place generator, which Boswell is waiting to hear back from the Borough about. He mentioned about discussion on a rendering to show the neighbor the proposed location of the generator at Lincoln Place.

C/Bauer asked about the status of the portable generator.

He was told to speak with Superintendent Lyons regarding the generator.

5. Traffic Light between Moonachie Road and Moonachie Avenue.

C/Surak mentioned that the County is looking a grant for the traffic light at the intersection.

Mr. Pomante mentioned that the County is interested to do the traffic light.

6. Personnel (Police, DPW & Administration). No discussion

7. Grants for Fire Department for a Fire Truck.

C/Surak mentioned that the process for the grant started late.

8. Grant for Police Department for Vest.

C/Surak mentioned that Moonachie does not qualify for this grant. He will discuss with the Police Chief about the vests.

9. Hot Box South Hackensack. The Council discussed that this item will be taken out from the agenda.

10. Equipment for Department of Public Works.

C/Surak mentioned that the committee will discuss with the Fire Department & the DPW to see the need for equipment and an Ordinance will be done for the equipment and the road paving project.

11. Terminal Payment.

C/Surak mentioned that he will give the calculation of the terminal payment to the individual.

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

Attorney Migliorino mentioned that he spoke with the Board of Public Utilities regarding the application. Mentioned that he is working with AT&T for the cell tower and AT&T agreed upon payment of \$3000/month. He spoke about the cell tower, that AT&T will be able to sublet it. He mentioned that he spoke with Auditor Paul Lerch about whether the Borough should go out to bid for the cell tower and Mr. Lerch asked whether the borough should get money for subletting the tower. The Council discussed that the Borough will wait for an opinion for the requirement of bids for the tower.

13. Appointment of Municipal Humane Law Enforcement Officer.

The Council discussed that Officer Victor Migliorino will be appointed at the next meeting.

14. LOSAP payment for First Aid & Rescue Squad.

Administrator Ciannamea mentioned that he will do the calculations for the LOSAP payments and confirmed with the Council that payment will be with the cost of living increase.

15. 2019-2020 Employment Practices Liability Program.

C/Surak mentioned that he will work with C/Bauer on the Personnel Manual.

16. Proposals from Procomm System Inc. for the followings:

- a. New Police Dept. Communication System-\$282,405.00
- b. Building Telecommunications & security Systems-\$284,434,00

C/Surak mentioned about the proposal from Procomm for the Municipal Building telecommunications and security system and they have the state contract for labor only, not the equipment. He spoke about an email from Michael Milla regarding Procomm who cannot provide equipment under state contract. He will speak with Mr. Lerch regarding purchasing the equipment under GSA Contract.

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

RESOLUTION #18-192

WHEREAS, two proposals were solicited for Police Console and Communication Equipment for new Municipal Building; and

WHEREAS, two proposals as follows:

Procomm Systems, Inc.- \$282,405.00-(New Jersey State Contract# 83924, #83931 and #83891)

Motorola Solutions, Inc.- \$265,930.46 – (New Jersey State Contract #83909)

(Motorola Solutions, Inc. did not include costs for wiring distribution, relocation of transmitter/antennas, extended warranty and ground wiring)

WHEREAS, L+C Design Consultants PA recommended to award the contract to Procomm Systems, Inc.; and

NOW THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Moonachie that the award of the contract to Procomm Systems, Inc. for the proposal in the amount of \$282,405.00 under New Jersey State Contract# 83924, #83931 and #83931 be and is hereby approved for installation of new Police Communication console, dispatch system, extended warranties, UPS system, required electrical distribution, equipment grounding system, computer enclosures, logging & recording equipment and relocation of existing radio antennas Equipment.

ROLL CALL: Bauer, Cirillo, Kinsella, Martinez, Surak.

All ayes. So ordered.

C/Bauer mentioned that he reviewed all the roads that need to be paved with the Mayor and Superintendent Lyons.

C/Kinsella reminded that the 8th Grade Graduation will be on June 19th.

C/Surak mentioned that he will present the Council award at graduation.

Administrator Ciannanea explained that the Ladies Auxiliary does not have any money for an award, so the Borough is giving the Council award for citizenship.

C/Surak read the letter of resignation of Brenda Garner from the Board of Health.

Suggested that Rita Wende can become a full member and mentioned that Maria DeTullio is interested to become a member. He will speak with both of them regarding the Board of Health. He spoke about a speed bump was put on Graphic Place by a company, but now the company removed the speed bump.

The Council discussed that Attorney Migliorino will send a letter to the company regarding the speed bump. He reminded everyone about archiving their emails on Network Solutions.

PUBLIC HEARING: Nobody appeared for the public hearing.

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

ROLL CALL: Bauer, Cirillo, Kinsella, Martinez, Surak.

All ayes. So ordered.

Motion by C/Bauer and second by C/Martinez to adjourn the meeting at 8:10P.M.

ROLL CALL: Bauer, Cirillo, Kinsella, Martinez, Surak.

All ayes. So ordered.

ATTEST:

Supriya Sanyal
Borough Clerk