

Regular Meeting called to order, Mayor Dennis Vaccaro in the chair, at Kathryn E. Flynn Civic Center on Thursday April 27th, 2017 at 8:00 P.M.

Mayor called for Pledge of Allegiance to the Flag.

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

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 Minutes of Special Meeting of January 19, 2017.

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

All ayes. So ordered.

COMMUNICATIONS:

Township of Saddle Brook- supporting the programs and full funding of the Community Development Block Grant and requesting President Trump and the Congress to take into account all the worthwhile programs supported by Community Development Block Grant.

Azzolina & Feury Engineering, Inc.- notification of submittal of an application for an authorization under flood hazard area general permit by certification 6 to DEP for Block 70, Lot 8.02 in the Borough of Little Ferry.

Bergen County Board of Taxation- notice of hearing on Preliminary Equalization Ratio for the Borough of Moonachie.

Township of Teaneck- expressing commitment to equal respectful and dignified treatment of all people, regardless of their immigration status.

Bergen County Division of Open Space-notice of public hearing on the proposed funding allocation for the Open Space Trust Fund's 2016 funding round.

New Jersey Department of Environmental Protection-notification of suspected Hazards substance discharge at 1 Carol Place, in the Borough of Moonachie.

Carlstadt Planning Board- notice of approval of Re-Examination Report of the Carlstadt Master Plan.

New Jersey Department of Environmental Protection-notification of issuance of Soil Remedial Action permit for site located at Infiniti Color Graphics, Inc., A/K/A Fantastex Realty, Inc. Trinity Graphic, Inc., 2 Anderson Ave., in the Borough of Moonachie.

New Jersey Sports & Exposition Authority- notice for two bulk variances filed with NJSEA by Eric Witmond, WIP Moonachie LLC for the premises located at 77 Moonachie Ave., Block 70, Lot 5.02.

Motion by C/Kinsella and second by C/Cirillo to file communication.

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

All ayes. So ordered.

FORMAL ACTION TAKEN AT EXECUTIVE MEETING ON APRIL 13, 2017

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

RESOLUTION #17-115

BE IT RESOLVED, that the Mayor and Council of the Borough of Moonachie wishes to amend grant agreement #CD-MN-AMB-15 with the County of Bergen for the purpose of using \$75,000.00 in 2015 Community Development Block Grant funds in conjunction with previous grant(s) in the amount of \$75,000.00 for a total amount of \$150,000.00.

Moonachie: Purchase of an Ambulance; and

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

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

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

RESOLUTION #17-116

BE IT RESOLVED by the Mayor and Council of the Borough of Moonachie that Geeta Joshi be and is hereby appointed as Acting Municipal Court Administrator effective March 31, 2017 at the hourly rate of \$30 per hour (20 hours a week).

RESOLUTION #17-117

WHEREAS, at the Municipal Tax Sale held on Nov.12, 2015, a lien was sold on Block 42.01/ Lot 3, also known as 50 Diamond Way, Moonachie, NJ, for 2013 & 2014 delinquent sewer charges; and,

WHEREAS, this lien, known as Tax Sale Certificate #15-008, was sold to US BankCust for PC6, LLC Sterling, for a 0% redemption fee and a \$400 premium; and,

WHEREAS, the property owners, Jacqueline and Jose Pena, has effected redemption of Certificate #15-008 in the amount of \$1,494.69,

NOW, THEREFORE, BE IT RESOLVED, by Mayor and Council that a check in the amount of \$1,494.69 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 #15-008

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 #17-118

WHEREAS, at the Municipal Tax Sale held on Dec.14, 2016, a lien was sold on Block 9/ Lot 6, also known as 26 Fredrick St., Moonachie, NJ, for 2015 delinquent sewer charges; and,

WHEREAS, this lien, known as Tax Sale Certificate #16-001, was sold to D1 Softball Clinic LLC, for a 0% redemption fee and a \$6, 200 premium; and,

WHEREAS, the property owners, Alex, Michael & Ellie Tanous, has effected redemption of Certificate #16-001 in the amount of \$3,300.11 and,

NOW, THEREFORE, BE IT RESOLVED, by Mayor and Council that a check in the amount of \$3,300.11 be and is hereby authorized to be issued and payable to D1 Softball Clinic LLC, for the redemption of Tax Sale Certificate #16-001

BE IT FURTHER RESOLVED, that Mayor and Council to issue a check in the amount of \$6,200.00(Premium) to the aforementioned lien holder.

RESOLUTION #17-119

WHEREAS, at the Municipal Tax Sale held on Nov.12, 2015, a lien was sold on Block 74/ Lot 18.02, also known as 17 Oak St., Moonachie, NJ, for 2013 & 2014 delinquent sewer charges; and,

WHEREAS, this lien, known as Tax Sale Certificate #15-012, was sold to US BankCust for PC6, LLC Sterling, for a 0% redemption fee and a \$1,100 premium; and,

WHEREAS, Corelogic representing the property owner(s), Carlos Peralta, has effected redemption of Certificate #15-012 in the amount of \$4,631.87,

NOW, THEREFORE, BE IT RESOLVED, by Mayor and Council that a check in the amount of \$4,631.87 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 #15-012

BE IT FURTHER RESOLVED, that Mayor and Council to issue a check in the amount of \$1,100(Premium) to the aforementioned lien holder.

RESOLUTION #17-120

WHEREAS, PTO Robert L. Craig School submitted applications for Raffles Licenses (RL388 and RL 389) and

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council that the any fees for Raffles Licenses (RL 388 and 389) for PTO Robert L. Craig School be and is hereby waived.

RESOLUTION #17-121

BE IT RESOLVED by the Mayor and Council of the Borough of Moonachie that the agreement of L+C Design Consultant, PA for professional planning and related services for Post-Sandy Planning Assistance grant be and is hereby memorialized for the following planning activities and in the following amounts.

1. Master Plan Reexamination Report including Resiliency, Floodplain, Economic, and Open Space elements -\$50,000.
2. Neighborhood Plans based on Special Study areas for critical Industrial and Mobile Home Sites:
 - A. Industrial Site Neighborhood Plans - \$15,000
 - B. Industrial and Mobile Home Site Neighborhood Plan- \$25,000
 - \$40,000 total
3. Update Zoning Ordinance based on revised Plan Elements-\$25,000
4. Design Standards-\$25,000.
5. Debris Management Plan-\$20,000.
6. GIS Database Plan-\$50,000.
7. Capital Improvement Plan-\$30,000

RESOLUTION #17-122

WHEREAS, Two Brothers Contracting, Inc., submitted Change Order No. 3 for the amount not to exceed \$47,822.50 for work performed and material furnisher for the construction of new Municipal Building(for removal, transportation and disposal of soil); and

WHEREAS, L+C Design Consultants PA and the Borough Attorney have approve the change Order No. 3 as presented; and

NOW THEREFORE, BE IT RESOLVED by the Mayor and Council that Change Order No. 3 for the amount not to exceed \$47,822.50 be and is hereby approved.

RESOLUTION #17-123

WHEREAS, N.J.S. A. 40A:65 -1 et seq. authorizes local units of government to enter into an agreement with any other local unit or units to provide or receive any service that each local unit participating in the agreement is empowered to provide or receive within its own jurisdiction; and

WHEREAS, N.J.S.A. 40A:65-1 et seq. promotes the broad use of shared services as a method to reduce local expenses funded by property taxpayers; and

WHEREAS, the Borough of Teterboro is seeking the services of an Emergency Management Coordinator; and

WHEREAS, it is in the best interest of the Borough of Moonachie and the Borough of Teterboro to enter into a Shared Service Agreement to provide the services of an Emergency Management Coordinator to the Borough of Teterboro; and

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

1. That it does hereby authorize and approve Shared Service Agreement between the Borough of Moonachie and the Borough of Teterboro, to provide services of an Emergency Management Coordinator, which shall be effective January 1, 2017 until December 31, 2017.
2. The Mayor and the Borough Clerk are hereby authorized and directed to execute the Shared Service Agreement following legal review.
3. 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 #17-124

WHEREAS, proposals were solicited by the Borough Administrator for curbside collection of grass, yard waste, and tree trimmings for the period from April 5, 2017 through August 31, 2017; and

WHEREAS, three proposals were submitted as follows:

Get A Can Inc.(Gaeta Recycling Co. Inc.), in the amount of \$16,030.00
 Ferretti Carting, Inc., in the amount of \$27,000.00

Galaxy Carting, in the amount of \$33,000.00

WHEREAS, Borough Administrator awarded the contract to Get A Can Inc.(Gaeta Recycling Co. Inc.), 278-282 West Railway Avenue, Paterson NJ 07503, in the amount of \$16,030.00

NOW THEREFORE, BE IT RESOLVED, by the Mayor and Council be and is hereby approved and confirmed the award of contract to Get A Can Inc.(Gaeta Recycling Co. Inc.), 278-282 West Railway Avenue, Paterson NJ 07503, in the amount of \$16,030.00.

BE IT FURTHER RESOLVED, that the Mayor and the borough Clerk are hereby authorized to sign the said contract.

RESOLUTION #17-125

BE IT RESOLVED by the Mayor and Council of the Borough of Moonachie that Natalia Tello be and is hereby appointed as a part-time Dispatcher at the hourly rate of \$18.73 per hour.

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

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

RESOLUTION #17-126

BE IT RESOLVED by the Mayor and Council of the Borough of Moonachie that Jonathan Surak be and is hereby appointed as a part-time Dispatcher at the hourly rate of \$18.73 per hour.

ROLL CALL: Bauer, Cirillo, Martinez- ayes, Surak- recused
Three ayes and one recused. Motion carried.

REGULAR MEETING OF APRIL 27, 2017:

BIDS: Seven Bids were received on April 19, 2017 at 11:00 A.M. for Improvements to Commercial Ave.(Sec. 3) & the 2016 CDBG & Borough Road Resurfacing Programs

	Base Bid	Alternate Bid
D LS Contracting, Inc. 271 US Highway 46, Suite D-205 Fairfield, NJ 07004	\$210, 112.00	\$43,313.25
American Asphalt & Milling Services, LLC 96 Midland Ave. Kearny, NJ 07032	\$222,795.00	\$47,620.00
Smith-Sondy Asphalt Construction, Co. Inc. 150 Anderson Ave. Wallington, NJ 07057	\$220, 589.20	\$56,030.35
A.J.M. Contractors, Inc. 300 Kuller Rd. Clifton, NJ 07011	\$234,316.10	\$43,809.50
Stanziale Construction, LLC PO Box 2597 Bloomfield, NJ 07003	\$237,375.00	\$42,290.00
D&L Paving Contractors, Inc. 675 Franklin Ave. Nutley, NJ 07110	\$221,185.42	\$58,758.77
4 Clean-Up Inc. PO Box 5098		

North Bergen, NJ 07047 \$233,092.50 \$43,311.25
 Mayor Vaccaro- mentioned that Commercial Ave. project is part of DOT grant, parking lot of Civic/Senior center is part of CDBG and the Borough's Road program includes Bruno St. from W. Park Street to end as alternate, Frederick St., from W. Park St., to Joseph and Rooney Pl., from Moonachie Rd., to Edstan Dr.
 Motion by C/Surak and second by C/Martinez to approve the following Resolution:

RESOLUTION #17-127

WHEREAS, Seven Bids were received on April 19, 2017 at 11:00 A.M. for Improvements to Commercial Ave.(Sec. 3) & the 2016 CDBG & Borough Road Resurfacing Programs; and

WHEREAS, opening of bids took place April 19, 2017 at 11:00 A.M., at which time the bids were received from the following:

	Base Bid	Alternate Bid
D. L.S. Contracting, Inc. 271 US Highway 46, Suite D-205 Fairfield, NJ 07004	\$210, 112.00	\$43,313.25
American Asphalt & Milling Services, LLC 96 Midland Ave. Kearny, NJ 07032	\$222,795.00	\$47,620.00
Smith-Sondy Asphalt Construction, Co. Inc. 150 Anderson Ave. Wallington, NJ 07057	\$220, 589.20	\$56,030.35
A.J.M. Contractors, Inc. 300 Kuller Rd. Clifton, NJ 07011	\$234,316.10	\$43,809.50
Stanziale Construction, LLC PO Box 2597 Bloomfield, NJ 07003	\$237,375.00	\$42,290.00
D&L Paving Contractors, Inc. 675 Franklin Ave. Nutley, NJ 07110	\$221,185.42	\$58,758.77
4 Clean-Up Inc. PO Box 5098 North Bergen, NJ 07047	\$233,092.50	\$43,311.25

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 Boswell McClave Engineering reviewed and recommended acceptance of the bid of D. L. S. 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 total base bid in the amount of \$210,112.00, and Alternate Bid in the amount of \$43,313.25 be and are awarded to D. L. S. Contracting Inc.; and

BE IT FURTHER RESOLVED, that the Borough Clerk and the Mayor be and are hereby authorized to enter into a contract with D. L. S. Contracting Inc. for the purposes of base bid in the amount of \$210,112.00, and Alternate Bid in the amount of \$43,313.25; 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, Kinsella, Martinez, Surak.

All ayes. So ordered.

Mayor Vaccaro- mentioned that Millennium submitted PW to FEMA and the Borough received about \$300,000.

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

RESOLUTION #17-128

BE IT FURTHER RESOLVED by the Mayor and Council that the payments in the amounts of 9,150.00 for month of December, 2016 and \$9,450.00 for month of March, to Millennium Strategies, LLC for professional services for the FEMA grants Management and Administration be and is hereby approved.

RESOLUTION #17-129

BE IT RESOLVED, by the Mayor and Council of the Borough of Moonachie that the payment in the amount of \$7,156.75 to L+C Design Consultant, PA for Redesign Reduced Scope of Work for New Municipal Building be and is hereby approved.

RESOLUTION #17-130

BE IT RESOLVED, by the Mayor and Council of the Borough of Moonachie that the payment in the amount of \$3, 014.00 to L+C Design Consultant, PA for preparation of Strategic Recovery Planning Report be and is hereby approved.

RESOLUTION #17-131

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 12 Empire Boulevard LLC:

<u>Year</u>	<u>Block</u>	<u>Lot</u>	<u>Amount</u>
2015	39	3.01	\$7,181.62
	TOTAL		\$7,181.62

BE IT FURTHER RESOLVED, that the tax overpayment in the amount of \$7,181.62 shall be made payable to "Bruce J. Stavitsky, Esq. for the benefit of " 12 Empire Boulevard LLC" and mailed to Stavitsky & Associates, LLC, 350 Passaic Avenue, Fairfield, NJ 07004.

RESOLUTION #17-132

WHEREAS, the Mayor and Council of the Borough of Moonachie have been advised of the proposed settlement of a Tax Appeal filed on behalf Thomas Tucci, Trustee, under Docket Nos.: 010538-2015 and 010258-2016 and for the years 2015 and 2016;

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.

RESOLUTION #17-133

WHEREAS, Two Brothers Contracting, Inc. submitted an invoice for Payment No. 8 for work performed and material furnished in the construction of Moonachie Municipal Building in the amount of \$4,018.00; and

WHEREAS, L+C Design Consultants PA has approve the payment as presented; and

NOW THEREFORE, BE IT RESOLVED by the Mayor and Council that the payment in the amount of \$4,018.00 to Two Brothers Contracting, Inc.be and is hereby approved.

Thomas Tucci, Trustee
Plaintiff,

TAX COURT OF NEW JERSEY
Docket No. 010538-2015
010258-2016

vs.

Civil Action

BOROUGH OF MOONACHIE
(BERGEN COUNTY),
Defendant.

STIPULATION OF SETTLEMENT
(Local Property Tax)

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

Block	Lot	Unit Qualifier	
29	2.01		
Street Address	Year(s)		
343 Maple Street, Moonachie, New Jersey	2016		
	Original	County Tax Board	Requested Tax
	Assessment	Judgment	Court Judgment
Land	\$146,500	\$146,500	\$146,500
Improvements	<u>\$269,400</u>	<u>\$269,400</u>	<u>\$213,500</u>
Total	\$415,900	\$415,900	\$360,000

2. The provisions of N.J.S.A. 54:51A-8 (Freeze Act) shall not apply.
3. 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.

4. 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 practice generally applicable in the taxing district as required by law.
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 or credit 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 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 Thomas Tucci and received by Thomas Tucci within 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 comply with the provisions of this paragraph, both as to the time and manner of making the payments.
7. The provisions of Paragraphs 5 and 6 herein shall survive the entry of judgment, remain in full force and effect and be subject to any appropriate action for enforcement of the provisions.
8. Plaintiff hereby withdraws their 2015 appeal Docket No.: 010538-2015.

BRIAN T. GIBLIN, ESQ.
Attorney for Plaintiff
Thomas Tucci, Trustee

HELENE HERBERT, ESQ.
Attorney for Defendant,
Borough of Moonachie

RESOLUTION #17-134

WHEREAS, Lewis Tree Service, Inc. 300 Lucius Gordon Drive, West Henrietta, N. Y. 14586 issued Check #21168 dated 8/26/2016 in the amount of \$10,000 to the Borough of Moonachie for a Police Escrow for Traffic Control Services; and

WHEREAS, there were 2 jobs done by Lewis Tree between the date of the deposit and April 11, 2017; November: Inv. 16-1181 in the amount of \$3,400 and December: Inv. 16-1281 in the amount of \$1,300. This total of \$4,700 has been deducted from their escrow.; and

WHEREAS, Lewis Tree claims they will not be doing further planned work in the Borough for at least three years and have requested the balance of \$5,300 be returned to them; and

WHEREAS, Lewis Tree is entitled to their remaining, unused escrow; and

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council that a refund of \$5,300 be issued to Lewis Tree, Inc. 300 Lucius Gordon Dr., West Henrietta, N. Y. 14586 for the balance of their unused Police Traffic Control Escrow.

RESOLUTION #17-135

WHEREAS, employees are entitled to receive payment for unused sick days for 2016; and

WHEREAS, Dennis Williams had 10 unused sick day of 2016; and

WHEREAS, Dennis Williams was paid for 6 days and 6.25 Hours unused sick days; and

NOW THEREFORE, BE IT RESOLVED by the Mayor and Council that the payment for 3 days and 1.75 hours of unused sick days to Dennis Williams be and is hereby approved.

RESOLUTION#17-136

WHEREAS, the Community Development Block Grant program has existed for over 40 years, providing grants to communities and non-profit organizations to provide various services for the Borough of Moonachie as well as Bergen County programs, and

WHEREAS, residents of Borough of Moonachie have benefited over the years from Community Development grants such as improvements to Senior Center, Moonachie Avenue Sanitary Pipeline replacement, purchase of an ambulance and ADA compliant parking lot & walkway improvement at the Senior Center, County programs such as Meals on Wheels just to name a few, and

WHEREAS, the proposed funding for FY 2017 will amount to a 50% cut if left intact, leaving many programs underfunded or unfunded, targeting Senior Citizen and youth programs in Moonachie and throughout the country,

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Moonachie that the Mayor and Council strongly supports the programs and full funding of the Community Development Block Grant program, and that President Trump and members of the United States Congress take into account all the worthwhile programs supported by Community Development Block Grant, and

BE IT FURTHER RESOLVED that the Borough Clerk is hereby directed to send certified copies of this resolution to President Donald J. Trump, US Senate and House of Representative leaders, Congressman William Pascrell, US Senators Cory Booker and Robert Menendez, NJ League of Municipalities, and the Bergen County Community Development.

RESOLUTION #17-137

BE IT RESOLVED that the Mayor is hereby appointed Rita Wende as an Alternate (Alternate No. 1) Member of the Board of Health, term to expire December 31, 2018; and

BE IT FURTHER RESOLVED, by the Governing Body that the appointment of Rita Wende as an Alternate (alternate No. 1) Member of the Board of Health be and is hereby confirmed.

RESOLUTION #17-138

Resolution Re: Authorizing the Cancellation of Unexpended Sewer Utility Capital Ordinance Balances

WHEREAS, Certain Unexpended Ordinance Appropriation balances remain open in the Sewer Utility Capital Fund, and

WHEREAS, the capital projects have been completed, and

NOW, THEREFORE, BE IT RESOLVED, by the governing body of the Borough of Moonachie, County of Bergen, New Jersey that the following ordinance appropriation balances in the Sewer Utility Capital Fund be cancelled of record.

Ord. No.	Description	Unexpended Improvement Authorization Balance	Allocation		
			Deferred Charges Unfunded	Capital Improvement Fund	Reserve for Payment of Bonds
95-8	Improvement to Sanitary Sewer System	\$ 71,550	\$ 71,101		\$ 449
04-7/04--15	Sanitary Sewer Line	154			154
06-4	Various Sewer Improvements	113,418			113,418
09-6	Emergency Repairs Concord Pump Station	4,005		\$ 4,005	
09-11	Varios Repairs Lincoln Place Pump Station	200		200	
10-5	Repairs Moonachie Road Pump Station	3,934		3,934	
10-6	Emergency Repairs Moonachie Road Pump Station	16,707		16,707	
12-2	Improvemetns Moonachie Ave Pump Station	28,081	28,081		
12-10	Sewer Van	4,875	-	4,875	-
		<u>\$ 242,924</u>	<u>\$ 99,182</u>	<u>\$ 29,721</u>	<u>\$ 114,021</u>

RESOLUTION #17-139

Resolution Re: Authorizing the Cancellation of Unexpended General Capital Ordinance Balances

WHEREAS, Certain Unexpended Ordinance Appropriation balances remain open in the General Capital Fund, and

WHEREAS, the capital projects have been completed, and

NOW, THEREFORE, BE IT RESOLVED, by the governing body of the Borough of Moonachie, County of Bergen, New Jersey that the following ordinance appropriation balances in the General Capital Fund be cancelled of record.

Ord. No.	Description	Unexpended Improvement Authorization Balance	Deferred Charges Unfunded	Allocation			
				Grant Receivable	Reserve for Payment of Bonds	Fund Balance	Capital Improvement Fund
02-17/03-6	Recreation Equipment	\$ 3,739		\$ 3,739			
04-12	Acquisition and Installation of Generator	16,062			\$ 16,062		
04-17	Joseph Street Park Improvements	36,921		23,135	13,786		
05-02	Various Road Improvements	13,447			13,447		
08-04	Joseph Street Park Improvements	32,081		25,000	7,081		
08-09	Tax Appeal	210,969	192,567			\$ 18,402	
10-08	Streetscape and Park Improvements	14,785			14,785		
11-13/12-6	Improvements to Fire House Roof	5,891	\$ 5,891				
12-7/12-11	Various Road Improvements	70,424	70,424				
12-08	Joseph Street Park Improvements	4,344	4,344				
12-09	Emergency Service Equipment	5,392	-	-	-	-	\$ 5,392
		<u>\$ 414,055</u>	<u>\$ 273,226</u>	<u>\$ 51,874</u>	<u>\$ 65,161</u>	<u>\$ 18,402</u>	<u>\$ 5,392</u>

RESOLUTION #17-140

BE IT RESOLVED, by the Mayor and Council of the Borough of Moonachie that the Borough Administrator be and is hereby authorized to issue a check in the amount of \$13,761.67 to Moonachie First Aid & Rescue Squad for the insurance proceeds that were paid to the Borough for an ambulance that was owned by Moonachie First Aid & Rescue Squad.

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

BILLS:

<u>APRIL 2017 CHECK LIST</u>		
CHECK	CURRENT ACCOUNT	AMOUNT
NON	PRIMEFLEX	\$135.00
CHECK	DEBRA BENIGNO	\$100.00
1	C&C TIRE	\$222.54
2	CLIFFSIDE BODY CORPORATION	\$85.80
3	CLIFFSIDE BODY CORPORATION	\$476.94
3	DELUXE INTERNATIONAL TRUCKS IN	\$330.33
4	DYNAMIC PRINTING & GRAPHICS	\$0.00
5	EVANS CATERING SERVICE	\$27.20
6	WORK N GEAR	\$99.95
7	HOMETOWN AUTO PARTS	\$112.65
8	HOMETOWN AUTO PARTS	\$118.41
8	RETRON	\$0.00
9	STANDARD INSURANCE	\$1,245.56
10	STAPLES CREDIT PLAN	\$231.25
11	VERIZON	\$0.00
12	VERIZON	\$0.00
12	VERIZON	\$0.00
12	VERIZON	\$263.89
37	VERIZON	\$189.25
38	VERIZON	\$43.50
39	RETRON	\$248.32
13	LERCH, VINCI & HIGGINS	\$545.00
14	LERCH, VINCI & HIGGINS	\$3,928.75
15	LERCH, VINCI & HIGGINS	\$590.00
16	LERCH, VINCI & HIGGINS	\$525.00
17	LERCH, VINCI & HIGGINS	\$510.00
18	LERCH, VINCI & HIGGINS	\$13,055.00
19	LERCH, VINCI & HIGGINS	\$93.75
20	LERCH, VINCI & HIGGINS	\$468.75
21	LERCH, VINCI & HIGGINS	\$4,097.50
22	BOROUGH OF MOONACHIE PAYROLL A	\$10,108.62
23	DOMESTIC UNIFORM RENTAL	\$76.20
24	EVANS CATERING SERVICE	\$6.89
25	WORK N GEAR	\$495.93
26	GTBM/INFO-COP	\$1,837.50
27	HERBERT & WEISS ATT. AT LAW	\$4,893.16
28	HOMETOWN AUTO PARTS	\$76.66
29	MATTHEW BENDER & CO INC.	\$60.00
30	NEW JERSEY FIRE EQUIPMENT	\$346.50
31	STANDARD INSURANCE	\$1,245.56
32	TRAFFIC SAFETY AND EQUIPMENT C	\$0.00
33	TURN OUT UNIFORMS	\$311.90
34	VERIZON	\$80.34
35	VERIZON	\$850.05
36	LERCH, VINCI & HIGGINS	\$965.00
60495	LERCH, VINCI & HIGGINS	\$2,600.00
60496	TIME WARNER CABLE	\$228.22
60479	TIME WARNER CABLE	\$147.16
60481	BERGEN COUNTY CLERKS ASSOC.	\$30.00
60482	RIEDEL SIGN COMPANY IN.	\$160.00
60483	BOROUGH OF MOONACHIE PAYROLL A	\$133,768.69
60484	BOROUGH OF MOONACHIE PAYROLL A	\$9,630.09
60485	TREASURER, STATE OF NEW JERSEY	\$50.00
60486	PANORAMA TOURS INC.	\$765.00
60487	HERMAN STERZER	\$2,889.40
60488	FUN TIME ENTERTAINMENT	\$150.00
60489	PSE&G COMPANY	\$10,976.88
60075	LERCH, VINCI & HIGGINS	\$125.00
60490	LERCH, VINCI & HIGGINS	\$3,125.00
60491	LERCH, VINCI & HIGGINS	\$937.50
60492	LERCH, VINCI & HIGGINS	\$500.00
60494		

60498	LERCH, VINCI & HIGGINS	\$4,351.25
60499	PALISADES SALES CORPORATION	\$203.00
60500	BOROUGH OF MOONACHIE PAYROLL A	\$140,263.68
60497	LERCH, VINCI & HIGGINS	\$5,300.00
TOTAL		<u>\$365,299.52</u>
CHECK	CURRENT ACCOUNT	<u>AMOUNT</u>
	5	VOID
	9	VOID
	12	VOID
	33	VOID
CHECK	CAPITAL ACCOUNT	<u>AMOUNT</u>
1853	BERGEN COUNTY SOIL CONSERVATIO	\$1,075.00
1854	LERCH, VINCI & HIGGINS	\$2,902.50
1855	LERCH, VINCI & HIGGINS	\$437.50
1856	LERCH, VINCI & HIGGINS	\$100.00
1857	LERCH, VINCI & HIGGINS	\$715.00
1858	LERCH, VINCI & HIGGINS	\$1,125.00
1859	TWO BROTHERS CONTRACTING	\$201,194.00
1860	BOSWELL ENGINEERING	\$476.00
1861	BOSWELL ENGINEERING	\$1,918.00
1862	BOSWELL ENGINEERING	\$974.00
1863	BOSWELL ENGINEERING	\$824.00
TOTAL		<u>\$211,741.00</u>
CHECK	SEWER OPERATING ACCOUNT	AMOUNT
6496	BOROUGH OF MOONACHIE PAYROLL A	\$16,503.39
6497	BOROUGH OF MOONACHIE PAYROLL A	\$1,188.09
6435	PSE&G COMPANY	\$2,696.50
6498	LERCH, VINCI & HIGGINS	\$125.00
6499	LERCH, VINCI & HIGGINS	\$340.00
6501	BOROUGH OF MOONACHIE PAYROLL A	\$1,016.14
6502	BOROUGH OF MOONACHIE PAYROLL A	\$14,099.54
6500	LERCH, VINCI & HIGGINS	\$1,325.00
TOTAL		<u>\$37,293.66</u>
CHECK	DOG ACCOUNT	AMOUNT
1443	N.J.DEPT.OF HEALTH & SENIOR	\$64.80
TOTAL		<u>\$64.80</u>

Administrator Ciannamea- mentioned that there are two checks, which will be next month's bill list, one is for School in the amount of \$600,000 and the other one is to the contractor.

Motion by C/Surak and second by C/Bauer to approve the payment of bills amounting to \$386,533.38 .

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

INTRODUCTION OF ORDINANCE:

Attorney Migliorino- mentioned that Port Authority required that Division Street to be vacated in order for the DPW Building to be built and it was used as parking for contiguous property at Wood-Ridge side. He explained that the street is a paper street and the Borough has to provide the proof to Port Authority that the Street has been vacated. Mayor Vaccaro- mentioned that this street is by Industrial Avenue and it is next to lot where the DPW building will be built.

Administrator Ciannamea- mentioned that under the cap the Borough can raise appropriations by 2.5 % and with the Ordinance we are allowed to raise by 3.0%, difference between allowable appropriation and the actual appropriation of \$142,000 will be put into Cap Bank.

Motion by C/Bauer and second by C/Cirillo:

BE IT RESOLVED that the following ordinances:

ORDINANCE#2017-1

AN ORDINANCE VACATING
DIVISION STREET

ORDINANCE#2017-2

ORDINANCE TO EXCEED THE MUNICIPAL BUDGET
APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK
(N.J.S.A. 40A: 4-45.14)

heretofore introduced, do now pass on first reading, and that said ordinances be further considered for final passage at a meeting to be held on the 25th day of May, 2017 at 8 :00 P.M. or as soon thereafter as the matter can be reached, at the regular meeting of the Mayor and Council and that at such time and place all persons interested be given an opportunity to be heard concerning said ordinances, and that the Borough Clerk be and hereby is, authorized and directed to publish said ordinance according to law with a notice of introduction and passage on first reading and of the time and place when and where said ordinances will be further considered for final passage.

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

All ayes. So ordered.

INTRODUCTION OF MUNICIPAL BUDGET:

Mayor Vaccaro- mentioned that the budget is going up by \$374, 006, that is 3.4% compared to last year, taxation has gone up about \$348,000, the tax rate has gone up .007%, impact on average household assessed at \$331,500 is an increase of 1.9%, which is \$68. He spoke about lost money in some tax assessments, the increases of health insurance and salaries. He mentioned that revenue is lost for essential services grant and this is a general operating budget, not capital budget which is for purchase of equipment or vehicles for DPW and Police.

Administrator Ciannamea-in the past year we collect 1.8 million in police traffic control. He wanted to recognize Gail Fitzgerald and Jennifer Cooney for work on traffic control. Spoke about balance sheets, more money is put in reserve for severance pay. He mentioned that money was put into reserve for tax appeals. This year's budget, we are putting 150,000 into Capital. We need to watch for CDL Loan. He mentioned that assessed value went up and it is a good budget. He explained if the assessed value goes down 10% that will trigger a 10% increase. We are in better shape.

Mayor Vaccaro- spoke about usual tax appeals and the rolling assessment, which is helping the tax appeals. He mentioned that the assess values are going up and this is a positive thing for Moonachie.

Administrator Ciannamea-spoke about his discussion with the auditor about the tax appeal, that it is going to play by itself. He mentioned that some of the tax appeals are file in routinely and some of them will be withdrawn.

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

RESOLUTION #17-141

Re: Introduction of 2017 Budget

BE IT RESOLVED, that the following statement of revenues and appropriations attached hereto constitute the local Budget of the Borough of Moonachie, Bergen County, New Jersey for the year 2017.

BE IT FURTHER RESOLVED, that the said budget be published in the Record in the issue of May 12, 2017 and that a hearing on the Budget will be held at the Kathryn E. Flynn Civic Center, 125 Moonachie Road on May 25, 2017 at 8:00 PM or as soon thereafter as the matter may be reached.

2017 MUNICIPAL BUDGET
of the Borough of Moonachie
County of Bergen
for the fiscal year 2017

Revenue and Appropriation Summaries

Summary of Revenues		Anticipated	
		2017	2016
1. Surplus		1,388,000	1,168,111
2. Total Miscellaneous Revenues		1,343,298	1,538,134
3. Receipts from Delinquent Taxes		200,000	200,000
4. Local Tax for Municipal Purposes		7,955,841	7,606,888
Total General Revenues		10,887,139	10,513,133

Summary of Appropriations		2017 Budget	Final 2016 Budget
1. Operating Expenses: Salaries & Wages		4,040,053	3,915,142
Other Expenses		3,335,079	3,514,323
2. Deferred Charges & Other Appropriations		1,470,536	1,106,338
3. Capital Improvements		150,000	100,000
4. Debt Service (Include for School Purposes)		841,471	877,330
5. Reserve for Uncollected Taxes		1,050,000	1,000,000
Total General Appropriations		10,887,139	10,513,133
Total Number of Employees		38	38

2017 Dedicated Sewer Utility Budget

Summary of Revenues		Anticipated	
		2017	2016
1. Surplus		441,047	150,000
2. Miscellaneous		1,669,933	1,672,529
3. Deficit (General Budget)			
Total Revenues		2,110,980	1,822,529
Summary of Appropriations		2017	Final 2016 Budget
1. Operating Expenses: Salaries & Wages		486,084	486,084
Other Expenses		1,235,682	1,167,104
2. Capital Improvements		41,000	
3. Debt Service		308,881	100,380
4. Deferred Charges & Other Appropriations		39,333	68,961
5. Surplus (General Budget)			
Total Appropriations		2,110,980	1,822,529
Total Number of Employees		4	4

Debt Information - Bonds and Loans				
	General	Water Utility	Sewer Utility	Utility-Other
Interest on Bonds and Notes	148,926	N/A	28,003	N/A
Principal - Bonds and Notes	692,545		280,878	
Loans-Principal and Interest				
Outstanding Balance - 12/31/16	12,663,562		1,755,475	

Notice is hereby given that the budget and tax resolution was approved by the Mayor and Council of the Borough of Moonachie, County of Bergen on April 27, 2017.

A hearing on the budget and tax resolution will be held at the Kathryn E. Flynn Civic Center, 125 Moonachie Road, schedule for May 25th, 2017 at 8:00 o'clock PM. At which

time and place objections to the Budget and Tax Resolution for the year 2017 may be presented by taxpayers or other interested persons.

Copies of the budget are available in the office of the Municipal Clerk at the Municipal Building, 90 Moonachie Avenue, Moonachie, New Jersey, (201) 641-1813 during the hours of 9:00 a.m. to 4:30 p.m.

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

All ayes. So ordered.

Mayor Vaccaro- mentioned that the Memorial Day services will be held at the Civic Center and the wreath will be placed at the replica of monuments at the Civic Center. We will bring the wreath later at the memorial by Borough Hall. He mentioned that there is a service at the First Presbyterian Church at 7:00 week before.

PUBLIC HEARING:

Jorge Morales, 43 Diamond Way- spoke about the letter he sent to the Council, and asked for them to review. Spoke about meeting with the Construction Official for permit and that decision of the Construction Official seemed vindictive. Spoke about Code of Ethics for Code Official for the State. Asked when he would hear any reply.

Mayor Vaccaro- mentioned that he spoke with the Construction Official and there may have been confusion with Zoning Application and permit that was issued. He will speak again to the Construction Official on this matter. He mentioned that the Construction Official is governed by the DCA and Zoning Official has to enforce Borough's Ordinances.

Mr. Morales- spoke about how replacement for both the deck & pool would be approved and effect of setbacks.

Mayor Vaccaro- mentioned that he viewed copies of the Zoning application and the permit, and they do not say the same thing. He mentioned that the Construction official explained that the pool is not a permanent structure, a deck is permanent structure and there are different setbacks for pool and the deck. He asked Mr. Morales whether he made application for a variance to the Zoning Board.

Mr. Morales- mentioned that he did not because the length of time it would take for a variance and he will lose time to construct the deck. Spoke about going to Planning Board meeting for his appeal and the Construction Official was not at the meeting to answer any question. He mentioned that board has 120 days to hear the appeal.

Mayor Vaccaro- mentioned that his appeal is on the agenda for the Planning Board's next month. Spoke about appealing to Construction Board of County if the permit was denied.

Mr. Morales- mentioned that the permit was not denied.

Barbara Morales, 43 Diamond Way- asked how committee members are picked from the Council. She mentioned that C/Kinsella, C/Surak and C/Martinez are in the Police Committee and felt that C/Bauer, who is retired police officer would be more appropriate for Police Committee.

Mayor Vaccaro- mentioned that he makes the recommendations for the Committees in January. He spoke about C/Bauer would be excellent for Police Committee but his son is a Police Officer and there would be a conflict of interest.

Mrs. Morales- spoke about Personnel Committee, in which C/Kinsella and C/Cirillo are in and Commerce Committee in which C/Martinez is in. She asked whether there is conflict of interest of C/Kinsella, who is a teacher and whether there is conflict of interest of C/Martinez, who has a business in town.

Mayor Vaccaro- mentioned that C/Kinsella is employed by the School and C/Martinez will be beneficial to commerce committee due to his business.

Mrs. Morales- mentioned about C/Kinsella is the Liaison to School and C/Kinsella is a teacher, who can be benefited by something School may do.

C/Kinsella- mentioned that Liaison does not communicate about School's needs and the Liaison let the Council know what is happening at the School. She explained that the Council does not make any decision on School.

Mayor Vaccaro-explained that C/Kinsella recused herself when school budget came to the Council.

Sal DeAlessandro, 1 Frederick Street- asked about the traffic light on Moonachie Road and Avenue.

Mayor Vaccaro-mentioned that Boswell was going to ask the County if they could help the Borough with fund for this project, he does not know if they have, and he will ask Boswell at the next Executive Meeting. He spoke about other projects that are currently underway, pump stations and the Road Program.

Mr. DeAlessandro- asked if there is a list available of all the homes in foreclosure. He was told that the Borough Clerk gets the notice of foreclosure.

Mr. De Alessandro -spoke about unkempt homes within the Borough.

Mayor Vaccaro- spoke about the process of Property Maintenance Official and the letters being send to banks about those properties. He mentioned if the bank do not maintained the property then the Borough could maintain and the Borough could put lien on the property.

Mr. DeAlessandro- spoke about how properties reflect upon the Borough and about the rodent problem.

Mayor Vaccaro- mentioned that rodent problem due to uncovered garbage can from the apartments in Little Ferry and C/Surak and C/Cirillo brought it to the Board of Health's attention.

C/Surak- mentioned that he went with the Board of Health Inspector to visit in Little Ferry and gave the pictures to the Little Ferry Board of Health.

Mayor Vaccaro-spoke about garbage issues in mobile home community.

Mr. DeAlessandro- spoke about the problem with the floor at the firehouse, and speaking to Molba.

Mayor Vaccaro- mentioned that Mr. DeAlessandro can get some quotes from flooring company.

Mr. DeAlessandro – mentioned that the floor has to be open to get an estimate.

Mayor Vaccaro- mentioned that the test was done for the moisture problem at the front of Fire house.

Mr. DeAlessandro- spoke about the different moisture testing and coating for the floor. He asked whether he needs approval for \$1,000 for the floor.

Mayor Vaccaro-mentioned that \$1,000 will come from Fire Department's budget. He spoke about any job over \$9,000 needs approval first and three quotes and anything over bid threshold of \$17,500 has to go for bid.

Mr. DeAlessandro- spoke about the condition of table which attorney and two council members were sitting on it.

Mayor Vaccaro- mentioned that he donated these tables after Sandy.

Jorge Morales, 43 Diamond Way- suggested that the Police committees might benefit having C/Bauer, who has experience at the Police Department and C/Bauer can excused himself when there is a potential of conflict.

Mayor Vaccaro- mentioned that C/Bauer does give his opinion that benefits the Police Department.

C/Kinsella- explained that the Committee does not make any decision but it makes the recommendation to the full Council and C/Bauer gives the Council his opinion & his past knowledge to help the Council.

C/Surak- mentioned that he does not have knowledge like C/Bauer and he spoke about his experience with Bergen County Police for 8years

Mr. Morales- spoke about getting more Police Officer.

Administrator Ciannamea- mentioned that this budget provide for another cop for the half of the year if the Council wants to go to that direction.

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

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

All ayes. So ordered.

Motion by C/Bauer and second by C/Surak to go into closed session at 9:04 P.M. to discuss personnel.

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

All ayes. So ordered.

Motion by C/Surak and second by C/Martinez to close closed session at 9:30 P.M.

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

All ayes. So ordered.

Mayor Vaccaro- mentioned that in closed session, the discussion was about personnel, which is to replace Court Administrator.

Motion by C/Kinsella and second by C/Cirillo to adjourn the meeting at 9:30 P.M.

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

All ayes. So ordered.

ATTEST:

Supriya Sanyal
Borough Clerk