

Regular Meeting called to order, Mayor Dennis Vaccaro in the chair, at Kathryn E. Flynn Civic Center on Wednesday, November 29th, 2017 at 8:01 P.M.

Mayor called for Pledge of Allegiance to the Flag.

ROLL CALL: Bauer, Cirillo, Kinsella, Martinez- present, Millar, Surak- not 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 October 26, 2017 and minutes of Special Meeting of November 2nd, 2017.

ROLL CALL: Bauer, Cirillo, Kinsella, Martinez.

All ayes. So ordered.

COMMUNICATIONS:

South Bergen Municipal Joint Insurance Fund- notice of public hearing on 2018 proposed budget for the South Bergen Municipal Joint Insurance Fund.

Bergen County Utilities Authority-notice of public hearing on the proposed amendment to the Bergen County District Solid Waste Management Plan.

Anthony Trano, 9 Teresa Court- notice of public hearing on variance applications to the Planning Board for removal of one enclosed parking space and for installation of a 8' high fence.

Public Service Electric and Gas Company- notice of submittal of an application to NJDEP for modified Statewide Freshwater Wetlands General Permits #1, #2 and #21 and Flood Hazard Area Individual Permit for the installation, maintenance and repair of existing underground and Overhead Electric Distribution Facilities.

Borough of Lodi and Borough of Hillsdale- expressing opposition to legislative proposals regarding amendments to the Open Public Records Act (OPRA) and the Open Public Meetings Act (OPMA).

Borough of Lodi and Borough of Allendale- calling upon Port Authority of New York and New Jersey to widen the George Washington Bridge's sidewalks.

Public Service Electric and Gas Company-notice of filing and notice of public hearings in the matter of petition of PSE&G for approval of Electric Base Rate Adjustment pursuant to the Energy Strong Program.

Motion by C/Kinsella and second by C/Martinez to file communications.

ROLL CALL: Bauer, Cirillo, Kinsella, Martinez.

All ayes. So ordered.

FORMAL ACTION TAKEN AT EXECUTIVE MEETING ON NOVEMBER 9, 2017

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

RESOLUTION#17-273

BE IT FURTHER RESOLVED, by the Mayor and Council of the Borough of Moonachie that the Borough Clerk be and is hereby authorized to issue a check in the amount of \$175.00 to the following Borough officials as payment of advances towards their expenses for authorized official travel and expenses to attend the New Jersey League of Municipalities Convention at Atlantic City:

Superintendent of Public Works- Mary Ellen Lyons
Borough Clerk- Supriya Sanyal

RESOLUTION#17-274

WHEREAS, Resolution#17-264 authorized to issue a check in the amount of \$2,937.60 to U.S. Bank-Cust/Pro Capital I, LLC (3 Truman Pl) for the redemption of Tax Sale Certificate#15-00010 and authorized to issue a check in the amount of \$600(premium) to U.S. Bank-Cust/Pro Capital I, LLC; and

WHEREAS, the correct name of the lien holder of the Certificate TTL#15-00010 is US Bank-Cust/PC6 LLC Sterling National; and

NOW THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Moonachie County of Bergen, State of New Jersey, that the Resolution #17-264 be and is hereby amended to correct the name to US Bank-Cust/PC6 LLC Sterling National for the issuance checks in the amount of \$2,937.60 and \$600.

ROLL CALL: Bauer, Cirillo, Kinsella, Surak.

All ayes. So ordered.

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

RESOLUTION #17-275

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 pending or anticipated litigation or contract negotiation.

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.

REGULAR MEETING OF NOVEMBER 29, 2017:

BIDS: Ten Bids were received on September 6, 2017 at 11:00 A.M. for Moonachie DPW Building:

	Base Bid
Belmont Construction 240 W. Passaic Street, Suite 11 Maywood, NJ 07607	\$2,450,000.00
Fuscon Enterprises, Inc. P.O. Box 2595 414 Central Ave. Westfield, NJ 07090	\$2,476,000.00
Unimak, LLC 82 Midland Ave. Saddle Brook, NJ 07663	\$2, 478,000.00
Precision Building and Construction 216 Somerset St. Bound Brook, NK 08805	\$2, 499,000.00
SLS Construction 301 Riverfront Blvd. Suite 201 Elmwood Park, NJ 07407	\$2,534,000.00
Grove Contracting, LLC 70 Durrell St. Verona, NJ 07044	\$2,569,000.00

Thomas & Sons Builders, LLC
 174 Cedar Road
 New Milford, NJ 07646 \$2,630,000.00

Pharos Enterprises, LLC
 879 Upper Main St.
 South Amboy, NJ 08879 \$2,677,000.00

Molba Construction
 392 Liberty St.
 Little Ferry, NJ 07643 \$2,788,134.00

B&B Contracting Group, LLC
 33 Wood Ave., South, Suite 600
 Iselin, NJ 08830 \$3,425,154.00

Attorney Migliorino –mentioned that today there was a hearing, the Borough was the 3rd party and the moving party was the 2nd bidder, Fuscon. He spoke about Fuscon taking issue with the bid of Belmont Construction, that Belmont will do the structural steel work themselves however the bid required to named sub-contractor for the structural Steel. He mentioned that the Judge felt that bid was invalid because the bid was unclear as relate to need for sub-contractors for four categories. He spoke about the judge’s order that the project has to be rebid. He mentioned that he spoke to the architect who needs to clarify the bid. He mentioned that there is problem with the specifications for the soil bid because the specifications did not include qualifications for women and minority owned business and the bids cannot be accepted. He mentioned that the bid of Cipriano, which was accepted, that one has to be invalidated. He spoke about the Judge’s decision, which said that the bid is not compliant and all bids must be disregarded.

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

RESOLUTION #17-276

WHEREAS, Ten Bids were received on September 6, 2017 at 11:00 A.M. for Moonachie DPW Building; and

WHEREAS, opening of bids took place on September 6, 2017 at 11:00 A.M., at which time the bids were received from the following:

	Base Bid
Belmont Construction, Corp. 240 W. Passaic Street, Suite 11 Maywood, NJ 07607	\$2,450,000.00
Fuscon Enterprises, Inc. P.O. Box 2595 414 Central Ave. Westfield, NJ 07090	\$2,476,000.00
Unimak, LLC 82 Midland Ave. Saddle Brook, NJ 07663	\$2, 478,000.00
Precision Building and Construction 216 Somerset St. Bound Brook, NK 08805	\$2, 499,000.00
SLS Construction 301 Riverfront Blvd. Suite 201 Elmwood Park, NJ 07407	\$2,534,000.00
Grove Contracting, LLC 70 Durrell St. Verona, NJ 07044	\$2,569,000.00

Thomas & Sons Builders, LLC
174 Cedar Road
New Milford, NJ 07646 \$2,630,000.00

Pharos Enterprises, LLC
879 Upper Main St.
South Amboy, NJ 08879 \$2,677,000.00

Molba Construction
392 Liberty St.
Little Ferry, NJ 07643 \$2,788,134.00

B&B Contracting Group, LLC
33 Wood Ave., South, Suite 600
Iselin, NJ 08830 \$3,425,154.00

WHEREAS, Judge Robert P. Contillo determined that the bid from Belmont Construction, Corp. is materially defective and cannot be accepted, and the Borough may re-bid the project; and

NOW THEREFORE, BE IT RESOLVED, that the Governing Body of the Borough of Moonachie hereby authorizes the rejection of all bids submitted for Moonachie DPW Building according to the Court's determination; and

BE IT FURTHER RESOLVED, that the Borough Clerk is hereby authorized to return all bid bonds to each of the respective bidders.

BE IT FURTHER RESOLVED, that the Borough clerk is hereby authorized to advertise re-bid for Moonachie DPW Building.

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

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/Martinez to approve the following Resolutions:

RESOLUTION #17-277

WHEREAS, the Mayor and Council of the Borough of Moonachie have been advised of the proposed settlement of a Tax Appeal filed on behalf AMB Partners II, L.P., under Docket Nos.: 006446-2012 and 002373-2013 and on behalf of AMB US Logistics Fund LP, under Docket Nos.: 000268-2014; 001584-2015; 002735-2016 and 001912-2014 and for the years 2012, 2013, 2014, 2015, 2016 and 2017;

WHEREAS, the said Governing body has been advised as to the merits of the subject Tax Appeal by legal counsel, expert appraisal personnel hired by the Borough as well as the Borough Tax Assessor; and

WHEREAS, the proposed Tax Appeal settlement components are as set forth in Schedule "A" attached hereto and made a part hereof; and

WHEREAS, it is in the best interest of the Borough of Moonachie to settle the subject Tax Appeal in accordance with the settlement proposal set forth hereinabove.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Moonachie that settlement of the said Tax Appeal be finalized in accordance with Schedule "A" attached and with respect to same, the Mayor, Borough Administrator

and/or any other appropriate official is hereby authorized to perform any act in order to effectuate the purposes set forth in this Resolution.

BE IT FURTHER RESOLVED that the Certificate of Availability of Funds pursuant to N.J.S.A.40A:4-57 has been certified to by the Chief Finance Officer and is attached hereto and made a part hereof.

TAX COURT OF NEW JERSEY

AMB PARTNERS, II, L.P.,
Plaintiff,

DOCKET NOS.: 006446-2012
002373-2013

v.

Civil Action

MOONACHIE BOROUGH,
Defendant.

STIPULATION OF SETTLEMENT

AMB US LOGISTICS FUND LP,
Plaintiff,

DOCKET NOS.: 00268-2014
001584-2015
002735-2016
001912-2017

v.

Civil Action

MOONACHIE BOROUGH,
Defendant.

STIPULATION OF SETTLEMENT

Assigned Judge:
Honorable Joseph M. Andresini, J.T.C.

1. It is hereby stipulated and agreed that the assessment of the following property(ies) be adjusted and a judgment be entered as follows:

Block: 64.01
Lot: 5
Street Address: 245 West Commercial Avenue HM
Year: 2012

	<u>Original Assessment</u>	<u>County Board Judgment</u>	<u>Requested Tax Court Judgment</u>
Land	\$1,271,500.00	Direct	
Impvts	\$2,771,500.00	Appeal	Withdrawn
Total	\$4,043,000.00		

Block: 64.01
Lot: 5
Street Address: 245 West Commercial Avenue HM
Year: 2013

	<u>Original Assessment</u>	<u>County Board Judgment</u>	<u>Requested Tax Court Judgment</u>
Land	\$1,271,500.00	Direct	
Impvts	\$2,771,500.00	Appeal	Withdrawn
Total	\$4,043,000.00		

Block: 64.01
Lot: 5
Street Address: 245 West Commercial Avenue HM
Year: 2014

	<u>Original Assessment</u>	<u>County Board Judgment</u>	<u>Requested Tax Court Judgment</u>

Land	\$1,271,500.00	Direct	\$1,271,500.00
Impvts	<u>\$2,771,500.00</u>	Appeal	<u>\$2,578,500.00</u>
Total	\$4,043,000.00		\$3,850,000.00

Block: 64.01
Lot: 5
Street Address: 245 West Commercial Avenue HM
Year: 2015

<u>Original Assessment</u>	<u>County Board Judgment</u>	<u>Requested Tax Court Judgment</u>
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Land	\$1,271,500.00	Direct	\$1,271,500.00
Impvts	<u>\$2,771,500.00</u>	Appeal	<u>\$2,578,500.00</u>
Total	\$4,043,000.00		\$3,850,000.00

Block: 64.01
Lot: 5
Street Address: 245 West Commercial Avenue HM
Year: 2016

<u>Original Assessment</u>	<u>County Board Judgment</u>	<u>Requested Tax Court Judgment</u>
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Land	\$1,032,000.00	Direct	\$1,032,000.00
Impvts	<u>\$3,845,100.00</u>	Appeal	<u>\$3,518,000.00</u>
Total	\$4,877,100.00		\$4,550,000.00

Block: 64.01
Lot: 5
Street Address: 245 West Commercial Avenue HM
Year: 2017

<u>Original Assessment</u>	<u>County Board Judgment</u>	<u>Requested Tax Court Judgment</u>
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Land	\$1,032,000.00	Direct	\$1,032,000.00
Impvts	<u>\$4,120,900.00</u>	Appeal	<u>\$2,968,000.00</u>
Total	\$5,152,900.00		\$4,000,000.00

2. The undersigned have made such examination of the value and proper assessment of the property and have obtained such appraisals, analysis and information with respect to the valuation and assessment of the property as they deem necessary and appropriate for the purpose of enabling them to enter into the stipulation. The assessor of the taxing district has been consulted by the attorney for the taxing district with respect to this settlement and has concurred.
3. Based upon the foregoing, the undersigned represent to the Court that the above settlement will result in an assessment at the fair assessable value of the property consistent with assessing practices generally applicable in the taxing district as required by law.
4. The provisions of N.J.S.A. 54:51A-8 (Freeze Act) shall not apply.
5. Statutory interest, pursuant to *N.J.S.A. 54:3-27.2*, having been waived by the taxpayer, shall not be paid provided the tax refund is paid in accordance with paragraph 6 hereof.
6. Pre-judgement interest is waived on the condition that when Judgment is entered on this Stipulation of Settlement, the refund is paid within ninety (90) days from the date of the entry of Judgment. It is expressly understood that all refunds, together with any interest which may become due as a result of the judgment to be

entered shall be made payable to the taxpayer and received by Zipp Tannenbaum & Caccavelli, LLC, 280 Raritan Center Parkway, Edison, New Jersey 08837 within ninety (90) days from date of entry of Judgment. The interest waiver in this paragraph and paragraph 5 shall be null and void in the event of failure to fully comply with the provisions of this paragraph, both as to the time and manner of making the payment.

7. The provisions of paragraphs 5 and 6 herein shall survive the entry of the Judgment, remain in full force and effect and be subject to any appropriate action for enforcement of the provisions.

ZIPP TANNEBAUM & CACCAVELLI, LLC
Attorneys for Plaintiff
MICHAEL J. CACCAVELLI, ESQ.

HERBERT & WEISS, LLP
Attorneys for Defendant
HELENE C. HERBERT, ESQ.

RESOLUTION #17-278

BE IT FURTHER RESOLVED by the Mayor and Council that the payments in the amount of \$7,800.00 for month of October, 2017 and in the amount of \$7,350.00 for month of November, 2017 to Millennium Strategies, LLC for professional services for the FEMA grants Management and Administration be and is hereby approved.

RESOLUTION #17-279

BE IT RESOLVED by the Mayor and Council of the Borough of Moonachie that the Borough Clerk be and is hereby directed to issue clothing allowance checks in the amounts prescribed below for those members of the Fire Department as shown on schedule filed with the Borough Clerk, same to be charged to Current Budget
Appropriation: Fire, Other Expenses:

Fire Chief	\$2,500.00
Assistance Chief	2,020.00
Captain	1,230.00
Lieutenant	1,120.00
Chief Engineer	1,180.00
Engineer	1,015.00
Firefighter	880.00
Life member	250.00

RESOLUTION #17-280

BE IT RESOLVED by the Mayor and Council of the Borough of Moonachie that the Reorganization Meeting of the Mayor and Council for the year 2018 will be held on Wednesday, January 3rd, 2018 at 7:00 P.M. and Formal action will be taken; and

BE IT FURTHER RESOLVED by the Mayor and Council of the Borough of Moonachie that an Executive Session be set for 6:30 P.M. on Wednesday, January 3rd, 2018.

RESOLUTION #17-281

WHEREAS, N.J.S.A. 40A:65-1 et. seq. authorizes and encourages public bodies to enter into agreements with each other to contract for provision or receipt of any service which the parties to such agreement are empowered to render under and within their own individual jurisdiction, whether administrative, educational, instructional, or otherwise; and

WHEREAS, there exists need for the Borough of Moonachie Health Department to provide state mandated health services of a technical and professional nature for service of a Bloodborne Pathogen Compliance Coordinator and trainer for the Bloodborne Pathogen Compliance Programs; and

WHEREAS, the Bergen County Department of Health Services can assure compliance in accordance with P.E.O.S.H.A. as follows: service of a Bloodborne Pathogen Compliance Coordinator and Trainer for the Bloodborne Pathogen Compliance Programs; and

WHEREAS, the Bergen County Health Services has agreed to perform technical and professional nature for the service of Bloodborne pathogen Coordinator and Trainer for the Blood Borne Pathogens Program for the period of January 1, 2018 through December 31, 2019 through an agreement with the Borough of Moonachie; and

WHEREAS, the cost is as follows:

- a. \$18.00 per each trained employee for all- Inclusive Bloodborne Pathogen Services and \$64.00 per dose of Hepatitis B. Vaccine, at-cost vaccine price, administered by Bergen County Department of Health Services, the three (3) dose series cost per participant will be \$192.00.
- b. The Borough of Moonachie will be responsible of lab fees if titer-testing is indicated.

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

1. That Dennis Vaccaro, Mayor, is hereby authorized and directed to execute an agreement with the Bergen County Department of Health Services to perform technical and professional nature for the service of Bloodborne pathogen Coordinator and Trainer for the Bloodborne Pathogens Program for the period of January 1, 2018 through December 31, 2019 as follows:
 - a. \$18.00 per each trained employee for all- Inclusive Bloodborne Pathogen Services and \$64.00 per dose of Hepatitis B. Vaccine, at-cost vaccine price, administered by Bergen County Department of Health Services, the three (3) dose series cost per participant will be \$192.00.
 - b. The Borough of Moonachie will be responsible of lab fees if titer-testing is indicated.
2. This contract is awarded pursuant to appropriate Law of the State of New Jersey specifically but not by way of limitation N.J.S.A. 40A:65-1 et seq. as well as any other pertinent statues appertaining thereto.
3. If applicable a Certificate of Availability of Funds pursuant to N.J.S.A. 40A:4-57 has been certified to by the Chief Finance Officer.

RESOLUTION #17-282

BE IT RESOLVED, by the Mayor and Council that the Mayor is hereby authorized to sign an agreement for Software (Animal Licensing) with Munidex, Inc. 174 Route 17 North, Rochelle Park, NJ 07662, for the period of January 1, 2018 thru December 31, 2018 in the total amount of \$2,250.

Community Development Project Endorsement Resolution RESOLUTION #17-283

WHEREAS, a Bergen County Community Development grant of \$9,099.30 has been proposed by the Borough of Moonachie for a new Senior Art Program, and

WHEREAS, pursuant to the State Interlocal Services Act, Community Development funds may not be spent in a municipality without authorization by the governing Body, and

WHEREAS, the aforesaid project is in the best interest of the residents of the Borough of Moonachie, and

WHEREAS, this resolution does not obligate the financial resources of the municipality and is intended solely to expedite expenditure of the aforesaid CD funds.

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the Borough of Moonachie hereby confirms endorsement of the aforesaid project, and

BE IT FURTHER RESOLVED, that a copy of this resolution shall be sent to the Director of the Bergen County Community Development Program so that implementation of the aforesaid project may be expedited.

RESOLUTION #17-284

WHEREAS, First Presbyterian Church of Moonachie has submitted an application for Retail Food License for the year 2018;

NOW THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Moonachie, that the waiver of the fee for the Retail Food License, be and is hereby approved.

RESOLUTION #17-285

BE IT RESOLVED by the Mayor and Council of the Borough of Moonachie that the proper officers be and are hereby authorized to refund the following overpayment of taxes due to Tax Court of New Jersey Judgment for Anderson SG LLC:

<u>Year</u>	<u>Block</u>	<u>Lot</u>	<u>Amount</u>
2014	66	1	<u>\$3,689.84</u>
		TOTAL	\$3,689.84

BE IT FURTHER RESOLVED, that the tax overpayment in the amount of \$3,689.84 shall be made payable to “Anderson SG LLC” and mailed to Zipp Tannenbaum & Caccavelli, LLC, 280 Raritan Center Parkway, Edison, NJ 08837.

Mayor Vaccaro -spoke about the new contract with Teterboro for Police Services. He mentioned that the contract is for four years, totaling over \$3.2 million and \$200,000 is for purchasing any type of equipment. He spoke about appointment of officers in January, and the Chief has sent out applications to the candidates. He mentioned that the Borough did received Federal Grant of \$125,000 for hiring a police officer and hopefully two or three officers will be added to provide services to Terterboro and Moonachie.

RESOLUTION #17-286

WHEREAS, the Borough of Moonachie and the Borough of Teterboro have previously entered into a Shared Service Agreement to provide law enforcement services to the Borough of Teterboro; and

WHEREAS, the Borough of Moonachie and the Borough of Teterboro seek to provide the same level of law enforcement service that has been in effect for their respective Municipalities; and

WHEREAS, N.J.S. A. 40A:65 -1et seq. authorizes local units of government to enter into contract with other local units of government for the provision of services; and

WHEREAS, it is in the best interest of the Borough of Moonachie, and the Borough of Teterboro to enter into an Shared Service Agreement to provide law enforcement services to the Borough of Teterboro; and

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

1. That it does hereby authorize and approve a four (4) years Shared Service Agreement between the Borough of Moonachie and the Borough of Teterboro, for law enforcement services, which shall commence January 1, 2018 to December 31, 2021.
2. In consideration of the law enforcement services rendered, Teterboro shall pay to Moonachie the following sums:
 - a. For the year 2018 - \$800,000.00, payable in twelve (12) equal monthly installments due by the 10th day of the current month for each year of law enforcement services provided pursuant to this agreement;
 - b. For the year 2019 - \$800,000.00 payable in twelve (12) equal monthly installments due by the 10th day of the current month for each year of law enforcement services provided pursuant to this agreement;
 - c. For the year 2020 - \$816,000.00 payable in twelve (12) equal monthly installments due by the 10th day of the current month for each year of law enforcement services provided pursuant to this agreement.
 - d. For the year 2021 - \$832,320.00 payable in twelve (12) equal monthly installments due by the 10th day of the current month for each year of law enforcement services provided pursuant to this agreement.
 - e. There will be \$200,000.00 in Capital Contribution from the Borough of Teterboro which will be used by the Borough of Moonachie at Moonachie discretion over the four (4) year Contract with a 30 Day Notice to the Borough of Teterboro.
3. The Mayor and the Borough Clerk are hereby authorized and directed to execute the Shared Service Agreement following legal review.
4. The said agreement is on file in the office of the Borough Clerk and shall be available for inspection during the regular business hours thereof.

RESOLUTION #17-287

BE IT RESOLVED, by the Mayor and Council of the Borough of Moonachie that the proposal from John H. Construction to construct a new ADA compliance curb ramp (at Jubilee Pl. /Diamond Way) with detectable warning surface and to install concrete header behind sidewalk if needed in the total amount of \$3,000.00 be and is hereby accepted.

RESOLUTION #17-288

BE IT RESOLVED that a special contribution in the amount of \$17,000.00 to the First Aid and Rescue Squad, be and is hereby approved; and

BE IT FURTHER RESOLVED that said contribution was provided for in the 2017 Municipal Budget.

RESOLUTION #17-289

WHEREAS, Resolution#17-208 awarded the bid and the contract to Cipriano Enterprises, Inc. in the total amount of \$238,200.00 for Moonachie DPW Topography Restoration at the site, Block 77, Lot 1 for proposed DPW building; and

WHEREAS, the Borough has a Use and Occupancy agreement with the Port Authority of New York and New Jersey for the site, Block 77, Lot 1; and

WHEREAS, the Borough must comply with all the requirements of the Port Authority of New York and New Jersey for the site, Block 77, Lot 1; and

WHEREAS, the Port Authority of New York and New Jersey required to have the contractor to provide Woman Business Enterprise(WBE) of 5% and Minority Business Enterprise (MBE) of 12%; and

WHEREAS, the bid of said project did not include the requirement of WBE/MBE under the law thereby pre-empting Borough’s ability to accept bids which are materially defective; and

NOW THEREFORE, BE IT RESOLVED, by the Mayor and Council that Resolution#17-208 be and is hereby rescinded.

RESOLUTION #17-290

WHEREAS, two Bids were received on August 1, 2017 at 11:00 A.M. for Moonachie DPW Topography Restoration; and

WHEREAS, opening of bids took place August 1, 2017 at 11:00 A.M., at which time the bids were received from the following:

Base Bid

Cipriano Enterprises, Inc. 74 Ethal Avenue Hawthorne, NJ 07506	\$238,200.00
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DTS Trucking LLC 65 Royal Avenue Hawthorne, NJ 07506	\$248,692.50
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WHEREAS, the Borough has a Use and Occupancy agreement with Port Authority of New York and New Jersey for the site, Block 77, Lot 1; and

WHEREAS, the Borough has to comply with all the requirement of Port Authority of New York and New Jersey for the site, Block 77, Lot 1; and

WHEREAS, Port Authority of New York and New Jersey required to have the contractor to provide Woman Business Enterprise(WBE) of 5% and Minority Business Enterprise (MBE) of 12%; and

WHEREAS, the bid of Moonachie DPW Topography Restoration did not include the requirement of WBE/MBE; and

NOW THEREFORE, BE IT RESOLVED, that the Governing Body of the Borough of Moonachie hereby authorizes the rejection of all bids submitted for Moonachie DPW Topography Restoration; and

BE IT FURTHER RESOLVED, that the Borough Clerk is hereby authorized to return all bid bonds to each of the respective bidders; and

BE IT FURTHER RESOLVED, that the Borough Clerk is hereby authorized to advertise re-bid for Moonachie DPW Topography Restoration.

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

BILLS:

CHECK	NOVEMBER 2017 BILL LIST	AMOUNT
703	CURRENT ACCOUNT TIME WARNER CABLE	289.98
704	DRAEGER SAFETY DIAGNOSTICS INC	74.00
705	HOMETOWN AUTO PARTS	68.44
706	IRON MOUNTAIN	920.65
706	IRON MOUNTAIN	782.70
707	KONECRANES INC.	375.00
708	STAPLES CREDIT PLAN	78.97
709	STAPLES CREDIT PLAN	25.63
710	NICHOLAS TELESMANIC	487.88
711	JENNIFER COONEY	36.01
711	JENNIFER COONEY	36.01
711	JENNIFER COONEY	36.01
711	JENNIFER COONEY	36.01
712	TIME WARNER CABLE	224.85
720	JENNIFER COONEY	36.01
713	PHILIP A. FACENDOLA	256.50
714	PHILIP A. FACENDOLA	239.83
715	BOROUGH OF MOONACHIE PAYROLL A	147,475.22
716	BOROUGH OF MOONACHIE PAYROLL A	6,622.32
717	SHERWIN WILLIAMS	160.25
718	DELAGE LANDEN FINANCIAL SERVIC	195.00
719	DELAGE LANDEN FINANCIAL SERVIC	245.00
721	JENNIFER COONEY	36.01
722	BERGEN COUNTY UTILITIES AUTHOR	351.78
723	BOROUGH OF WOOD-RIDGE	5,000.00
724	FUN TIME ENTERTAINMENT	850.00
725	HOMETOWN AUTO PARTS	15.99
726	HOMETOWN AUTO PARTS	52.99
727	INTERNATIONAL CODE COUNCIL	258.00
728	SUEZ WATER NEW JERSEY	346.18
729	SUEZ WATER NEW JERSEY	302.64
730	VERIZON	37.67
731	VIP CAR WASH	6.00
733	SUPRIYA SANYAL	175.00
734	NEW JERSEY STATE LEAGUE OF MUN	65.00
735	MARY ELLEN LYONS	175.00
736	NEW JERSEY STATE LEAGUE OF MUN	65.00
737	NEW JERSEY STATE LEAGUE OF MUN	65.00
738	NEW JERSEY STATE LEAGUE OF MUN	65.00
739	TIME WARNER CABLE	129.94
740	HARRIS UNIFORMS	140.00
741	V.E. RALPH & SON INC.	80.76
742	DRAEGER SAFETY DIAGNOSTICS INC	100.00
743	PORT AUTHORITY OF NY AND NJ	112.97
744	TIME WARNER CABLE	228.22
745	BOARD OF EDUCATION	654,812.00
746	BOARD OF EDUCATION	654,812.00
747	JOSEPH LICATA, ARBITRATOR	3,062.50
748	PABCO INDUSTRIES	870.75
749	RETRON	345.96
750	RUTGERS, THE STATE UNIVERSITY	747.00
751	NATURE'S CHOICE CORPORATION	983.10

752	NATURE'S CHOICE CORPORATION	694.95
753	EVANS CATERING SERVICE	34.00
754	EVANS CATERING SERVICE	6.89
755	VERIZON WIRELESS	200.05
756	LERCH, VINCI & HIGGINS	7,700.00
757	LERCH, VINCI & HIGGINS	93.75
758	NASSOR ELECTRICAL SUPPLY CO.	60.90
759	AGE'S AUTO LLC.	648.00
760	OCCUPATIONAL MEDICINE	100.00
761	VIP CAR WASH	54.00
762	AGE'S AUTO LLC.	42.00
763	AGE'S AUTO LLC.	363.16
764	AGE'S AUTO LLC.	100.00
765	VERIZON WIRELESS	200.05
766	AGE'S AUTO LLC.	1,576.00
767	AGE'S AUTO LLC.	597.51
768	AGE'S AUTO LLC.	26.00
769	VERIZON	266.66
770	STANDARD INSURANCE	1,245.56
771	BOSWELL ENGINEERING	630.00
772	ACTION DATA SERVICES	279.29
773	ACTION DATA SERVICES	77.51
774	STAPLES CREDIT PLAN	47.98
775	VERIZON	44.59
776	STAPLES CREDIT PLAN	26.16
777	NORTH JERSEY MEDIA GROUP	47.28
778	VERIZON WIRELESS	1,099.32
779	REINER OVERHEAD DOORS, LLC.	438.00
780	MILLENIUUM STRATEGIES	2,040.00
781	MILLENIUUM STRATEGIES	9,150.00
782	BERGEN COUNTY DEPT. OF HEALTH	102.50
783	VERIZON	285.01
784	DOMESTIC LINEN	80.50
785	SIRCHIE FINGER PRINT LABORATOR	87.30
786	PUBLIC SERVICE E & G	7,893.91
787	BOSWELL ENGINEERING	267.00
788	REYNWOOD COMMUNICATIONS	607.46
789	RACHLES/MICHELE'S OIL CO.	712.14
790	COMMERCIAL TIRE SERVICE & SALE	632.50
791	BOROUGH OF MOONACHIE PAYROLL A	144,668.15
792	BOROUGH OF MOONACHIE PAYROLL A	6,134.10
793	TERMINEX	60.00
794	JENNIFER COONEY	72.02
795	ROBERT JIROUSCHEK	250.00
796	PHIL MIUCCIO	250.00
797	ANTHONY CHiodo	250.00
798	MARTIN KORYTKO	250.00
799	JOHN RUSCHKE	250.00
800	ANTHONY COSPITO	250.00
801	DANIEL MCNEICE	250.00
802	PETER PETERSEN	250.00
803	ROY ANDERSON	250.00
804	DOMINICK TUCCI	250.00
805	JASON JACONETTA	250.00
806	SAL DEALESSANDRO	250.00
807	RICHARD BEHRENS	250.00
808	KARAN PATEL	50.00
809	JOSEPH SMENTKOWSKI INC.	9,860.83
810	MILLENIUUM STRATEGIES	1,680.00
811	SUEZ WATER NEW JERSEY	55.52
812	MILLENIUUM STRATEGIES	8,850.00

813	SUEZ WATER NEW JERSEY	120.54
814	EARTHLINK BUSINESS	767.24
815	SUEZ WATER NEW JERSEY	5,653.91
816	NORTH JERSEY MEDIA GROUP	150.15
817	VERIZON WIRELESS	1,131.30
818	JAN PROMOTIONS INC.	900.00
819	BOSWELL ENGINEERING	2,070.00
820	BOSWELL ENGINEERING	900.00
821	NORTH JERSEY MEDIA GROUP	15.68
822	BOARD OF EDUCATION	654,812.00
823	HERBERT & WEISS ATT. AT LAW	2,921.60
824	PALISADES SALES CORPORATION	470.00
825	IRON MOUNTAIN	852.45
826	NOBLE INDUSTRIAL SUPPLY CORP.	281.88
827	HARRIS UNIFORMS	18.00
828	TURN OUT UNIFORMS	179.97
829	EVANS CATERING SERVICE	6.89
830	EVANS CATERING SERVICE	27.20
831	TURN OUT UNIFORMS	344.93
832	MURLIN CONSULTANTS	70.00
833	PRAXAIR DIST. MID-ATLANTIC	40.30
834	PRAXAIR DIST. MID-ATLANTIC	39.00
835	VERIZON	6.55
836	TRUCK PARTS SPECIALIST/TRUCKPR	7,011.58
837	RIEDEL SIGN COMPANY IN.	55.00
838	C&C TIRE	165.50
839	NATURE'S CHOICE CORPORATION	203.40
840	NATURE'S CHOICE CORPORATION	135.60
841	DENNIS WILLIAMS	250.00
842	KATHERINE SHEPHERD	50.00
843	HOMETOWN AUTO PARTS	163.51
844	JAMES PICHARDO	50.00
845	LERCH, VINCI & HIGGINS	230.00
846	FRANK SMITH	880.00
847	EUGENIO SANCHEZ	1,015.00
848	PAUL CIALKOWSKI	165.00
849	KARIM MAZHARUL	570.00
850	CHRISTOPHER HALLORAN	1,120.00
851	LEO DECANDIA	725.00
852	STEVEN ROZANSKY	1,230.00
853	CHRISTOPHER KUCAN	640.00
854	JOHN T. JOHNSON	335.00
855	CAITLYN REMSA	725.00
856	FREDERICK DRESSEL V	880.00
857	WILLIAM D. HUNT	1,120.00
858	DAVID KANESHIGE	1,230.00
859	FREDERICK DRESSEL IV	2,020.00
860	JAMES COLEMAN	490.00
861	JUSTIN DEREVYANIK	2,500.00
862	BRIAN MORROW	300.00
863	DAVID MULVANEY, SR.	570.00
864	DEVIN OCHIUZZO	490.00
865	STEVEN PELL	335.00
866	FRANK TAMARGO	165.00
867	KYLE DRESSEL	225.00
868	MARK MULVANEY	570.00
869	THOMAS MULVANEY	660.00
870	LOUIS CAPPADONNA	1,015.00
871	RYAN HUGHES	935.00
872	VICTOR MIGLIORINO (SON)	625.00
873	JAMES O NEILL	725.00

874	RYAN O NEILL	335.00
875	ANTONIO CIRILLO	362.50
876	WILLIAM G. HUNT, JR.	2,020.00
877	LERCH, VINCI & HIGGINS	2,650.00
878	LERCH, VINCI & HIGGINS	5,250.00
879	SEAN EVANS	440.00
880	JAMES SOOJIAN	335.00
TOTAL		2,409,979.96
CHECK	CURRENT ACCOUNT	AMOUNT
732		VOID
NON-CHECK		
PAYMENT	CURRENT ACCOUNT	AMOUNT
NON-CHECK		
PAYMENT	PRIMEFLEX	135.00
TOTAL		135.00
CHECK	TRUST ACCOUNT	AMOUNT
1499	PHILIP A. FACENDOLA	101.72
1500	STAN KERSNOWSKI	45.41
1501	FUN TIME ENTERTAINMENT	800.00
1502	PHILIP A. FACENDOLA	113.60
1503	C J'S PIZZA	96.00
1504	U.S.BANKCUST FOR PC6, LLC STER	400.00
TOTAL		1,556.73
CHECK	GENERAL CAPITAL ACCOUNT	AMOUNT
28	LERCH, VINCI & HIGGINS	3,212.50
29	ARCARI + IOVINO ARCHITECTS, PC	4,768.98
30	TWO BROTHERS CONTRACTING	97,794.20
31	NEW JERSEY DEPT. OF TRANSPORT.	155.84
33	LERCH, VINCI & HIGGINS	4,032.50
34	BOSWELL ENGINEERING	270.00
35	ARCARI + IOVINO ARCHITECTS, PC	4,405.00
TOTAL		114,639.02
CHECK	GENERAL CAPITAL ACCOUNT	AMOUNT
32		VOID
CHECK	SEWER OPERATING ACCOUNT	AMOUNT
83	LSRP ENVIRONMENTAL CONSULTING	1,010.00
84	LSRP ENVIRONMENTAL CONSULTING	1,217.50
85	BOROUGH OF MOONACHIE PAYROLL A	16,019.17
86	BOROUGH OF MOONACHIE PAYROLL A	719.34
87	BOSWELL ENGINEERING	513.58
88	SUEZ WATER NEW JERSEY	236.66
89	COLONNELLI BROTHERS INC.	2,025.96
90	CLEARWATER SERVICES	4,917.00
91	VERIZON	42.92
92	VERIZON	42.97
93	BOB RYAN ASSOCIATES	15,801.00
94	DAVID PLUCHINO	500.00
95	BOSWELL ENGINEERING	360.00
96	BOSWELL ENGINEERING	90.00
97	BOSWELL ENGINEERING	90.00
98	VERIZON	42.77
99	BOROUGH OF MOONACHIE PAYROLL A	679.68
100	BOROUGH OF MOONACHIE PAYROLL A	16,029.72
101	LERCH, VINCI & HIGGINS	3,300.00

102	SUEZ WATER NEW JERSEY	73.24
103	BOSWELL ENGINEERING	540.00
104	CLEARWATER SERVICES	12,294.70
105	U.S.BANKCUST FOR PC6, LLC STER	4,631.87
106	U.S.BANKCUST FOR PC6, LLC STER	1,494.69
107	LERCH, VINCI & HIGGINS	2,250.00
TOTAL		84,922.77

CHECK	DOG ACCOUNT	AMOUNT
8	N.J. DEPT. OF HEALTH AND SENIO	18.00
9	N.J. DEPT. OF HEALTH AND SENIO	1.20
TOTAL		19.20

CHECK	SUMMER REC ACCOUNT	AMOUNT
40	FUN TIME ENTERTAINMENT	150.00
41	FUN TIME ENTERTAINMENT	995.00
TOTAL		1,145.00

Motion by C/Kinsella and second by C/Cirillo to approve the payment of bills.

ROLL CALL: Bauer, Cirillo, Kinsella, Martinez.

All ayes. So ordered.

FINAL PASSAGE OF ORDINANCES:

ORDINANCE#2017-6

AN ORDINANCE OF THE BOROUGH OF MOONACHIE IN THE COUNTY OF BERGEN, NEW JERSEY, PROVIDING FOR THE ACQUISITION OF GENERATORS FOR THE CONCORD STREET, MOONACHIE ROAD AND LINCOLN PLACE PUMP STATIONS AND APPROPRIATING \$220,000 THEREFOR AND PROVIDING FOR THE ISSUANCE OF \$209,000 IN BONDS OR NOTES OF THE BOROUGH OF MOONACHIE TO FINANCE THE SAME

BE IT ORDAINED BY THE BOROUGH COUNCIL OF THE BOROUGH OF MOONACHIE, IN THE COUNTY OF BERGEN, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring), **AS FOLLOWS:**

Section 1. The improvement or purpose described in Section 3 of this bond ordinance is hereby authorized to be undertaken by the Borough of Moonachie, in the County of Bergen, New Jersey (the “Borough”), as a general improvement. For the improvement or purpose described in Section 3 hereof, there is hereby appropriated \$220,000, including the sum of \$11,000 from the sewer utility capital improvement fund as the down payment for the improvement or purpose required by the Local Bond Law. The down payment has been made available by virtue of provision for down payment or for capital improvement purposes in one or more previously adopted budgets.

Section 2. In order to finance the cost of the improvement or purpose not covered by application of the down payment or otherwise provided for hereunder, negotiable bonds or notes are hereby authorized to be issued in the principal amount of \$209,000 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds or notes, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. (a) The improvement hereby authorized and the purpose for which the bonds or notes are to be issued is for the acquisition of a new generator at the Moonachie Road pump station, a new generator, new pumps and motors and structural modifications at the Lincoln Place pump station and a new generator at the Concord Street pump station, and including all work and materials necessary therefor or incidental thereto.

(b) The estimated maximum amount of bonds or notes to be issued for the improvement or purpose is as stated in Section 2 hereof.

(c) The estimated cost of the improvement or purpose is equal to the amount of the appropriation herein made therefor.

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer; provided that no note shall mature later than one year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer. The chief financial officer shall determine all matters in connection with notes issued pursuant to this bond ordinance, and the chief financial officer's signature upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time subject to the provisions of the Local Bond Law. The chief financial officer is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this bond ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the notes sold, the price obtained and the name of the purchaser.

Section 5. The capital budget or temporary capital budget (as applicable) of the Borough is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith. In the event of any such inconsistency and amendment, the resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget or amended temporary capital budget (as applicable) and capital program as approved by the Director of the Division of Local Government Services is on file with the Clerk and is available there for public inspection.

Section 6. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvement or purpose described in Section 3 of this bond ordinance is not a current expense. It is an improvement or purpose the Borough may lawfully undertake as a general improvement, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The period of usefulness of the improvement or purpose, within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the bonds authorized by this bond ordinance, is 15 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the Borough as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$209,000 and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An amount not exceeding \$20,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the improvement or purpose.

(e) The Borough reasonably expects to commence acquisition and/or construction of the improvement or purpose described in Section 3 hereof, and to advance all or a portion of the costs in respect thereof, prior to the issuance of bonds or notes hereunder. To the extent such costs are advanced, the Borough further reasonably expects to reimburse such expenditures from the proceeds of the bonds or notes authorized by this bond ordinance, in an aggregate amount not to exceed the amount of bonds or notes authorized in Section 2 hereof.

Section 7. Any grant moneys received for the purposes described in Section 3 hereof shall be applied either to direct payment of the cost of the improvement or to payment of the obligations issued pursuant to this bond ordinance. The amount of obligations authorized hereunder shall be reduced to the extent that such funds are so used.

Section 8. The full faith and credit of the Borough is hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Borough, and the Borough shall be obligated to levy ad valorem taxes upon all the taxable real property within the Borough for the payment of the obligations and the interest thereon without limitation of rate or amount.

Section 9. The Borough hereby covenants to take any action necessary or refrain from taking such action in order to preserve the tax-exempt status of the bonds and notes authorized hereunder as is or may be required under the Internal Revenue Code of 1986, as amended, and the regulations promulgated thereunder (the "Code"), including compliance with the Code with regard to the use, expenditure, investment, timely reporting and rebate of investment earnings as may be required thereunder.

Section 10. The chief financial officer of the Borough is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Borough and to execute such disclosure document on behalf of the Borough. The chief financial officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Borough pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of obligations of the Borough and to amend such undertaking from time to time in

connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Borough fails to comply with its undertaking, the Borough shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

Section 11. To the extent that any previous ordinance or resolution is inconsistent herewith or contradictory hereto, said ordinance or resolution is hereby repealed or amended to the extent necessary to make it consistent herewith.

Section 12. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

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

Administrator Ciannamea- mentioned that this ordinance is supplementing the money that is already in place for the generators but there is need for more money.

PUBLIC HEARING ON ORDINANCE#2017-6:

Sal DeAlessandro, 1 Frederick St.- asked about the number of generators.

Mayor Vaccaro mentioned that this is for a portable generator for Concord Street that can be used at Lincoln Pl. stations via a transfer switch and generators for Lincoln Pl and Moonachie Road.

Mr. DeAlessandro- asked if there is a location for the permanent generator at Lincoln Place yet.

Mayor Vaccaro -mentioned that the Borough is looking into reconfigure the location of the generator so it is not unsightly and there is possibility to have above the well but it will be on the easement with the home next door. Spoke about possible location of putting over the roof but there is need access to take the pump out.

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

ROLL CALL: Bauer, Cirillo, Kinsella, Martinez.

All ayes. So ordered.

Motion by C/Bauer and second by C/Kinsella to adopt Ordinance#2017-6.

ROLL CALL: Bauer, Cirillo, Kinsella, Martinez.

All ayes. So ordered.

ORDINANCE #2017-7

AN ORDINANCE TO FIX THE SALARY, WAGES AND COMPENSATION OF THE OFFICERS AND EMPLOYEES OF THE BOROUGH OF MOONACHIE IN THE COUNTY OF BERGEN AND THE STATE OF NEW JERSEY.

BE IT ORDAINED, by the Mayor and Council of the Borough of Moonachie
As follows:

SECTION 1. The annual rate of compensation for each officer and employee of the Borough of Moonachie who shall be paid quarter-annually shall be as follows:

SALARY RANGE PER ANNUM

Mayor	\$ 0	to	\$6,320
Councilperson	0	to	5,750
Borough Prosecutor	1,200	to	5,930
Municipal Alliance Coordinator	500	to	3,430

The range of compensation of each officer and employee of the Borough of Moonachie whose compensation shall be on an annual basis shall be as follows and shall be paid bi-weekly:

SALARY RANGE PER ANNUM

Borough Administrator	\$30,000	to	\$103,680
Borough Clerk	20,000	to	66,930
Account Clerk	14,000	to	61,490
Tax Collector (January 1-June 7, 2017)	10,000	to	40,760
Clerk to Assist the Tax Collector	0	to	4,000
Clerk, Part Time	1,500	to	7,100
Clerk, Full Time	10,000	to	40,360
Treasurer/Chief Financial Officer	5,000	to	16,570
Inspection Control Clerk	6,000	to	29,940
Municipal Court Administrator	15,000	to	46,000
Violations Clerk, Part-Time	1,000	to	2,610
Registrar of Vital Statistics	500	to	1,400
Deputy Registrar of Vital Statistic	0	to	1,300
Secretary, Planning Board	700	to	2,800
Tax Assessor	6,000	to	14,999
Secretary, Board of Health	800	to	1,230
Judge, Municipal Court	5,000	to	21,000
Fire Official	4,000	to	9,700
Fire Prevention Clerk	2,800	to	5,850
Construction Official	5,000	to	16,150
Electrical Sub-Code Official	2,000	to	5,200
Building Sub-Code Official	1,000	to	5,750
Zoning Officer	1,000	to	5,750
Plumbing Sub-Code Official	1,000	to	5,530
Property Maintenance Official	1,000	to	5,110
Sewer Inspector (C-4 Licensed)	1,000	to	3,880
Municipal Superintendent DPW	30,000	to	66,320
Recycling Coordinator	15,000	to	32,910
Emergency Management Coordinator	0	to	2,270
Deputy Emergency Coordinator	0	to	2,270
Borough Attorney	25,000	to	40,000
Recreation Director	5,000	to	18,640
Fire Sub-Code Official	5,000	to	6,630
Environmental Compliance Manager	1,500	to	2,400
Part-time Building Inspector	250	to	1,090
Interlocal DPW Superintendent	10,000	to	20,820

The rate of compensation of each employee of the Borough of Moonachie whose compensation shall be on an hourly basis and which shall be paid bi-weekly shall be as follows:

	<u>RATE PER HOUR</u>		
**Construction Official – authorized extra work	75.00	to	103.53
**Electrical Official – authorized extra work	60.00	to	89.80
**Fire Official – authorized extra work	60.00	to	89.80
**Fire Inspector – authorized extra work	30.00	to	56.62
Part-time Building Inspector	20.00	to	27.60
Part-time Tax Collector	30.00	to	38.00
Part-time Court Administrator	25.00	to	30.00
Part-time Clerk	8.25	to	12.73
Part-time Secretary, Board of Health	8.25	to	12.73
Part-time Custodian	8.25	to	9.96
Part-time Recycling Inspector	8.25	to	9.96

Part-time Bus Driver	8.25 to	15.30
Part-time Summer Rec. Assistant Director	9.50 to	15.30
Part-time Summer Recreation Senior Counselors	9.00 to	9.69
Part-time Summer Recreation Counselors (3 to 4 Years)	8.50 to	9.18
Part-time Summer Recreation Counselors (1 to 2 Years)	8.25 to	8.67
* Part-time Police Communication Clerks	8.25 to	19.10
Crossing Guards	8.25 to	17.04
Police Matron	8.25 to	19.48
Part-time Laborer, Department of Public Works	8.25 to	15.00
Part-time Summer Help	8.25 to	15.00
Part-time Summer Assistant	8.25 to	8.59

* (Part-Time Police Communication Clerks are to receive Time and One Half for hours worked on Holidays as listed in Section 5.)

** (Extra work must be authorized by Borough Administrator)

The rate of compensation of each employee of the Borough of Moonachie whose compensation shall be on an as needed basis and which shall be paid bi-weekly shall be as follows:

	<u>Rate Per Inspection</u>	
Fire Inspector initial inspection	\$10.00 to	\$20.00
Fire Inspector re-inspection	5.00 to	10.00
Smoke Detector Inspection	10.00 to	20.00

SECTION 2. POLICE DEPARTMENT

The annual rate and when applicable, the range of compensation and benefits of each officer of the Police Department of the Borough of Moonachie shall be paid bi-weekly and shall be in accordance with the terms of the present contractual agreement with P.B.A. Local 102. The said contract is hereby incorporated in this Ordinance and such Contract document is on file with the Borough Clerk for public inspection.

SALARY RANGE

Police Chief: \$64,000 to \$163,620

Other compensation and benefits for the Chief of Police shall be as provided for in his personal contract with the Borough of Moonachie.

Police Matron:

The duties of the Police Matron will be performed by a Police Department Public Safety Tele-Communicator who has received the minimum training requirements for that assignment. Special compensation will be provided for a Public Safety Tele-Communicator to fulfill this assignment. Full-time Public Safety Tele-Communicators shall be paid in accordance with their collective bargaining agreement. Public Safety Tele-Communicators, who are not covered by a collective bargaining agreement, compensation for a call-in shall be \$50.00 per hour with a minimum of three hours pay.

When the duties of the Police Matron are performed by someone other than a Police Department Public Safety Tele-Communicator shall be compensated in accordance with the salary set forth in Section 2.

The personnel employed in this position must have the minimum training requirements for that assignment.

SECTION 3. DEPARTMENT OF PUBLIC WORKS AND FULL-TIME POLICE COMMUNICATIONS OPERATORS.

The annual rate of pay and when applicable, the range of compensation and benefits of each employee of the Department of Public Works and each Full time Police

Communications Operator of the Borough of Moonachie shall be paid in accordance with the terms of their present contracts and shall be paid bi-weekly. The said contracts are hereby incorporated in this Ordinance and such contract documents are on file with the Borough Clerk for public inspection.

Emergency overtime employment for the employees of the Department of Public Works shall be in accordance with the terms of the present contract.

SECTION 4. VACATIONS

1. All employees hired prior to January 1, 2015 eligible for vacation leave with pay shall be entitled to the use of vacation leave as provided below or as provided by contractual agreement, whichever is appropriate:
 - a. One (1) working day of vacation for each full month of employment during the first calendar year of employment.
 - b. Twelve (12) working days of vacation commencing the second calendar year of service through four (4) years of service.
 - c. Fifteen (15) working days of vacation commencing five (5) years of service through nine (9) years of service.
 - d. Sixteen (16) working days of vacation commencing ten (10) years of service.
 - e. Seventeen (17) working days of vacation commencing eleven (11) years of service.
 - f. Eighteen (18) working days of vacation commencing twelve (12) years of service.
 - g. Nineteen (19) working days of vacation commencing thirteen (13) years of service.
 - h. Twenty (20) working days of vacation commencing fourteen (14) years of service.
 - i. Twenty-one (21) working days of vacation commencing fifteen (15) years of service.
 - j. Twenty-two (22) working days of vacation commencing sixteen (16) years of service.
 - k. Twenty-three (23) working days of vacation commencing seventeen (17) years of service.
 - l. Twenty-four (24) working days of vacation commencing eighteen (18) years of service.
 - m. Twenty-five (25) working days of vacation commencing nineteen (19) years of service.

Conflicts concerning the choice of dates when scheduling vacations will be resolved within the work unit on the basis of seniority. Specific requests for vacation utilization which do not conflict with operational considerations shall not be unreasonably denied.

2. All employees hired on or after January 1, 2015 eligible for vacation leave with pay shall be entitled to the use of vacation leave as provided below or as provided by contractual agreement, whichever is appropriate:
 - a. One (1) working day of vacation for each full month of employment during the first calendar year of employment.
 - b. Twelve (12) working days of vacation commencing the second calendar year of service through four (4) years of service.
 - c. Fifteen (15) working days of vacation commencing five (5) years of service through nine (9) years of service.
 - d. Sixteen (16) working days of vacation commencing ten (10) years of service.
 - e. Seventeen (17) working days of vacation commencing eleven (11) years of service.

- f. Eighteen (18) working days of vacation commencing twelve (12) years of service.
- g. Nineteen (19) working days of vacation commencing thirteen (13) years of service.
- h. Twenty (20) working days of vacation commencing fourteen (14) years of service.
- i. Twenty-one (21) working days of vacation commencing fifteen (15) years of service.

Conflicts concerning the choice of dates when scheduling vacations will be resolved within the work unit on the basis of seniority. Specific requests for vacation utilization which do not conflict with operational considerations shall not be unreasonably denied.

3. All part time employees with fixed, scheduled hours eligible for vacation leave with pay shall be entitled to the use of vacation leave as provided below or as provided by contractual agreement, whichever is appropriate:
 - a. One half (1/2) working day of vacation for each full month of employment during the first calendar year of employment.
 - b. Six (6) working days of vacation commencing the second calendar year of service through four (4) years of service.
 - c. Eight (8) working days of vacation commencing five (5) years of service through ten (10) years of service.
 - d. Nine (9) working days of vacation commencing eleven (11) years of service through twelve (12) years of service.
 - e. Ten (10) working days of vacation commencing thirteen (13) years of service through fourteen (14) years of service.
 - f. Eleven (11) working days of vacation commencing fifteen (15) years of service.

Conflicts concerning the choice of dates when scheduling vacations will be resolved within the work unit on the basis of seniority. Specific requests for vacation utilization which do not conflict with operational considerations shall not be unreasonably denied.

- 4.a. Vacation leave is credited in advance at the beginning of the calendar year in anticipation of continued employment for the full year and may be used on that basis. Vacation allowance must be taken during the current calendar year at such time as permitted or directed by the Department Head unless the Department Head determines it cannot be taken because of pressure of work.
- b. Where an employee has an earned vacation balance which has not been previously scheduled as of October 1, the Department Head will meet with the employee to determine a schedule of such lost time so that no accrued vacation time will be lost.
5. Upon separation or upon retirement, an employee shall be entitled to vacation allowance for the current year (prorated upon the number of months worked in the calendar year) in which separation or retirement becomes effective and any vacation leave which may have been carried over, with prior approval, from the preceding calendar year.
6. Upon the death of an active employee having vacation credits, a sum of money equal to the compensation figured on his salary rate at the time of death shall be calculated and paid to his estate.
7. When the vacation allowance for an employee changes based on his years of service during any calendar year, the additional annual allowance will be given for the entire year.
8. When an employee not otherwise covered by contract provision of a specific bargaining unit has attained five (5) years of service, but less than 25 years of service, that person may elect to receive monetary compensation in exchange for unused vacation days not to exceed five (5) days from the current year allotment. If an employee with more than 25 years of service has unused vacation time from the

current year, that employee may request to receive compensation for all unused days from the current year allotment. Any compensation described herein shall be calculated at the current salary rate. If an employee with more than 25 years of service has accrued vacation time prior to January 1, 1998 the employee may elect to be reimbursed for those accumulated vacation days at the 1998 salary rate.

SECTION 5. HOLIDAYS AND PERSONAL LEAVE

All permanent, full-time employees of the Borough of Moonachie are entitled to fourteen (14) paid holidays annually as follows except as provided for by contract, whichever is appropriate. All part time employees with fixed, scheduled hours are entitled to any of the listed holidays that occur on their regularly scheduled day of work.

New Year's Day	Labor Day
Martin Luther King Jr Day	Columbus Day
Lincoln's Birthday	Day Before Independence Day
President's Day	Good Friday
Thanksgiving Day	Day after Thanksgiving
Memorial Day	Christmas Day
Independence Day	Veteran's Day

Additionally, each such permanent, full time employee shall have the right to take four (4) personal days of their choosing with the approval of the Department Head. Two (2) of which will be charged to sick days.

SECTION 6. SICK LEAVE

Sick leave shall accumulate on the basis of 15 days per year for full time employees. In the first year of employment, an employee shall be entitled to one and one fourth days of sick leave for each month of employment.

Sick leave shall accumulate on the basis of 8 days per year for part time employees with fixed, scheduled hours. In the first year of employment, an employee shall be entitled to one half day of sick leave for each month of employment.

Sick leave may be accumulated under the following conditions:

1. All accumulated sick days as of 12/31/97 for non-contractual employees will be frozen at the rate of pay in effect on 12/31/97 and will be subject to the Mayor & Council approval for payment to the employee on retirement or on termination for any reason.
2. At year-end, a full time employee may receive payment for up to ten (10) unused sick days from that current year's allotment. At year end, part time employees with fixed, scheduled hours may receive payment for up to five (5) unused sick days from that current year's allotment. Payment will be at the rate of pay in effect for that year.
3. An employee will be allowed to bank unused sick-time from the current year but any payout for those days is to be at the salary rate in effect when the days were banked.
4. Maximum pay-out for sick days accumulated after January 1, 1998:
 - a. For retirement or termination prior to five (5) years of continuous full-time employment with the Borough of Moonachie the employee will be reimbursed for up to a maximum of thirty (30) days of accumulated sick time.
 - b. For retirement or termination after five (5) years of continuous full-time employment with the Borough of Moonachie the employee will be reimbursed for up to a maximum of sixty (60) days of accumulated sick-time.

Payment required herein and above shall not be made if an employee is terminated for just cause. The Employer's determination in this regard shall be final and not subject to challenge.

SECTION 7. TERMINAL LEAVE

Terminal Leave benefits, if any, shall be determined by the Mayor & Council, subject to any other conditions and/or required payments as provided above, on a case by case basis based upon a merit review of the particular employee's work history. If the employee is a member of a specific bargaining unit, the terminal leave benefits shall be in accordance with the terms of the present contract with that bargaining unit.

Terminal payment due to any employee upon death shall be paid to the estate of said employee.

Payment required herein and above shall not be made if an employee is terminated for just cause. The Employer's determination in this regard shall be final and not subject to challenge.

Notwithstanding anything in this section to the contrary, each employee of the Borough of Moonachie shall be entitled to any and all of those benefits which are required under the rules and/or statutes governing the Department of Personnel.

SECTION 8. All Ordinances or parts of Ordinances inconsistent herewith are hereby repealed as to such inconsistencies.

SECTION 9. This Ordinance shall take effect upon publication in the manner prescribed by Law and shall be retroactive to January 1, 2017

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

PUBLIC HEARING ON ORDINANCE#2017-7:

No one wishing to be heard.

Motion by C/Kinsella and second by C/Martinez to close Public hearing.

ROLL CALL: Bauer, Cirillo, Kinsella, Martinez.

All ayes. So ordered.

Motion by C/Kinsella and second by C/Cirillo to adopt Ordinance#2017-7.

ROLL CALL: Bauer, Cirillo, Kinsella, Martinez.

All ayes. So ordered.

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

RESOLUTION#17-291

BE IT RESOLVED, by the Mayor and Council of the Borough of Moonachie, that the below specified positions will be compensated at the following annual rate, retroactive to January 1, 2017 except as noted:

Mayor	Dennis Vaccaro	\$ 6,317.00
Councilperson	Robert Bauer	\$ 5,743.00
Councilperson	Antonio Cirillo	\$ -0-
Councilperson	Kathy Kinsella	\$ 5,743.00
Councilperson	Manuel Martinez	\$ 5,743.00
Councilperson	Lucille Millar	\$ 5,743.00
Councilperson	Bruce Surak	\$ 5,743.00
Administrator	Anthony Ciannamea	\$103,670.00
Borough Clerk	Supriya Sanyal	\$ 66,919.00
Account Clerk	Lynn Van Saders	\$ 61,480.00
Tax Collector	Debra Benigno	\$ 40,752.00
(January 1, - June 7, 2017)		
Clerk to Assist Tax Collector	Lisa Ciannamea	\$ 4,000.00

(July 15, 2017 - December 31, 2017)		
Full-time Clerk	Lisa Ciannamea	\$ 40,356.00
Full-time Clerk	Amelia Daleo	\$ 27,000.00
(September 18, 2017 - December 31, 2017)		
Full-time Clerk	Jennifer Cooney	\$ 27,540.00
(January 1, 2017-June 30, 2017)		
Full-time Clerk	Jennifer Cooney	\$ 29,540.00
(July 1, 2017-December 31, 2017)		
Chief Financial Officer	Anthony Ciannamea	\$ 16,561.00
Inspection Control Clerk	Lynn Rose	\$ 29,931.00
Municipal Court Administrator	AnaMaria Matos	\$ 42,000.00
(January 1, - March 2017)		
Municipal Court Administrator	Brittany Demarest	\$ 46,000.00
(May 22, 2017 - December 31, 2017)		
Violations Clerk, P/T	Debra Benigno	\$ 2,601.00
(January 1, 2017 - June 7, 2017)		
Violations Clerk, P/T	Jennifer Cooney	\$ 2,600.00
(June 12, 2017 – December 31, 2017)		
Registrar of Vital Statistics	Supriya Sanyal	\$ 1,397.00
Deputy Registrar of Vital Statistics	Lisa Ciannamea	\$ 279.00
(January 1, 2017- July 14, 2017)		
Deputy Registrar of Vital Statistics	Lisa Ciannamea	\$ 1,299.00
(July 15, 2017 - December 31, 2017)		
Secretary, Planning Board	Supriya Sanyal	\$ 2,799.00
Borough Prosecutor	Linda Schwager	\$ 5,925.00
Tax Assessor	Paul Barbire	\$ 14,999.00

Secretary, Board of Health	Jennifer Cooney	\$ 1,224.00
Fire Official	Frederick Dressel IV	\$ 9,691.00
Fire Prevention Clerk	Lynn Rose	\$ 5,845.00
Construction Code Official	Michael Sartori	\$ 16,147.00
Part Time Building Inspector	Dominick Lunanova	\$ 1,082.00
Electrical Sub-Code Official	Ilarione Mario Patruno	\$ 5,100.00
Building Sub-Code Official	Michael Sartori	\$ 5,743.00
Plumbing Sub-Code Official	Dominick Lunanova	\$ 5,520.00
Property Maintenance Official	William G Hunt, Jr.	\$ 5,100.00
Sewer Inspector	Walter Paul	\$ 3,878.00
Municipal Alliance Coordinator	Phil Facendola	\$ 3,428.00
Borough Attorney	Frank Migliorino	\$ 40,000.00
Zoning Officer	Michael Sartori	\$ 5,743.00
Judge, Municipal Court	Phillip Boggia	\$ 20,991.00
Recreation Director	Philip Facendola	\$ 18,635.00
Fire Sub-Code Official	Armand Marini III	\$ 6,624.00
Municipal Superintendent DPW	MaryEllen Lyons	\$ 66,302.00
Recycling Coordinator	MaryEllen Lyons	\$ 32,897.00
Environmental Compliance Mgr.	Walter Paul	\$ 2,389.00
Emergency Mgmt. Coordinator	Richard Behrens	\$ 0.00
Dpty. Emergency Mgmt.Coordinator	MaryEllen Lyons	\$ 2,252.00
Interlocal DPW Superintendent	MaryEllen Lyons	\$ 20,808.00

HOURLY EMPLOYEES, PER HOUR:

**Construction Official – authorized extra work	\$103.53
**Electrical Official – authorized extra work	\$ 89.80
**Fire Official – authorized extra work	\$ 89.80
**Fire Inspector – authorized extra work	\$ 56.62
Part-time Building Inspector	\$ 27.60
Part-time Tax Collector	\$ 38.00
Part-time Court Administrator	\$ 30.00
Part-time Clerk	\$ 12.73
Part-time Board of Health Secretary	\$ 12.73
Part-time Custodian	\$ 9.96
Part-time Recycling Inspector	\$ 9.96

Part-time Bus Driver	\$ 15.30
Part-time Summer Rec. Assistant Director	\$ 15.30
Part-time Summer Recreation Senior Counselors	\$ 9.69
Part-time Summer Recreation Counselors (3 to 4 Years)	\$ 9.18
Part-time Summer Recreation Counselors (1 to 2 Years)	\$ 8.67
Part-time Summer Help	\$ 15.00
HOURLY EMPLOYEES, PER HOUR:	
Part-time Summer Assistant	\$ 8.59
*Part-time Police Communication Clerks	\$ 19.10
Crossing Guards	\$ 17.04
Police Matron	\$ 19.48
Part-time Laborer, Department of Public Works	\$ 15.00

*(Part-time Police Communication Clerks are to receive time and one half for hours worked on Holidays as per Salary Ordinance)

** (Extra work must be authorized by Borough Administrator)

ROLL CALL: Bauer, Cirillo, Kinsella, Martinez.

All ayes. So ordered.

PUBLIC HEARING:

Jorge Morales, 43 Diamond Way- asked about the cost for rebidding for DPW building . Mayor Vaccaro- mentioned that the bid has to be advertised and the cost would likely be minimal.

Mr. Morales- asked whether the company was paid to do the bid.

Mayor Vaccaro- explained that the Architect did the bid for the DPW Building and Boswell put together the bid for the soil.

Mayor Vaccaro- explained that rebidding of DPW building is not Architect's fault and it was the judge's decision.

Mr. Morales- felt that the company, who put together the bid, is responsible for the bid.

Attorney Migliorino- mentioned that the rebid will be money saving move because it was rectify before it got out of hand.

Mr. Morales asked how many officers are being hired.

Mayor Vaccaro-mentioned that he have to wait until he meet with the Police Chief.

Mr. Morales asked if people will be dedicated to Teterboro, and if there will be more presence of police in Moonachie because the grant is for Community Policing.

Mayor Vaccaro -mentioned that the grant application included information about the Police Department working in Teterboro and there were 13,000 applications for the grant throughout the Country, 1,100 were awarded.

Mr. Morales- asked whether the Police Department will answer only emergency to Teterboro.

Mayor Vaccaro- mentioned that the Borough is going to provide the Police Service, including emergency and patrolling.

Mr. Morales spoke about the court case and provided transcript and audio of the proceeding. He spoke about violation of the Borough. Read various passages from the transcript regarding the statement of Mr. Migliorino, the Judge and his.

Mayor Vaccaro- we did just received it and did not have time to review so we are in disadvantage not knowing the contest

Attorney Migliorino -spoke about the judge's response to Mr. Morales.

Mr. Morales- read more about judge's statement from the proceeding regarding violation of the Borough.

Sal DeAlessandro, 1 Frederick Street- asked about the increase of Fire Department clothing allowance.

Mayor Vaccaro- mentioned there was a \$100 increase for all the officers except for the life member.

Mr. DeAlessandro- asked who did the request for this increase.

He was told that the Chief made the request.

Mr. DeAlessandro asked what actions the Borough can take for the airport.

Mayor Vaccaro -mentioned that Signature wants to build new hangars and the Port Authority on their behalf makes the applications to the DEP and the Army Corp of Engineers. Spoke about having meetings with neighboring Mayors and to have Signature take into consideration about the water going downstream. He mentioned that he is looking to meet with the Mayors of Little Ferry, South Hackensack and Signature and their plans. He explained when they want to do a project on Port Authority's property,

they should consider the whole property. He mentioned that there was discussion about the incoming flights at the meeting with the Mayors.

Mr. DeAlessandro -spoke about the planes being bigger and all the Authorities are created by the State.

Mayor Vaccaro -mentioned Signature is allowing town engineer's being able to look at the plans and to discuss. Spoke about having maintenance plan for the projects of Rebuild By Design by an agency is vital in avoiding flooding in the town.

Mr. DeAlessandro- mentioned about the overbuilt in this area and about maintenance in the area. He spoke about Rebuild by Design meetings and how maintenance had become more of a priority from public input.

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

ROLL CALL: Bauer, Cirillo, Kinsella, Martinez.

All ayes. So ordered.

Motion by C/Bauer and second by C/Cirillo to approve the following Resolution at 9:00 P.M.

RESOLUTION #17-292

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, Martinez.

All ayes. So ordered.

Motion by C/Bauer and second by C/Martinez to close closed session at 9:31 P.M.

Mayor Vaccaro mentioned that in closed session there was discussion regarding personnel and no action was taken. He reminded everyone that the Tree Lighting will be on Saturday at 7 P.M.

Motion by C/Bauer and second by C/Martinez to adjourn the meeting at 9:32 P.M.

ROLL CALL: Bauer, Cirillo, Kinsella, Martinez.

All ayes. So ordered.

Attest:

Supriya Sanyal
Borough Clerk