

Regular Meeting called to order, Mayor Dennis Vaccaro in the chair, at Kathryn E. Flynn Civic Center on Thursday, May 26, 2016 at 8:03 P.M.

Mayor called for Pledge of Allegiance to the Flag.

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

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

Motion by C/Cirillo and second by C/Bauer to approve the Minutes of Regular Meeting of January 28, 2016 and February 25, 2016.

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

All ayes. So ordered.

#### COMMUNICATIONS:

Bergen County Board of Chosen Freeholders- recognizing May, 2016 as Historic Preservation Month.

New Jersey Department of Environmental Protection-issuance of Soil Remedial Action Permit for Photogravure & Color Company, 100 Grand Street, in the Borough of Moonachie.

Bohler Engineering- response to comments submitted by Mayor Gary Brugger of the Township of South Hackensack on the Flood Hazard Area Individual Permit and Verification Application for proposed Airport Expansion Project, Block 203, Lot 1, in the Borough of Teterboro.

First Environment- submittal of NJDEP Remedial Action Protectiveness/Biennial Certification Form-soil to NJDEP for Meadowlands Bindery, INC., 146 West Commercial Avenue, in the Borough of Moonachie.

Langan Engineering and Environmental Services, Inc.- notification of groundwater Classification Exception Area/Well Restriction Area and NJDEP CEA/WRA Fact Sheet from and supporting documentation for Former Ryder Truck Rental Facility, 125 Commercial Ave, in the Borough of Carlstadt.

Louis Rossi, 35 W. Park St., Moonachie- notice of an application for variance to the Planning Bd. to erect a fence at 35 W. Park St.

Planning Board of Borough of Wood-Ridge- notice of a public hearing on the adoption of the 2016 Master Plan and Reexamination Report.

Borough of Closter and Borough of Maywood- supporting to deny parole for Christopher Righetti.

Bergen County Board of Chosen Freeholders-recognizing May 2<sup>nd</sup> – May 6<sup>th</sup> as National Teacher Appreciation Week.

Borough of Closter- recognizing May 1<sup>st</sup> –May 7<sup>th</sup> as Municipal Clerk's Week.

Public Service Electric and Gas Company- notice of filing and public hearing on the matter of the petition of PSE&G for approval of Electric and Gas base rate adjustments pursuant to the energy strong program.

Borough of Harrington Park, Borough of Wallington and Borough of Fair Lawn- requesting deny of parole for Christopher Righetti.

Public Service Electric and Gas Company-notice of filing and public hearing on the matter of the petition of PSE&G for approval of a second extension of a Solar Generation Investment Program and associated Cost Recovery Mechanism and for changes in the tariff for Electric Service.

Borough of Franklin Lakes- urging Governor to sign Senate Bill 969 into law in order to effectuate the voters' desire to fund Green acres projects.

New Jersey Transit Corp.-notice of intention to apply for Federal Fiscal Year 2016 federal financial assistance.

Langan Engineering & Environmental Services, Inc.- response to S. Hackensack comment letter regarding application for Flood Hazard Area Verification, Individual Flood Hazard Area permit, Individual Water Quality Certification and Coastal Zone Consistency Determination for First Aviation Services Expansion Project.

New Jersey Department of Environmental Protection- issuance of Ground Water Remedial Action Permit for the site located a Former AE&A Service Station, 270 Moonachie Avenue, in the Borough of Moonachie

Mayor Vaccaro- spoke about communication item number 3 which is for the flood Hazard permit for the expansion of the hangars at the Airport. He met with the DEP and the Mayor of South Hackensack to voice concerns and questions. He mentioned that they have not been approved for any permits for construction and DEP is still reviewing engineering reports, and they will hear back about any concerns. His concern was that the whole airport property was not taken into consideration with the floodplain only a piece of the property.

Motion by C/Millar and second by C/Martinez to file communication.  
ROLL CALL: Bauer, Cirillo, Martinez, Millar, Surak.  
All ayes. So ordered.

FORMAL ACTION TAKEN AT THE EXECUTIVE MEETING ON MAY 12, 2016:

Motion by C/Bauer and second by C/Millar to approve following Resolutions at the Executive Meeting on May 12, 2016:

RESOLUTION #16-130

**WHEREAS**, at the Municipal Tax Sale held on Nov.12, 2015, a lien was sold on Block 74/ Lot 1.02, also known as 35 Union St, Moonachie, NJ, for 2014 delinquent sewer charges; and,

**WHEREAS**, this lien, known as Tax Sale Certificate #15-011, was sold to US BankCust for PC6, LLC Sterling, for a 0% redemption fee and a \$400 premium; and,

**WHEREAS**, Powers Kirn, LLC, representing property owner, Manal Fayek, has effected redemption of Certificate #15-011 in the amount of \$735.97,

**NOW, THEREFORE, BE IT RESOLVED**, by Mayor and Council that a check in the amount of \$735.97 be and is hereby authorized to be issued and payable to US BankCust for PC6, LLC Sterling National, for the redemption of Tax Sale Certificate #15-011 .

**BE IT FURTHER RESOLVED**, that Mayor and Council to issue a check in the amount of \$400.00(Premium) to the aforementioned lien holder.

RESOLUTION #16-131

WHEREAS; the Borough of Moonachie has identified the certain surplus property, no longer needed for public use, a list of which is attached to this resolution; and

WHEREAS, the Borough of Moonachie wishes sell the above referenced surplus property at auction pursuant to N.J.S.A. 40A:11-36; and

WHEREAS the Borough of Moonachie is a member of the Bergen County Cooperative Pricing System#11BECCP, established pursuant to N.J.S.A. 40A:11-11; and

WHEREAS the County of Bergen has awarded a contract for auctioneering services to Caspert Management Co., Inc. and made same available to the members of the Bergen County Cooperative Pricing System#11BECCP; and

WHEREAS; it is in the best interest of the Borough of Moonachie to have municipality's property listed and offered for sale in the same auction as the County of Bergen's surplus property; and

WHEREAS, the Borough of Moonachie seeks to utilize the services of Caspert Management Co., Inc. pursuant to the cooperative pricing system agreement, Contract

No.13-74, to have municipality's surplus property offered for sale in the same auction as the County of Bergen's surplus property; and

WHEREAS; in authorizing the auction of said property in conjunction with the County of Bergen, the Borough of Moonachie recognizes that it is separately contracting with the vendor, and shall hold harmless and indemnify the County of Bergen for any liability that may result from said auction; and

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Moonachie, Bergen County and the State of New Jersey that it hereby authorizes a contract to Caspert Management Co., Inc., for auctioneering services, in accordance with the Bergen County Cooperative Pricing System#11BECCP Contract#13-74, to effectuate the sale of Borough of Moonachie's surplus property at auction together with property being offered for sale by the County of Bergen::

Vendor: Caspert Management Co., Inc.  
 Bergen County Cooperative Pricing System#11BECCP Contract #13-74  
 Brief Description: Auctioneer Services  
 Terms: Vendor to received commission of 15% of proceeds

BE IT FURTHER RESOLVED; that the Purchasing Agent and all other necessary officials and employees be authorized and directed to take such further actions and sign such documents as are necessary to effectuate the purpose of this resolution.

BE IT FURTHER RESOLVED, that copies of this resolution be forwarded to Caspert Management Co., Inc. and the County of Bergen.

Year	Make	Model	Plow	Salter	VIN	Mileage	Condition
1976	John Deere	Tractor			301AD241176T	Unknown	Poor
1982	GMC		X		1GDP7D1Y6CV576717	13,925	Poor
1996	Ford	Bronco	X		11FMEU15H4TLA90881	133,418	Poor
1996	Ford	Bronco			1FMEU15H0TLC20302	Unknown	Fair
1997	Chevrolet	Tahoe			11GNEK13R8VJ324080	132,024	Fair
1997	GMC				11GTHK34R4VE521515	113,567	Poor
2001	Ford	Crown Victoria			12FAFP71W21X150735	Unknown	Poor
2002	Ford		X	X	1FTSSW31L42EB62432	52,592	Fair
2002	Ford	Explorer			1FMZU72E82UC31524	Unknown	Poor
2005	Ford	Crown Victoria			2FAFP71W45X171186	Unknown	Poor

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

Motion by C/Bauer and second by C/Cirillo to approve the following Resolution at the Executive Meeting on May 12, 2016:

RESOLUTION #16-132

BE IT RESOLVED by the Mayor and Council of the Borough of Moonachie that William G. Hunt, Jr. be and is hereby as a property Maintenance Office at the annual salary of \$5,000.00 effective May 16<sup>th</sup>, 2016.

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

REGULAR MEETING OF MAY 26, 2016:

BIDS: Seven Bids were received on May 17<sup>th</sup>, 2016 at 1:00 P.M. for new Municipal Building:

	Base Bid	Alt. 1	Alt. 2	Alt. 3	Alt. 4	Alt. 5
Two Brothers Contracting, Inc. 11 Vreeland Ave. Totowa, NJ 07512	\$7,268,000	\$75,000	\$15,000	\$60,000	\$30,000	\$40,000

Mark Construction, Inc.  
81 Lester St. Suite 2  
Wallington, NJ 07057      \$7,812,000      \$91,400 \$21,400 \$90,400 \$5,400      \$54,400

UniMak, LLC  
82 Midland Ave.  
Saddle Brook, NJ 07663      \$7,945,000      \$140,000 \$15,000 \$143,000 \$45,000      \$33,000

Belmont Construction  
240 W. Passaic St. Suite 11  
Maywood, NJ 07607      \$7,950,000      \$95,000 \$20,000 \$90,000 \$12,000      \$52,000

Bismark Construction Corp.  
207-209 Berkeley Ave.  
Newark, NJ 07107      \$7,971,000      \$104,000 \$11,000 \$95,000 \$16,000      \$62,000

Brahma Construction Corp  
58 Wallington Ave. Suite B  
Wallington, NJ 07057      \$8,097,000      \$144,000 \$22,800 \$78,000 \$37,500      \$75,000

Molba Construction  
392 Liberty St.  
Little Ferry, NJ 07643      \$8,185,413      \$89,000 \$18,000 \$145,000 \$10,000 \$43,000

\*There are three Cash Allowances- \$100,000, \$125,000 and \$125,000 for all the Bidders

Mayor Vaccaro- we had a meeting last week to discuss the bids and some questions for the architect. We want to make sure that the paperwork was in order and for the attorney's review of the bid. Based on the attorney and architect review, we do not have a problem with awarding the bid to the lowest bidder, which is Two Brothers Contracting. The base bid is \$7,268,000 and we are looking to do two of the alternates, Alternate 1, which is the Memorial Park for \$75,000 and Alternate 5 for the digital sign for outside for \$40,000. He mentioned that the base bid is \$7,618,000 with the cash allowances and with the two Alternates, the total amount is \$7,733,000, they have to hold the price for the remaining alternates for 60 days.

Motion by C/Bauer and second by C/Millar to approve Resolution#16-133:

RESOLUTION #16-133

WHEREAS, seven bids were received on May 17, 2016 1:00 P.M. for Moonachie Municipal Building; and

WHEREAS, opening of bids took place May 17, 2016 at 1:00 P.M., at which time the bids were received from the following:

	Base Bid	Alt. 1	Alt. 2	Alt. 3	Alt. 4	Alt. 5
Two Brothers Contracting, Inc. 11 Vreeland Ave. Totowa, NJ 07512	\$7,268,000	\$75,000	\$15,000	\$60,000	\$30,000	\$40,000
Mark Construction, Inc. 81 Lester St. Suite 2 Wallington, NJ 07057	\$7,812,000	\$91,400	\$21,400	\$90,400	\$5,400	\$54,400
UniMak, LLC 82 Midland Ave. Saddle Brook, NJ 07663	\$7,945,000	\$140,000	\$15,000	\$143,000	\$45,000	\$33,000
Belmont Construction 240 W. Passaic St. Suite 11 Maywood, NJ 07607	\$7,950,000	\$95,000	\$20,000	\$90,000	\$12,000	\$52,000
Bismark Construction Corp. 207-209 Berkeley Ave. Newark, NJ 07107	\$7,971,000	\$104,000	\$11,000	\$95,000	\$16,000	\$62,000
Brahma Construction Corp 58 Wallington Ave. Suite B Wallington, NJ 07057	\$8,097,000	\$144,000	\$22,800	\$78,000	\$37,500	\$75,000
Molba Construction 392 Liberty St. Little Ferry, NJ 07643	\$8,185,413	\$89,000	\$18,000	\$145,000	\$10,000	\$43,000

\*There are three Cash Allowances- \$100,000, \$125,000 and \$125,000 for all the Bidders

WHEREAS, the Chief Financial Officer of the Borough of Moonachie has filed with the Borough Clerk said certificate of Availability of Funds prior to this Resolution becoming effective; and

WHEREAS, Borough Attorney and L +C Design Consultants PA reviewed and recommended acceptance of the bid of Two Brother Contracting Inc., being the lowest bidder of seven (7) bids received; and

WHEREAS, it is in the best interest of the Borough of Moonachie to approve the recommendation and accept the bid aforesaid; and

NOW THEREFORE BE IT RESOLVED , by the Mayor and Council that the base bid with three cash allowances in the amount of \$7,618,000, Alternate 1 in the amount of \$75,000 and Alternate 5 in the amount of \$40,000 be and are awarded to Two Brothers Contracting, Inc.; and

BE IT FURTHER RESOLVED that the Borough of Moonachie hereby reserves the right for consideration of Bid Alternate 2 and/or Alternate 3 and/or Alternate 4 in future; and

BE IT FURTHER RESOLVED, that the Borough Clerk and the Mayor be and are hereby authorized to enter into a contract with Two Brothers Contracting Inc. for the purposes of base bid with three cash allowances in the amount of \$7,618,000, Alternate 1 in the amount of \$75,000 and Alternate 5 in the amount of \$40,000; and

BE IT FURTHER RESOLVED, that the Borough Attorney be and is hereby authorized to prepare all necessary documents to effectuate this resolution.

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

Proposal of Post Sandy Planning Grant:

Two proposals were received on May 24<sup>th</sup>, 2016 at 11A.M.

	<b>Project 1</b> Master Plan Re-Exam.	<b>Project 2a</b> Industrial Site Neighborhood Plan	<b>Project 2b</b> Indus. & Mobile Home Site Neighborhood Plan	<b>Project 3</b> Zoning Ord. Update	<b>Project 4</b> Design Standards Ord.
Hayer Gruel & Associates 236 Broad St. Red Bank, NJ	\$49,915	\$14,910	\$24,970	\$24,895	\$24,950
L+C Design Consultants PA One Marine Plaza, Suite 205 North Bergen, NJ	\$50,000	\$15,000	\$25,000	\$25,000	\$25,000
	<b>Project 5</b> Debris Management Plan	<b>Project 6</b> GIS Data Base	<b>Project 7</b> Capital Improvement Plan		
Hayer Gruel & Associates 236 Broad St. Red Bank, NJ	\$19,990	\$49,960	\$28,530		
L+C Design Consultants PA One Marine Plaza, Suite 205 North Bergen, NJ	\$20,000	\$50,000	\$30,000		

Mayor Vaccaro- we apply for the seven grants and we may get all seven grants. He mentioned that the most responsible is L+C Design, the cost is the same as the grants, altogether \$240,000.

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

**RESOLUTION #16-134**

WHEREAS, the Borough of Moonachie has sought professional services for the implementation of the following Post Sandy Planning Assistance Grants:

1. Master Plan Reexamination Report including Resiliency, Floodplain, Economic, and Open Space elements;

2. Neighborhood Plans based on Special Study areas for critical Industrial and Mobile Home Sites;
3. Update Zoning Ordinance based on revised Plan Elements;
4. Design Standards;
5. Debris Management Plan;
6. GIS Database Plan;
7. Capital Improvement Plan.

WHEREAS, two proposals were received on May 24<sup>th</sup>, 2016 at 11A.M.

	Project 1 Master Plan Re-Exam.	Project 2a Industrial Site Neighborhood Plan	Project 2b Indus. & Mobile Home Site Neighborhood Plan	Project 3 Zoning Ord. Update	Project 4 Design Standards Ord.
Hayer Gruel & Associates 236 Broad St. Red Bank, NJ	\$49,915	\$14,910	\$24,970	\$24,895	\$24,950
L+C Design Consultants PA One Marine Plaza, Suite 205 North Bergen, NJ	\$50,000	\$15,000	\$25,000	\$25,000	\$25,000
	Project 5 Debris Management Plan	Project 6 GIS Data Base	Project 7 Capital Improvement Plan		
Hayer Gruel & Associates 236 Broad St. Red Bank, NJ	\$19,990	\$49,960	\$28,530		
L+C Design Consultants PA One Marine Plaza, Suite 205 North Bergen, NJ	\$20,000	\$50,000	\$30,000		

WHEREAS, the Borough attorney reviewed these proposals and his opinion is that all things being considered and it is in the best interest of the Borough of Moonachie that the contract should be awarded to L+C Design Consultants, PA for the professional service of the implementation of the aforementioned Post Sandy Planning Assistance Grants; and

NOW THEREFORE, BE IT RESOLVED that contract(s) will be awarded based on the proposal of L+C Design Consultants, PA, for said Post Sandy Planning Assistance Grants set forth in the submitted proposal and contingent upon a formal Grant Agreement with the NJ Department of Community Affairs.

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

Mayor Vaccaro- stated that we have to make an ordinance to set the money aside before the money can be used. We can introduce the ordinance at the next meeting and adopt it the following month. He mentioned that the Borough will be reimbursed, but the Borough will have to spend for the soft cost such as bond counsel.  
Administrator Ciannamea- we awarded the proposal, subject to receiving the funding and putting it in place.

NEW BUSINESS:

CONSENT RESOLUTIONS:

All matters listed bellows are considered to be routine in nature and will be enacted by one motion and second.

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

RESOLUTION #16-135

WHEREAS, LPS Industries, LLC - 10 Caesar Place disputed their 1<sup>st</sup> quarter 2016 Sewer Bill (for the usage of October thru December 2015) in the amount of \$15,649.51. This dispute was based on the theory of that there was a duplicated water reading from United Water on 12/31/2015.

WHEREAS, through subsequent review and evaluation, it was determined that United Water had “rolled back” the LPS billing from the end of June thru December and by doing this they credited the roll back and recharged for the full 197 days. This caused the Borough to receive a six month reading instead of just the 3 months for the quarter.

WHEREAS, Since LPS had already been charged and has paid the months of July through September 2015 for 4<sup>th</sup> quarter Sewer bill of 2015, LPS was double-charged.

WHEREAS, LPS’ corrected 1<sup>st</sup> quarter 2016 sewer bill should be \$7,866.49 for 93 days of service and not \$15,649.51 that was billed.

WHEREAS, a credit of **\$7,803.02** is owed to LPS for the overbilling; and

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council that the Tax Collector be and is hereby authorized to credit LPS Industries LLC, for the overbilling in 1<sup>st</sup> quarter, 2016 Sewer bill in the amount of **\$7,830.02**.

BE IT FURTHER RESOLVED, that authorization for waiving any interest charges resulting from this over billing is granted.

RESOLUTION #16-136

WHEREAS, Borough Engineer Kevin Boswell was requested to and has submitted to the Borough a proposal for the preparation of construction plans, specifications and construction inspection for 2016 NJDOT Local Aid Project- Commercial Ave.(Sec. 3); and

WHEREAS, the Borough of Moonachie has the funding available in the Capital Improvement fund; and

NOW THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Moonachie has accepted the “Proposal” and authorizes Boswell Engineering to perform the work outlined in the “Proposal” at a cost not to exceed \$16,800.00; and

BE IT FURTHER RESOLVED, that an executed copy of this Resolution be forwarded to Boswell McClave Engineering.

RESOLUTION #16-137

WHEREAS, New York SMSA Limited Partnership d/b/a Verizon Wireless, (“Verizon Wireless”), is a provider of commercial mobile service subject to regulation by the Federal Communications Commission; and

WHEREAS, Verizon Wireless has entered into agreements with parties that have the lawful right to maintain poles in the public right-of-way pursuant to which Verizon Wireless may jointly use such poles erected within the public right-of-way in the Borough of Moonachie; and

WHEREAS, New Jersey law permits such joint use provided that there is the consent of the relevant municipality;

NOW THEREFORE, BE IT RESOLVED BY THE BOROUGH COUNCIL OF THE BOROUGH OF MOONACHIE, COUNTY OF BERGEN, STATE OF NEW JERSEY THAT:

Permission and authority are hereby granted to Verizon Wireless and its successors and assigns, to jointly use poles erected by parties that have the lawful right to maintain poles within the public right-of-way in the Borough of Moonachie, subject to the following:

Verizon Wireless, and its successors and assigns, shall adhere to all applicable Federal, State, and Local laws regarding safety requirements related to the use of the public right-of-way.

Verizon Wireless, and its successors and assigns, shall comply with all applicable Federal, State and Local laws requiring permits prior to beginning construction, and shall obtain any applicable permits that may be required by the Borough of Moonachie.

Such permission be and is hereby given upon the condition and provision that Verizon Wireless, and its successors and assigns, shall indemnify, defend and hold harmless the Borough of Moonachie, its officers, agents, and servants, from any claim of liability or loss or bodily injury or property damage resulting from or arising out of the acts or omissions of Verizon Wireless or its agents in connection with the use and occupancy poles located within the public right-of-way, except to the extent resulting from the acts of omissions of the Borough of Moonachie.

Verizon Wireless, shall, at its own cost and expense, maintain commercial general liability insurance with limits not less than \$1,000,000 for injury to or death of one or more person in any one occurrence and \$500,000 for damage or destruction to property in any one occurrence. Verizon Wireless shall include the Borough of Moonachie as an additional insured.

Verizon Wireless shall be responsible for the repair of any damage to paving, existing utility lines, or any surface or subsurface installation, arising from its construction, installation or maintenance of its facilities.

Notwithstanding any provision contained herein, neither the Borough of Moonachie nor Verizon Wireless shall be liable to the other for consequential, incidental, exemplary, or punitive damages on account of any activity pursuant to this instrument.

This instrument shall be adopted on behalf of the Borough of Moonachie by the Borough Council of the Borough of Moonachie and attested by the Borough of Moonachie Clerk who shall affix the Borough of Moonachie seal hereto.

The permission and authority hereby granted shall continue for the same period of time as the grant to parties whose poles Verizon Wireless is jointly using.

BE IT FURTHER RESOLVED, that this resolution authorizes Verizon Wireless to jointly use poles erected within the public right-of-way of the Borough of Moonachie by parties that have the lawful right to maintain such poles.

#### RESOLUTION #16-138

BE IT RESOLVED, by the Mayor and Council of the Borough of Moonachie that the payment in the amount of \$82,471.50 to First Priority Emergency Vehicles 24444 Ridgeway Blvd. bldg. 500, Manchester, NJ 08759 for the purchase of Demers MXP 170E Type 1 Ambulance (on a Ford F450 4x4 Diesel Chassis) through the Houston-Galveston Area Council (HGACBuy) Inter-local Contract for Cooperative Purchasing be and is hereby approved.

RESOLUTION #16-139

WHEREAS, an application has been filed for a person to person transfer of Plenary Retail Consumption License 0237-33-003-004, heretofore issued to Dunia Corporation, for premises located at 110 Moonachie Avenue, Moonachie, New Jersey; and

WHEREAS, the submitted application form is complete in all respects, the transfer fees have been paid and the license has been properly renewed for the current license term; and

WHEREAS, the applicant is qualified to be licensed according to all standards established by Title 33 of the New Jersey Statutes, regulations promulgated thereunder, as well as pertinent local ordinances and conditions consistent with Title 33; and

WHEREAS, the applicant has disclosed and the issuing authority reviewed the source of all funds used in the purchase of the license and the licensed business and all additional financing obtained in connection with the licensed business;

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Moonachie does hereby approve, effective May 27<sup>th</sup>, 2016, the transfer of the aforesaid Plenary Retail Consumption License to La Havana 59 Corp., and does hereby direct the Borough Clerk to endorse the license certificate to the new ownership as follows: "This License, subject to all its terms and conditions, is hereby transferred to La Havana Corp. effective May 27<sup>th</sup>, 2016."

RESOLUTION #16-140

BE IT RESOLVED that the Mayor is hereby authorized to sign an agreement with Joseph Licata as Ombudsman to hear application for a rent application for the Mobile Home Parks, at a rate of \$175.00 per hour for a minimum of 15 hours per application (\$2, 625.00) and a maximum of 20 hours per application (\$3,500.00).

RESOLUTION #16-141

BE IT RESOLVED by the Mayor and Council of the Borough of Moonachie that the Mayor be and is hereby authorized to sign the followings Post Sandy Planning Assistance Grants:

1. Master Plan Reexamination Report including Resiliency, Floodplain, Economic, and Open Space elements;
2. Neighborhood Plans based on Special Study areas for critical Industrial and Mobile Home Sites;
3. Update Zoning Ordinance based on revised Plan Elements;
4. Design Standards;
5. Debris Management Plan;
6. GIS Database Plan;
7. Capital Improvement Plan.

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

OUT OF CONSENT:

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

RESOLUTION#16-142

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 2016-2017; 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.

ROLL CALL: Bauer, Cirillo-eyes, Martinez- recused, Millar, Surak-eyes  
Four ayes, one recused. Motion carried.

BILLS:

BILL LIST MAY 2016

CHECK	CURRENT ACCOUNT	AMOUNT
059060	TIME WARNER CABLE	152.23
059061	ANTHONY CIANNAMEA	151.15
059062	VERIZON	157.36
059063	SWIFTREACH NETWORKS INC.	2,240.00
059064	OFFICER STORE WITMER PUBLIC SAFETY GROUP	140.99
059065	MARLIN LEASING	100.00
059066	DELAGE LANDEN FINANCIAL SERVICES	223.86
059067	DELAGE LANDEN FINANCIAL SERVICES	241.03
059071	MODSPACE	5,720.00
059072	STANDARD INSURANCE	1,245.56
059073	FERRARA FIRE APPARATUS INC.	693.87
059074	PALISADES SALES CORPORATION	1,994.00
059075	FERRARA FIRE APPARATUS INC.	872.03
059076	BOROUGH OF WOOD-RIDGE	2,700.00
059077	C&C TIRE	222.54
059078	EVANS CATERING SERVICE	6.75
059079	PALISADES SALES CORPORATION	442.00
059080	PAPER CLIPS	53.99
059081	VIP CAR WASH	36.00
059082	PANORAMA TOURS INC.	675.00
059083	JJ&K DISTRIBUTORS	165.60
059084	SUEZ WATER NEW JERSEY	358.59
059085	PANORAMA TOURS INC.	550.00
059086	BOSWELL ENGINEERING	173.00
059087	BOSWELL ENGINEERING	786.00
059088	KEEHN POWER PRODUCTS INC.	30.00
059089	RETRON	79.99
059090	PIA, INC.	231.12

059091	JOHN EARL	42.90
059092	PAPER CLIPS	319.50
059093	RACHLES/MICHELE'S OIL CO.	125.10
059094	BOARD OF EDUCATION	600,061.16
059095	C&C TIRE	673.82
059096	CERTIFIED SPEEDOMETER	190.00
059098	DART COMPUTER SERVICES INC.	1,105.00
059099	MODSPACE	17,160.00
059100	NEW JERSEY STATE ASSN. OF CHEIFS OF POLICE	345.00
059101	TIME WARNER CABLE	144.99
059102	TRUCK PARTS SPECIALIST/TRUCKPRO	230.00
059103	COUNTY OF BERGEN	5,050.00
059104	COUNTY OF BERGEN	421,000.00
059105	RAINBOW CLEANERS	55.00
059106	BOROUGH OF MOONACHIE PAYROLL ACCOUNT	131,155.34
059107	BOROUGH OF MOONACHIE PAYROLL ACCOUNT	9,420.29
059108	DOMESTIC UNIFORM RENTAL	74.70
059109	ANTHONY CIANNAMEA	58.95
059110	ACTION DATA SERVICES	961.32
059111	BOSWELL ENGINEERING	262.00
059112	CONTENT PARTY RENTAL	1,251.25
059113	LITTLE FERRY PUBLIC LIBRARY	100.00
059114	LOWE'S HOME CENTER INC.	59.54
059115	MODSPACE	5,720.00
059116	PHILIP A. FACENDOLA	286.66
059117	PUBLIC SERVICE E & G	10,121.70
059118	SOUTH BERGEN MUNICIPAL JOIN INSURANCE FUND	77,141.64
059119	SUEZ WATER NEW JERSEY	46.71
059121	ATEY AUTO BODY, INC.	2,232.91
059122	BERGEN COUNTY UTILITIES AUTHORITY	4,748.98
059123	EVANS CATERING SERVICE	67.20
059124	FEDEX TECH CONNECT REVENUE SERVICES	26.63
059125	LOWE'S HOME CENTER INC.	71.47
059127	TIME WARNER CABLE	149.99
059128	V.E. RALPH & SON INC.	131.54
059130	PORT AUTHORITY OF NY AND NJ	132.99
059131	PORT AUTHORITY OF NY AND NJ	143.25
059132	VERIZON	179.47
059133	VERIZON	268.87
059134	VERIZON	6.55
059135	GLEN BUSINESS MACHINES	55.50
059136	MANSFIELD OIL COMPANY	2,994.54
059137	HERBERT & WEISS ATT. AT LAW	1,935.75
059138	PAPER CLIPS	549.01
059139	REYNWOOD COMMUNICATIONS	552.53
059140	TIME WARNER CABLE	228.22
059141	PUBLIC SERVICE E & G	10,286.41
059142	HERBERT & WEISS ATT. AT LAW	117.00
059143	SUEZ WATER NEW JERSEY	5,672.01
059145	VERIZON	77.84
059146	VERIZON	40.91
059147	VERIZON	38.55
059148	EARTHLINK BUSINESS	1,277.88
059149	VERIZON	77.78
059150	AGE'S AUTO LLC.	596.45
059151	METRO CENTER FOR FORENSIC PSYCHOLOGY	2,500.00
059152	PALISADES SALES CORPORATION	249.00
059155	BOROUGH OF MOONACHIE TRUST ESCROW	1,034.82
059156	SUEZ WATER NEW JERSEY	79.10
059157	MODERN HANDLING EQUIPMENT N.J.	535.33
059158	SUEZ WATER NEW JERSEY	78.24

059159	AGE'S AUTO LLC.	89.00
059160	LERCH, VINCI & HIGGINS	652.50
059161	HOMETOWN AUTO PARTS	210.44
059162	WORK N GEAR	500.00
059163	LOWE'S HOME CENTER INC.	89.27
059164	NEW JERSEY SPORTS & EXPOSITION AUTHORITY	890.50
059165	SUEZ WATER NEW JERSEY	188.71
059166	IRON MOUNTAIN	737.91
059167	PANORAMA TOURS INC.	550.00
059168	LERCH, VINCI & HIGGINS	4,368.25
059169	MILLENIUM STRATEGIES	1,500.00
059170	ANJR	75.00
059171	BIOCHEM SUPPLY	930.00
059172	VERIZON WIRELESS	1,303.05
059173	HOMETOWN AUTO PARTS	335.19
059174	MAGIC TOUCH AUTO SPA	212.11
059175	HOMETOWN AUTO PARTS	179.72
059176	BOROUGH OF MOONACHIE PAYROLL ACCOUNT	152,743.76
059177	BOROUGH OF MOONACHIE PAYROLL ACCOUNT	11,051.93
059178	GALL'S INC.	16.25
059179	VERIZON	77.80
059180	VIP CAR WASH	42.00
059181	SUPRIYA SANYAL PETTY CASH FUND	77.29
059182	STANDARD INSURANCE	1,245.56
059183	BERGEN COUNTY UTILITIES AUTHORITY	3,590.98
059184	DELAGE LANDEN FINANCIAL SERVICES	214.20
059185	PUBLIC SERVICE E & G	7,796.47
059186	VILLON, SOL M	150.00
059187	FRANK CARDONE	1,525.00
059188	PORT AUTHORITY OF NY AND NJ	222.78
059189	EVANS CATERING SERVICE	65.72
059190	METRO FIRE & SAFETY EQUIPMENT	167.00
059191	W-R MEMORIAL LIBRARY	120.00
059192	IRON MOUNTAIN	797.92
059193	JOSEPH SMENTKOWSKI INC.	7,425.84
059194	LINCOLN FINANCIAL ADVISORS	44,491.65
059195	LOWE'S HOME CENTER INC.	114.15
059196	NEW JERSEY SPORTS & EXPOSITION AUTHORITY	559.80
059197	OFFICER STORE WITMER PUBLIC SAFETY GROUP	97.00
059198	RETRON	84.50
059199	VIP CAR WASH	12.00
059200	METRO FIRE & SAFETY EQUIPMENT	250.20
059201	VERIZON	263.99
<b>TOTAL</b>		<b>1,586,757.39</b>

CHECK	CURRENT ACCOUNT	AMOUNT
059097		VOID
059120		VOID
059126		VOID
059129		VOID
059144		VOID
059154		VOID

CHECK	SEWER OPERATING ACCOUNT	AMOUNT
006280	CLEARWATER SERVICES	6,951.75
006281	SUEZ WATER NEW JERSEY	52.18
006282	BOROUGH OF MOONACHIE PAYROLL ACCOUNT	16,061.89
006283	BOROUGH OF MOONACHIE PAYROLL ACCOUNT	1,153.65
006284	Q.C. LABORATORIES	84.00

006285	VERIZON	35.91
006286	SUEZ WATER NEW JERSEY	61.85
006287	U.S.BANKCUST FOR PC6, LLC STERLING NATIONAL	735.97
006288	LERCH, VINCI & HIGGINS	1,738.00
006289	BOROUGH OF MOONACHIE PAYROLL ACCOUNT	1,141.94
006290	BOROUGH OF MOONACHIE PAYROLL ACCOUNT	15,782.26
006291	PUBLIC SERVICE E & G	2,062.92
006292	LOWE'S HOME CENTER INC.	242.00
006293	US BANK CUST FOR PRO CAP II LLC.	1,115.46
006295	PUBLIC SERVICE E & G	2,484.37
006297	PUBLIC SERVICE E & G	4,048.11
006298	CLEARWATER SERVICES	16,956.10
006299	US BANK CUST FOR PRO CAP II LLC.	1,559.02
<b>TOTAL</b>		<b>72,267.38</b>

CHECK	SEWER OPERATING ACCOUNT	AMOUNT
006294		VOID
006296		VOID

CHECK	GENERAL CAPITAL ACCOUNT	AMOUNT
001768	ARCARI + IOVINO ARCHITECTS, PC	6,750.00
001769	BOSWELL ENGINEERING	1,797.00
001770	BOSWELL ENGINEERING	11,437.50
001772	DECOTIIS, FITZPATRICK, COLE & WISLER,LLP	746.40
001773	LERCH, VINCI & HIGGINS	705.00
001774	MACKENZIE AUTOMATIC DOORS	13,526.00
001775	BOSWELL ENGINEERING	1,469.00
001776	KEY-TECH	1,415.00
001778	DECOTIIS, FITZPATRICK, COLE & WISLER,LLP	50.00
001779	L & C DESIGN CONSULTANTS	94,743.17
001780	BOSWELL ENGINEERING	9,842.50
<b>TOTAL</b>		<b>142,481.57</b>

CHECK	CAPITAL ACCOUNT	AMOUNT
001771		VOID

CHECK	SEWER CAPITAL ACCOUNT	AMOUNT
002079	DECOTIIS, FITZPATRICK, COLE & WISLER,LLP	33.44
<b>TOTAL</b>		<b>33.44</b>

CHECK	SEWER CAPITAL ACCOUNT	AMOUNT
002078		VOID

CHECK	DOG ACCOUNT	AMOUNT
001422	N.J. DEPT. OF HEALTH AND SENIOR SERVICES	13.20
<b>TOTAL</b>		<b>13.20</b>

CHECK	TRUST ACCOUNT	AMOUNT
1433	PHILIP A. FACENDOLA	76.98
1434	PHILIP A. FACENDOLA	74.47
1435	PHILIP A. FACENDOLA	134.10
1436	PHILIP A. FACENDOLA	84.35
1437	PHILIP A. FACENDOLA	104.08
1438	PHILIP A. FACENDOLA	115.52

1439	PHILIP A. FACENDOLA	72.89
1440	BOSWELL ENGINEERING	251.50
1441	WEST POINT TOURS	1,449.00
1442	FIRST STUDENT BUS COMPANY	475.00
1443	C J'S PIZZA	80.00
1444	FIRST STUDENT BUS COMPANY	175.00
1445	BOSWELL ENGINEERING	1,635.50
1446	U.S.BANKCUST FOR PC6, LLC STERLING NATIONAL	400.00
1447	PHILIP A. FACENDOLA	92.99
1448	BOSWELL ENGINEERING	778.50
<b>TOTAL</b>		<b>5,999.88</b>

CHECK	SOCCER ACCOUNT	AMOUNT
0203	FLAGHOUSE	395.10
<b>TOTAL</b>		<b>395.10</b>

CHECK	UNEMPLOYMENT ACCOUNT	AMOUNT
001674	N.J. DOLWD, EMPLOYER ACCOUNTS	410.13
<b>TOTAL</b>		<b>410.13</b>

Motion by C/Millar and second by C/Martinez to approve the payment of bills.  
 ROLL CALL: Bauer, Cirillo, Martinez, Millar, Surak.  
 All ayes. So ordered.

FINAL PASSAGE OF ORDINANCE:

**ORDINANCE#2016-5  
 CALENDAR YEAR 2016  
 MODEL ORDINANCE TO EXCEED THE MUNICIPAL BUDGET  
 APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK  
 (N.J.S.A. 40A: 4-45.14)**

**WHEREAS**, the Local Government Cap Law, N.J.S. 40A: 4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget up to 0% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and,

**WHEREAS**, N.J.S.A. 40A: 4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

**WHEREAS**, the Governing Body of the Borough of Moonachie in the County of Bergen finds it advisable and necessary to increase its CY 2016 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

**WHEREAS**, the Governing Body hereby determines that a 3.5 % increase in the budget for said year, amounting to \$257,141 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

**WHEREAS** the Governing Body hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

**NOW THEREFORE BE IT ORDAINED**, by the Governing Body of the Borough of Moonachie, in the County of Bergen, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2016 budget year, the final appropriations of the Borough of Moonachie shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 3.5 %, amounting to \$257,141, and that the CY 2016 municipal budget for the Borough of Moonachie be approved and adopted in accordance with this ordinance; and,

**BE IT FURTHER ORDAINED**, that any that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

**BE IT FURTHER ORDAINED**, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and,

**BE IT FURTHER ORDAINED**, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

The Borough Clerk has presented an affidavit showing that advertisement had been made according to law.

**PUBLIC HEARING ON ORDINANCE#2016-5:**

No one wishing to be heard.

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

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

All ayes. So ordered.

Motion by C/Surak and second by C/Millar to adopt Ordinance#2016-5.

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

All ayes. So ordered.

2016 MUNICIPAL BUDGET AT THE REGULAR MEETING OF MAY 26, 2016

Administrator Ciannamea- we are waiving the reading of the entire budget, not adopting the budget. He mentioned that there is going to be a public hearing on the budget tonight, but there will be one public hearing when the budget will be adopted, some towns only have one. The budget is not being adopted at this meeting because we are waiting to hear about the Essential Services Grant.

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

**RESOLUTION#16-143**

Resolution Re: Waiver of Reading in Full of the 2016 Budget

WHEREAS, N.J.S. 40A:4-8 permits that the Budget as advertised may be read by its title providing that at least one week prior to the date of the hearing a complete copy of the approved budget shall

- a) be posted in a public place where public notices are customarily posted, and
- b) is made available to each person requesting the same during said week and during the

public hearing, and

WHEREAS, the Borough of Moonachie has complied with the aforesaid requirements.

NOW, THEREFORE, BE IT RESOLVED, the Borough is hereby permitted to waive the reading in full, of the Municipal Budget for the year ending December 31, 2016.

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

All ayes. So ordered.

**PUBLIC HEARING: (2016 Municipal Budget)**

No one wishing to be heard.

Motion by C/Bauer and second by C/Cirillo to close Public hearing on 2016 budget.

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

All ayes. So ordered.

PUBLIC HEARING (Regular):

Sal DeAlessandro, 1 Frederick Street- asked about the Alternates bid for the Municipal Building.

Mayor Vaccaro- stated that Alternate 1 is for a passive park, which we applied for a grant last year, and we pulled it out of the base bid to use the Open Space grant for it. He mentioned that Alternate 5 is for a digital sign outside the building.

Mr. DeAlessandro- asked why the other Alternates were not awarded.

Mayor Vaccaro- once the project gets started we can decide if we want to awards the remaining Alternates.

C/Bauer- we have 60 days to decide with the prices being locked in.

Mayor Vaccaro- we tried to cut the project after the first bids were received to keep it within the budget. He mentioned that the remaining alternates are around \$100,000 because we never know what costs could come up during construction. We are also getting with this bid two buildings, a municipal complex and a Police Department.

Mr. DeAlessandro- asked whether the letter was sent to the County regarding the tidal gates.

Mayor Vaccaro- stated that the letter was sent to the Department of Public Works, he supposed to meet with the County. Also, he did discuss about the airport expansion and the tide gate at the airport and if they are taking consideration what is downstream.

Mr. DeAlessandro- asked about the status of the traffic light at Moonachie Rd. and Moonachie Ave.

Mayor Vaccaro- mentioned that NJSEA asked the Borough to contact the County and he will ask the Borough Engineer at the next Executive Meeting to look at the letter from NJSEA for the things they want the Borough to address.

Mr. DeAlessandro- asked if there will be a public hearing for the Expansion of the Airport.

Mayor Vaccaro- stated that it is too early in the process because NJDEP is still reviewing.

Mr. DeAlessandro- asked about the Post Sandy Grants

Mayor Vaccaro- stated that it seems like the Borough is going to get all of the grants.

Thanked the grant writer Sue Scavone for her work on applying for the grants.

Mr. DeAlessandro- asked about plans for each project.

Mayor Vaccaro- stated that part of the proposals of Post Sandy Planning Grants include how the money will be spent. We prioritized the Master Plan and the GIS database.

Mr. DeAlessandro- spoke about the paving that was done in town and on Moonachie Avenue and asked if the Borough is going to address any other Road paving.

Mayor Vaccaro- stated that the some roads were included in this year Road Program, which is done for Industrial Area, Ramela, Bruno, Concord and Mavus. He mentioned that the PSE&G is working with the County for Moonachie Avenue, which is almost completed and starting June 2<sup>nd</sup> they will be starting Empire Boulevard.

Mr. DeAlessandro- asked about any other streets, which the Borough is looking to pave.

Mayor Vaccaro- we have a list from the DPW Superintendent and we did some those roads this year and next year we will look into for the others from the list.

Administrator Ciannamea- we have a project for the parking lot at the Civic Center and the entrance from Moonachie Road through Community Development grant.

Mayor Vaccaro- thanked Mr. DeAlessandro for his experience on storm water.

Motion by C/Bauer and second by C/Millar to close public hearing.

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

All ayes. So ordered.

Motion by C/Bauer and second by C/Millar to go into closed session to discuss contracts and personnel at 8:35 P.M.

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

All ayes. So ordered.

Motion by C/Bauer and second by C/Millar to close closed session at 9:10 PM.

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

All ayes. So ordered.

Attorney Migliorino- we spoke about the DPW contract and the PBA contract in closed session. He mentioned that there was a issue with the PBA contract, which was resolved and the contract is ready to be signed. Also, we discussed about the personnel matter for the Police Department and Fire Department's issue, we were made aware of these matters.

Administrator Ciannamea- asked the Mayor and Council to review the agenda for Memorial day's program and asked the Council to let Mr. Facendola know if they cannot make it.

C/Millar – spoke about quotes for a Dog Canvass, she mentioned that the only company the Board of Health secretary found was Tyco, recommended that the Board of Health can go ahead and use that company. Spoke about Scholarship Fund meeting, there were only 6 applications that were judged yesterday. She mentioned that there are new people interested in working on the Scholarship Fund.

C/Cirillo-mentioned that the Senior Luncheon was successful.

Mayor Vaccaro- thanked C/Cirillo for cooking, and he mentioned that the seniors gave C/Cirillo a basket to show their appreciation.

Motion by C/Bauer and second by C/Cirillo to adjourn the meeting at 9:17 P.M.

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

All ayes. So ordered.

ATTEST:

Supriya Sanyal  
Borough Clerk