

Regular Meeting called to order, Mayor Dennis Vaccaro in the chair, at Kathryn E. Flynn Civic Center on Thursday October 26th, 2017 at 8:15P.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/Surak and second by C/Bauer to approve the minutes of Regular Meeting of July 27, August 24 and September 28, 2017.

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

All ayes. So ordered.

Attorney Migliorino- mentioned that the Mayor and Council is continue to be diligent to provide approved minutes of the Mayor and Council in a timely manner according to law. He commended Municipal Clerk, Auditor and other staff's for their significant efforts to provide the public all the approved minutes tonight.

COMMUNICATIONS:

Public Service Electric and Gas Company-notice of filing with Board of Public Utilities and notice of public hearings in the matter of the petition of Public Service Electric and Gas Company for approval of gas Base Rate Adjustment pursuant to its Gas System Modernization Program.

Borough of Teterboro- Resolution regarding shared Service Agreement between Borough of Moonachie and Borough of Teterboro for Deputy Municipal Court Administrator.

Elizabeth McManus, Clarke Caton Hintz-addressing Judge Meehan regarding the Borough of Teterboro's compliance with the conditions of the judgment of Compliance and Repose.

New Jersey Sport's Exposition Authority-notice of submission of an application for the construction of a 60,275 square-foot warehouse building including variances for pavement and loading in the front yard and associated site improvements at Block 84, Lot 1, in the Borough of Carlstadt.

New Jersey Department of Environmental Protection-notice of issuance of Soil Remedial Action Permit Transfer for change of property ownership of 77 Moonachie Ave., Block 70, Lot 5.02, in the Borough of Moonachie.

Borough of North Arlington and Borough of Closter- opposing proposed amendments to the Open Public Records Act (OPRA) and the Open Public Meetings Act (OPMA).

Jennifer Cooney, Secretary Board of Health- notice of adoption of Ordinacne#BH-17-001 regarding Dog License Late Fees.

Clerk of New Jersey General Assembly-notification of Assembly Resolution No. 216, encouraging NJ homeowners to plant native plants that support bee populations and create habitat for all pollinators.

Borough of Teterboro- notice of a public hearing on an Ordinance to amend Ordinance No. 576 to address the requirements of the Department of Community Affairs regarding compliance with the municipality's prior round and third round Affordable Housing Obligations.

New Jersey Transit – notice of public hearing on programs developed pursuant to the Senior Citizen and Disable Resident Transportation Assistance Program Act.

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

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

All ayes. So ordered.

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

	Base Bid
<u>Belmont Construction</u> 240 W. Passaic Street, Suite 11 Maywood, NJ 07607	\$2,450,000.00
<u>Fuscon Enterprises, Inc.</u> P.O. Box 2595 414 Central Ave. Westfield, NJ 07090	\$2,476,000.00
<u>Unimak, LLC</u> 82 Midland Ave. Saddle Brook, NJ 07663	\$2, 478,000.00
<u>Precision Building and Construction</u> 216 Somerset St. Bound Brook, NJ 08805	\$2, 499,000.00
<u>SLS Construction</u> 301 Riverfront Blvd. Suite 201 Elmwood Park, NJ 07407	\$2,534,000.00
<u>Grove Contracting, LLC</u> 70 Durrell St. Verona, NJ 07044	\$2,569,000.00
<u>Thomas & Sons Builders, LLC</u> 174 Cedar Road New Milford, NJ 07646	\$2,630,000.00
<u>Pharos Enterprises, LLC</u> 879 Upper Main St. South Amboy, NJ 08879	\$2,677,000.00
<u>Molba Construction</u> 392 Liberty St. Little Ferry, NJ 07643	\$2,788,134.00
<u>B&B Contracting Group, LLC</u> 33 Wood Ave., South, Suite 600 Iselin, NJ 08830	\$3,425,154.00

Mayor Vaccaro- spoke about a question with one of the bidders and he stated that the Attorney will review that. He mentioned that there will be a Special meeting on November 2 at 7:30, to award the bid and the money is available in the ordinance for the award of the bid.

Attorney Migliorino- mentioned about the challenge from second bidder about one issue with the metal structure within the building.

SALE OF \$16,056,000 BOROUGH OF MOONACHIE BOND ANTICIPATION NOTES Consisting of: \$14,473,154 General Improvement Bond Anticipation Notes, \$343,000 Tax Appeal Refunding Bond Anticipation Notes, \$1,239,846 Sewer Utility Bond Anticipation Notes.

Five proposals for Bond Anticipation Notes Sale in the amount of \$16,056,000 were received.

The following proposals were received:

	<u>Premium</u>	NIC (Net Interest Cost)
TD Bank	0	1.26000%
JP Morgan	198,291.60	1.26500%
Jefferies	156,546.00	1.27500%
Oppenheimer & Co.	152,502.00	1.30019%
TD Securities(USA)	182,877.84	1.36100%

Anthony Ciannamea, Chief Financial Officer-Memorandum regarding sale of \$16,056,000 Borough of Moonachie Bond Anticipation Notes.

Administrator Ciannamea- mentioned that he awarded the note sale to TD Bank, the lowest bidder at the net interest cost of 1.26000%.

FORMAL ACTION TAKEN AT EXECUTIVE MEETING ON OCTOBER 12, 2017

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

RESOLUTION #17-244

BE IT RESOLVED by the Mayor and Council of the Borough of Moonachie that the Mayor and Clerk is hereby authorized to sign a shared services agreement with county of Bergen for the sharing of County-owned Emergency and non-Emergency equipment.

RESOLUTION #17-245

WHEREAS, Resolution#17-239 authorized purchase of two 2018 Dodge Durango SS AWD for the Moonachie Police Department from Celebrity Chrysler Jeep Beyer of Morristown LLC, 200 Ridgedale Ave., Morristown, NJ 07960 under the New Jersey State Contract #A88731/T-2776 for the amount not to exceed \$67,580.00 (\$33,790.00 for each Dodge Durango); and

WHEREAS Resolution#17-239 approved payment in the total amount of \$67,580.00 to Celebrity Chrysler Jeep Beyer of Morristown LLC for the purchase of two 2018 Dodge Durango SS AWD; and

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Moonachie that the Resolution#17-239 be and is hereby amended to reduce purchasing amount from \$33,790 to \$30,628.00 and from \$33,790.00 to \$30,178.00 (for two 2018 Dodge Durango SS Awd) total \$60,806.00 from Celebrity Chrysler Jeep Beyer of Morristown LLC/Beyer Chrysler Dodge Jeep Ram; and

BE IT FURTHER RESOLVED, by the Mayor and Council of the Borough of Moonachie that the Resolution#17-239 be and is hereby amended to approve to reduce total payment amount from \$67,580.00 to \$60, 806.00 to Celebrity Chrysler Jeep Beyer of Morristown, LLC/Beyer Chrysler Dodge Jeep Ram, 200 Ridgedale Ave., Morristown, NJ 07960 for purchase of two 2018 Dodge Durango SS Awd.

RESOLUTION #17-246

BE IT RESOLVED by the Mayor and Council of the Borough of Moonachie that Boswell Engineering is hereby authorized to perform a Traffic Study at West Commercial Avenue for future NJDOT Grant at a cost not to exceed \$1,000.00.

RESOLUTION #17-247

BE IT RESOLVED, by the Mayor and Council of the Borough of Moonachie that Vivian Delgado be and is hereby appointed as a Part-time Police Communication Clerk at the hourly rate of \$18.73

RESOLUTION #17-248

BE IT RESOLVED by the Mayor and Council of the Borough of Moonachie that Policy 2017-01 is hereby approved and shall take effect immediately

Policy 2017-01

The Borough Tax Assessor shall notify the Chief Financial Officer and the Governing Body of all tax appeals by June 1st of each year. The Assessor's report shall contain at a minimum a break down by property class the number of pending appeals, the current assessed value and the reduction in assessed value if all appeals were successful. If there are appeals for which complete information is unavailable as of June 1st, those appeals should be reported as information becomes available.

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

Motion by C/Surak and second by C/Kinsella to approve the following Resolution at the Executive Meeting of October 12, 2017:

RESOLUTION #17-249

WHEREAS, the Mayor and Council of the Borough of Moonachie have reviewed the results of the 2017 Best Practices Inventory as issued by the Department of Community Affairs; and

WHEREAS, the Checklist is an agenda item on the agenda at the scheduled Council meeting on October 12, 2017; and

WHEREAS, the Mayor and Borough Council hereby authorize the Clerk and CFO to sign and submit the Inventory to the Department of Community Affairs;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Moonachie, County of Bergen and State of New Jersey that the Best Practices Checklist has been discussed as an agenda item, has been accepted and the Clerk and CFO are authorized to sign and submit the Inventory.

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

REGULAR MEETING OF OCTOBER 26, 2017:

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

RESOLUTION#17-250

WHEREAS, the Mayor and Council of the Borough of Moonachie have been advised of the proposed settlement of a Tax Appeal filed on behalf Anderson SG LLC, under Docket No.: 008264-2014 and for the year 2014;

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

Anderson SG LLC,
Plaintiff,
v.
MOONACHIE BOROUGH,

Docket No. 008264-2014
Civil Action

STIPULATION OF SETTLEMENT

Defendant.

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: 66

Lot: 1

Street Address: 195 Anderson Avenue HM

Year: 2014

	<u>ORIGINAL ASSESSMENT JUDGMENT</u>	<u>COUNTY TAX BOARD JUDGMENT</u>	<u>REQUESTED TAX COURT</u>
Land	\$ 514,500		\$ 514,500
Impvts	\$1,169,900	N/A	\$ 985,500
Total	\$ 1,684,400		\$1,500,000

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 5 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 the entry of Judgment. The interest waiver in this 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 TANNENBAUM & CACCAVELLI, LLC
MICHAEL J. CACCAVELLI, ESQ.
Attorneys for Plaintiff

HERBERT & WEISS, LLP
Attorneys for Defendant

RESOLUTION #17-251

BE IT RESOLVED, by the Mayor and Council of the Borough of Moonachie that the payment in the amount of \$11,429.48 for professional services for Redesign Reduced Scope of New Municipal building to L+C Design Consultant, PA be and is hereby approved.

RESOLUTION#17-252

WHEREAS, the Mayor and Council of the Borough of Moonachie have been advised of the proposed settlement of a Tax Appeal filed on behalf 120 West Commercial Holdings, LLC under Docket No.: 009297-2014 and 001258-2015 and for the years 2014 and 2015;

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
120 West Commercial Holdings, LLC,
Plaintiff,

Docket No. 009297-2014
001258-2015

v.

BOROUGH OF MOONACHIE,
Defendant.

CIVIL ACTION
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
60	7	
Street Address	Year	
120 West Commercial Avenue HM	2014 and 2015	

ORIGINAL
ASSESSMENT
JUDGMENT

COUNTY TAX BOARD
JUDGMENT

REQUESTED TAX
COURT

Land	\$361,700.00		
Improvement	\$647,400.00	N/A	Withdrawn
Total	\$1,009,100.00		

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 practices 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 is paid in accordance with paragraph 6 hereof.
6. Pre-judgment 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 120 West Commercial Holdings, LLC and received by John R. Lloyd, Esq., Chiesa Shahinian & Giantomasi PC, One Boland Drive, West Orange, New Jersey 07052 within 90 days from date of entry of judgment. The interest waiver in this 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 payments.
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.
8. As a condition of this settlement, Defendant, Borough of Moonachie, hereby withdraws its Counterclaim.

CHIESA SHAHINIAN & GIANTOMASI PC
Attorneys for Plaintiff
John R. Lloyd

HERBERT & WEISS, LLP
Attorneys for Defendant
Helene C. Herbert, Esq.

RESOLUTION #17-253

BE IT RESOLVED by the Mayor and Council of the Borough of Moonachie that the Mayor is hereby authorized to sign an agreement with Verizon, to use their poles for placing holiday decorations.

RESOLUTION #17-254

BE IT RESOLVED by the Mayor and Council of the Borough of Moonachie that the Mayor is hereby authorized to sign an agreement with Public Service Electric & Gas Company, to use their poles for placing holiday decorations.

RESOLUTION #17-255

BE IT FURTHER RESOLVED by the Mayor and Council that the payments in the amounts of \$9,150.00 for month of September, 2017 to Millennium Strategies, LLC

for professional services for the FEMA grants Management and Administration be and is hereby approved.

RESOLUTION #17-256

BE IT RESOLVED, by the Mayor and Council of the Borough of Moonachie that the payment in the amount of \$4,405.00 to Arcari+Iovino Architect PC for professional architectural and engineering services for the construction of the DPW building be and is hereby approved.

RESOLUTION#17-257
GOVERNING BODY CERTIFICATION OF THE ANNUAL AUDIT

WHEREAS, N.J.S.A. 40A:5-4 requires the governing body of every local unit to have made an annual audit of its books, accounts and financial transactions, and

WHEREAS, the Annual Report of Audit for the year 2016 has been filed by a Registered Municipal Accountant with the Municipal Clerk pursuant to N.J.S.A. 40A:5-6, and a copy has been received by each member of the governing body; and,

WHEREAS, R.S. 52:27BB-34 authorizes the Local Finance Board of the State of New Jersey to prescribe reports pertaining to the local fiscal affairs; and,

WHEREAS, the Local Finance Board has promulgated N.J.A.C. 5:30-6.5, a regulation requiring that the governing body of each municipality shall by resolution certify to the Local Finance Board of the State of New Jersey that all members of the governing body have reviewed, as a minimum, the sections of the annual audit entitled "Comments and Recommendations, and,

WHEREAS, the members of the governing body have personally reviewed as a minimum the Annual Report of Audit, and specifically the sections of the Annual Audit entitled "Comments and Recommendations, as evidenced by the group affidavit form of the governing body attached hereto; and,

WHEREAS, such resolution of certification shall be adopted by the Governing Body no later than forty-five days after the receipt of the annual audit, pursuant to N.J.A.C. 5:30-6.5; and,

WHEREAS, all members of the governing body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board, and

WHEREAS, failure to comply with the regulations of the Local Finance Board of the State of New Jersey may subject the members of the local governing body to the penalty provisions of R.S. 52:27BB-52, to wit:

R.S. 52:27BB-52: A local officer or member of a local governing body who, after a date fixed for compliance, fails or refuses to obey an order of the director (Director of Local Government Services), under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than one thousand dollars (\$1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his office.

NOW, THEREFORE BE IT RESOLVED, That the Mayor and Council of the Borough of Moonachie, hereby states that it has complied with N.J.A.C. 5:30-6.5 and does hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

RESOLUTION #17-258

WHEREAS, Two Brothers Contracting, Inc. submitted an invoice for Payment No. 14 for work performed and material furnished in the construction of Moonachie Municipal Building in the amount of \$97,794.20; 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 \$97,794.20 to Two Brothers Contracting, Inc.be and is hereby approved.

RESOLUTION #17-259

BE IT RESOLVED by the Mayor and Council of the Borough of Moonachie that the purchase of International Hook Lift truck (2018 7400 SFA 4X2) from Deluxe International Trucks, Inc., 600 South River Street, Hackensack, NJ 07601 for Moonachie Department of Public Works under the Navistar Awarded National Joint Powers Alliance (NJPA) Contract#081716 (Borough of Moonachie's NJPA Contract#97259) , is hereby authorized for the amount not to exceed \$199,700.00; and

BE IT FURTHER RESOLVED by the Mayor and Council of the Borough of Moonachie that the payment in the total amount of \$199,700.00 under the Navistar Awarded National Joint Powers Alliance (NJPA) Contract#081716 (Borough of Moonachie's NJPA Contract#97259) for the purchase of International Hook lift truck (2018 7400 SFA 4X2) to Deluxe International Trucks, Inc., 600 South River Street, Hackensack, NJ 07601 be and is hereby approved.

RESOLUTION #17-260

BE IT RESOLVED by the Mayor and Council of the Borough of Moonachie that the installation of seven Motorola Mobile Radios for Moonachie Police Department by Pinnacle, 18-01 Pollitt Drive, Fair Lawn,NJ 07410 at a cost of \$2,212.00 be and is hereby authorized; and

BE IT FURTHER RESOLVED by the Mayor and Council of the Borough of Moonachie that the payment in the amount of \$2,212.00 to Pinnacle, 18-01 Pollitt Drive, Fair Lawn NJ 07410 for the installation of seven Motorola Mobile Radios to Pinnacle, 18-01 Pollitt Drive, Fair Lawn, NJ 07410 be and is hereby approve.

RESOLUTION #17-261

WHEREAS, the Bergen County Executive and the Board of Chosen Freeholders, along with the Bergen County Department of Health Services, supports the designation of Stigma-Free Zones in every municipality, and;

WHEREAS, at the June 2013 meeting of the Bergen County Mental Health Board, members of the Board learned from Care Plus NJ staff that the agency was working collaboratively to establish a Stigma Free Zone in Paramus, and;

WHEREAS, the members of the Mental Health Board supported the initiative and recognized that the initiative was aligned with the Board's mission to raise awareness of the disease of mental illness, and;

WHEREAS, the National Institute of Mental Health reports that 1 in 4 adults experiences mental illness in a given year and 1 in 17 adults live with a serious mental illness such as schizophrenia, major depression, or bipolar disorder; approximately 20% of youth ages 13 to 18 and 13% of youth ages 8 to 15 experience severe mental disorders in a given year, and;

WHEREAS, the stigma associated with the disease of mental illness is identified as the primary reason individuals fail to seek the help they need to recover from the disease, and;

WHEREAS, Stigma-Free Zones aim to inspire public interest and open dialogues about stigma, raise awareness of the disease of mental illness and create a culture wherein residents who have the disease of mental illness feel supported by their community and neighbors and feel free to seek treatment for the disease without fear of stigma and;

WHEREAS, promoting awareness that there can be no “health” without mental health will break down barriers and encourage residents of all ages to be mindful of their mental health and ask for help when needed, and;

WHEREAS, local resources are available to treat the disease of mental illness so no one resident needs to suffer alone or feel hopeless, and;

WHEREAS, establishing Stigma-Free Zones will raise awareness of resources and encourage residents to engage in care as soon as the need is identified so recovery can begin, hope is inspired and tragedies are avoided, and;

NOW THEREFORE BE IT RESOLVED that the Borough of Moonachie recognizes the community needs and supports the efforts of the County of Bergen in designating the Borough of Moonachie as a Stigma-Free Zone.

RESOLUTION #17-262

WHEREAS, on June 29, 2017, the New Jersey Senate Budget and Appropriations Committee took action on Senate Bill Nos. 1045 and 1046, which amend the Open Public Meetings Act and Open Public Records Act, respectively; and

WHEREAS, the Committee released the bills to the full Senate without recommendation because the bills are unnecessary, unpopular with the public, and would result in significant financial and administrative burdens on municipalities; and

WHEREAS, the bills fail to adequately protect taxpayers, municipalities and, especially, municipal clerks from abusive, harassing, and purposefully confrontational individuals who submit voluminous requests for no legitimate reason; and

WHEREAS, the legislation would expand the Open Public Meetings Act to create impractical and burdensome requirements with respect to subcommittees and working groups established by the entire governing body, which would effectively limit the ability of small groups of local officials discussing issues of public concern for the purposes of informing the governing body; and

WHEREAS, under the bills, the responsibilities of municipal clerks, who the Legislature has already loaded with responsibilities beyond the scope of their office, would be stretched even further than current law requires without a single dollar of additional resources provided to, or authorized to be collected by, municipalities; and

WHEREAS, the bills would impose a financial burden on municipalities that would not be offset by a revenue source other than the property tax, making the bills unfunded mandates prohibited by the New Jersey Constitution; and

WHEREAS, some municipalities are more equipped than others to meet the burdens that would be imposed by Senate Bill Nos. 1045 and 1046, however, without assistance of any kind from the States or the courts, every municipality would be on its own to meet the myriad new requirements of the law;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Moonachie, County of Bergen, State of New Jersey that the Legislature is strongly urged to reject Senate Bill Nos. 1045 and 1046, and to draft new legislation to modernize OPRA and OPMA while providing municipalities and clerks with the resources to effectuate these changes for the benefit of the public.

BE IT FURTHER RESOLVED that a certified copy of this Resolution be filed with the legislative sponsors of Senate Bill Nos. 1045 and 1046 and Assembly Bill Nos. 2697 and 2699, the Speaker of the General Assembly, the President of the Senate, and the

Governor, and all parties are urged to listen to the concerns of local officials and prevent Senate Bill Nos. 1045 and 1046 from becoming law.

RESOLUTION #17-263

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

RESOLUTION#172-264
RESOLUTION TO REDEEM
THIRD PARTY TAX TITLE LIEN

WHEREAS, Frank J. Santora, Tax Collector, has advised that payment has been received in the amount of \$ 2,937.60 to redeem TTL (s) # 15-00010, and subsequent Taxes on Block 53, Lot 25, located at 3 Truman Pl within the Borough; and

WHEREAS, U.S. Bank-Cust/Pro Capital I, LLC is holder of Certificate(s) TTL # 15-00010, and is therefore entitled to payment of \$ 2,937.60 ; and

WHEREAS, the lienholder also paid a premium at the time of purchase and is entitled to a refund of same in the amount of \$ 600.00; and

NOW THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Moonachie County of Bergen, State of New Jersey, that a check in the amount of \$ 2,937.60 be and is hereby authorized to be issue and payable to U.S. Bank-Cust/Pro Capital I, LLC, representing the redemption amount of said Certificate; and

BE IT FURTHER RESOLVED, by the Mayor and Council of the Borough of Moonachie that a check in the amount of \$600 be and is hereby authorized to be issue for the premium payable to U.S. Bank-Cust/Pro Capital I, LLC.

RESOLUTION #17-265

BE IT RESOLVED by the Mayor and Council of the Borough of Moonachie that a Special Meeting of the Mayor and Council will be held on Thursday, November 2nd, 2017 at 7:30 P.M.; and

BE IT FURTHER RESOLVED by the Mayor and Council of the Borough of Moonachie that the purpose of the Meeting will be the following:

1. Introduction of Salary Ordinance
2. Introduction of Bond Ordinances (For Borough's various project)
3. Award of bid for DPW building

Formal Action may be taken on all of the above mentioned matters.

RESOLUTION #17-266

WHEREAS, the Mayor and Council of the Borough of Moonachie with the advice of legal counsel, recommendations from the Chief Financial Officer and Tax Collector, has deemed it necessary to establish a no-cash policy restricting all taxes (Property and sewer)collection payments to personal checks, bank checks, certified checks or money orders only; and

WHEREAS, it is in the best interest and safety of the general public, municipal staff at the Borough Hall and the fiscal security of the Borough itself, that the Borough of Moonachie will no longer accept cash for the payment of taxes(Property and Sewer); and

WHEREAS, the court has found the no-cash policy is appropriate, as the Honorable District Judge Peter Sheriden said in Newark on Wednesday, June 25, 2008, ruled the policy responds to concerns of safety and fiscal responsibility; and

NOW THEREFORE BE IT RESOLVED, that the Mayor and Council of the Borough of Moonachie does hereby approve and adopt a no-cash policy for the payment of taxes (Property and Sewer); and

BE IT FURTHER RESOLVED, that the only acceptable form of payment for taxes (Property and Sewer) will be in the form of personal, bank or certified check or money order by order of the governing body of the Borough of Moonachie.

RESOLUTION #17-267

BE IT RESOLVED, by the Mayor and Council of the Borough of Moonachie that Frances Mohr be and is hereby appointed as a crossing guard at the hourly rate of \$16.71.

RESOLUTION #17-268

Resolution: Approval to submit a grant application and execute a grant contract with the New Jersey Department of Transportation for the Borough of Moonachie for the West Commercial Avenue (Section 4) Project.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council for the Borough of Moonachie formally approves the grant application for the above stated project.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to submit an electronic grant application identified as LFIF – 2018 – Borough of Moonachie West Commercial Avenue (Section 4) 00013 for Moonachie Borough to the New Jersey Department of Transportation on behalf of the Borough of Moonachie.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to sign the grant agreement on behalf of the Borough of Moonachie and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

Administrator Ciannamea- mentioned that last month the Council approved the purchase of radios for the Police Department and this month the Council approved the installation of mobile radios.

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

All ayes. So ordered.

C/Surak- spoke about Borough being Stigma Free Zone and he showed the map of towns in the County that are Stigma Free.

Mayor Vaccaro- mentioned that he spoke to someone regarding a presentation at the school in January and he would like to have this presentation later in the day for the children and parents to attend.

BILLS:

CHECK	OCTOBER 2017 BILL LIST CURRENT ACCOUNT	AMOUNT
555	MUNICIPAL RECORD SERVICE	436.00
573	SPECTRUM BUSINESS	144.99
574	TIME WARNER CABLE	119.99
577	WOOD-RIDGE POST OFFICE	196.00
578	DELAGE LANDEN FINANCIAL SERVIC	204.75
579	DELAGE LANDEN FINANCIAL SERVIC	245.00
580	MANSFIELD OIL COMPANY	3,772.25
581	LINCOLN FINANCIAL ADVISORS	

		42,494.76
582	LINCOLN FINANCIAL ADVISORS	34,768.44
583	DELAGE LANDEN FINANCIAL SERVIC	205.37
596	BOROUGH OF MOONACHIE PAYROLL A	8,580.10
597	SUEZ WATER NEW JERSEY	71.94
598	NEW JERSEY PLANNING BOARD	115.00
563	NEW JERSEY STATE LEAGUE OF MUN	80.00
564	TREAS.STATE OF NEW JERSEY	200.00
565	LOWE'S HOME CENTER INC.	37.34
599	LITTLE FERRY PUBLIC LIBRARY	100.00
600	VERIZON	265.29
601	SUEZ WATER NEW JERSEY	94.23
602	NEW JERSEY STATE LEAGUE OF MUN	7.00
603	SUEZ WATER NEW JERSEY	5,571.00
604	LOWE'S HOME CENTER INC.	42.17
605	A PLUS LETTER SERVICE INC.	250.00
606	ROBERT A. VERRY	100.00
607	SIRCHIE FINGER PRINT LABORATOR	133.23
608	DYNAMIC PRINTING & GRAPHICS	2,525.00
609	VERIZON WIRELESS	200.05
610	METRO FIRE & SAFETY EQUIPMENT	42.45
611	RUTGERS	660.00
612	MILLENIUUM STRATEGIES	1,500.00
613	DOMESTIC LINEN	80.50
614	SUEZ WATER NEW JERSEY	81.72
615	NATURE'S CHOICE CORPORATION	728.85
616	PITNEY BOWES SUPPLIES	489.82
617	HARRIS UNIFORMS	245.00
618	HARRIS UNIFORMS	360.00
621	NATURE'S CHOICE CORPORATION	271.20
622	CERTIFIED SPEEDOMETER	273.00
623	VERIZON WIRELESS	1,100.23
624	STANDARD INSURANCE	1,071.55

625	TRUCK PARTS SPECIALIST/TRUCKPR	1,329.20
626	PORT AUTHORITY OF NY AND NJ	211.50
627	EVANS CATERING SERVICE	27.20
628	RACHLES/MICHELE'S OIL CO.	357.00
629	LOWE'S HOME CENTER INC.	91.14
630	MARY ELLEN LYONS	54.42
631	COMMERCIAL TIRE SERVICE & SALE	187.00
633	STAN KERSNOWSKI	18.16
634	LOWE'S HOME CENTER INC.	105.03
635	SCHNACK'S ON SITE TRUCK REPAIR	1,794.74
635	SCHNACK'S ON SITE TRUCK REPAIR	1,052.27
635	SCHNACK'S ON SITE TRUCK REPAIR	608.76
636	JOSEPH LICATA, ARBITRATOR	3,062.50
637	AQUA FRESCA AND JAVA LLC	150.00
638	AQUA FRESCA AND JAVA LLC	150.00
639	AGE'S AUTO LLC.	165.00
640	AGE'S AUTO LLC.	51.00
641	AGE'S AUTO LLC.	178.00
642	AGE'S AUTO LLC.	65.00
643	KEEHN POWER PRODUCTS INC.	232.06
644	DOSCH-KING INC.	765.00
645	POSTMASTER	500.00
647	FRANK MIGLIORINO, ESQ.	500.00
648	BERGEN COUNTY CLERK ASSOC.	30.00
649	TREASURER STATE OF NEW JERSEY	275.00
650	JENNIFER COONEY	36.01
651	JENNIFER COONEY	36.01
652	GAIL FITZGERALD	3,975.00
653	GAETA RECYCLING	6,356.33
654	HOMETOWN AUTO PARTS	2,625.42
655	HOMETOWN AUTO PARTS	383.50
656	NATURE'S CHOICE CORPORATION	661.05
657	HARRIS UNIFORMS	81.00

658	RACHLES/MICHELE'S OIL CO.	644.90
659	C&C TIRE	190.16
660	GAETA RECYCLING	3,150.33
661	HARRIS UNIFORMS	345.00
662	HOMETOWN AUTO PARTS	405.60
663	VERIZON	44.07
664	BERGEN COUNTY CLERK	3,249.25
665	AQUA FRESCA AND JAVA LLC	150.00
666	FIRST BYTE CORPORATION	1,176.00
667	NEW JERSEY STATE ASSN. OF CHEI	60.00
668	VERIZON	6.55
669	AGE'S AUTO LLC.	65.00
670	DRAEGER SAFETY DIAGNOSTICS INC	179.00
671	PITNEY BOWES-RESERVE ACCT.	1,000.00
672	MANSFIELD OIL COMPANY	4,015.36
673	TIME WARNER CABLE	224.85
674	BOROUGH OF MOONACHIE PAYROLL A	7,296.80
675	BOROUGH OF MOONACHIE PAYROLL A	138,906.45
676	ROBIN'S QUALITY LANDSCAPING	800.00
677	ROBIN'S QUALITY LANDSCAPING	1,000.00
678	BOROUGH OF MOONACHIE TRUST ESC	1,133.31
679	REYNWOOD COMMUNICATIONS	523.21
682	LOWE'S HOME CENTER INC.	18.96
683	ROBIN'S QUALITY LANDSCAPING	2,400.00
684	ROBIN'S QUALITY LANDSCAPING	1,000.00
685	BERGEN MUNICIPAL EMPLOYEE BENE	92,890.00
686	BERGEN MUNICIPAL EMPLOYEE BENE	99,200.00
687	NATURE'S CHOICE CORPORATION	508.50
688	COUNTY OPEN SPACE TRUST FUND	34,522.46
689	COUNTY OF BERGEN	473,970.63
690	VERIZON	277.61
691	LOWE'S HOME CENTER INC.	86.40
692	PRAXAIR DIST. MID-ATLANTIC	40.30

693	JORGE MORALES	300.00
695	EARTHLINK BUSINESS	754.88
696	BOSWELL ENGINEERING	267.00
697	BOSWELL ENGINEERING	1,170.00
698	LOWE'S HOME CENTER INC.	156.28
699	STAPLES CREDIT PLAN	9.29
700	TERMINEX	60.00
701	TIME WARNER CABLE	129.94
702	VERIZON	6.55
60569	BOROUGH OF MOONACHIE PAYROLL A	157,668.19
TOTAL		1,163,981.35

CHECK	CURRENT ACCOUNT	AMOUNT
556		VOID
557		VOID
558		VOID
559		VOID
560		VOID
561		VOID
562		VOID
566		VOID
567		VOID
568		VOID
569		VOID
570		VOID
571		VOID
572		VOID
620		VOID
575		VOID
576		VOID
584		VOID
585		VOID
586		VOID
588		VOID
589		VOID
590		VOID
591		VOID
592		VOID
593		VOID
594		VOID
595		VOID
619		VOID
632		VOID
646		VOID
680		VOID
681		VOID
694		VOID

NON-CHECK PAYMENT	CURRENT ACCOUNT	AMOUNT
NON-CHECK PAYMENT	TD BANK	3,442.83

NON-CHECK PAYMENT	TD BANK	116,722.31
NON-CHECK PAYMENT	TD BANK	5,372.24
NON-CHECK PAYMENT	PRIMEFLEX	135.00
NON-CHECK PAYMENT	TD BANK	518,000.00
NON-CHECK PAYMENT	TD BANK	331,963.00
TOTAL		975,635.38
CHECK	TRUST ACCOUNT	AMOUNT
1498	STAN KERSNOWSKI	63.00
TOTAL		63.00
CHECK 1497	TRUST ACCOUNT	AMOUNT VOID
CHECK	CAPITAL ACCOUNT	AMOUNT
26	TWO BROTHERS CONTRACTING	170,122.31
27	BOSWELL ENGINEERING	1,538.25
TOTAL		171,660.56
NON-CHECK PAYMENT	CAPITAL ACCOUNT	AMOUNT
NON-CHECK PAYMENT	TD BANK	11,254,562.00
TOTAL		11,254,562.00
CHECK 25	CAPITAL ACCOUNT	AMOUNT VOID
CHECK	SEWER OPERATING	AMOUNT
6535	BOROUGH OF MOONACHIE PAYROLL A	15,891.22
70	BOROUGH OF MOONACHIE PAYROLL A	864.78
73	SUEZ WATER NEW JERSEY	103.83
74	VERIZON	42.41
75	VERIZON	37.41
76	BOROUGH OF MOONACHIE PAYROLL A	878.50
77	BOROUGH OF MOONACHIE PAYROLL A	16,723.72
78	MARY ELLEN LYONS	933.05
79	BERGEN MUNICIPAL EMPLOYEE BENE	13,936.00
80	BERGEN MUNICIPAL EMPLOYEE BENE	13,936.00
81	ROBIN'S QUALITY LANDSCAPING	3,000.00

82	VERIZON	37.41
TOTAL		66,384.33
NON-CHECK PAYMENT	SEWER OPERATING	AMOUNT
NON-CHECK PAYMENT	JP MORGAN CHASE	45,000.00
NON-CHECK PAYMENT	JP MORGAN CHASE	2,862.50
NON-CHECK PAYMENT	TD BANK	15,302.32
Total		63,164.82
CHECK 69	SEWER OPERATING	AMOUNT VOID
71		VOID
72		VOID
NON-CHECK PAYMENT	SEWER CAPITAL ACCOUNT	AMOUNT
NON-CHECK PAYMENT	TD BANK	1,475,475.00
TOTAL		1,475,475.00
CHECK	DOG ACCOUNT	AMOUNT
6	N.J. DEPT. OF HEALTH AND SENIO	7.80
7	ARLINGTON DOG & CAT HOSPITAL	200.00
TOTAL		207.80
CHECK 5	DOG ACCOUNT	AMOUNT VOID
CHECK	SUMMER REC ACCOUNT	AMOUNT
37	CENTER CINEMAS	410.00
38	INLINE SKATING CLUB OF AMERICA	284.50
39	INLINE SKATING CLUB OF AMERICA	262.50
TOTAL		957.00
CHECK 33	SUMMER REC ACCOUNT	AMOUNT VOID
34		VOID
35		VOID
36		VOID

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

ORDINANCE:
None

Mayor Vaccaro- reminded that this Saturday there will be Stash the Trash at 10:30 AM, Ragamuffin Parade at 3 P.M. and Trunk or Treat and party at 3:30P.M.

C/Surak- asked about the Veteran's Day service on the 11th of November at 11AM.

Mayor Vaccaro- mentioned Veteran's Day service will be on the 11th by the monument and there will be veteran's breakfast at the Family Success Center.

C/Kinsella- commended the Police Department because they are participating in No Shave November, to raise money for a charity and they are donating \$100 each to the GoFundMe for Austin Macalintal.

C/Surak- mentioned that this charity is being extended into December to raise money for resident whose family is looking to purchase a van.

PUBLIC HEARING(Regular):

Ryan Roy, 167 North Leswing Ave., Saddle Brook - commended the Mayor and Council for designating Moonachie as a Stigma Free town. He mentioned that his town is designated as a Stigma Free town. Spoke about Bergen County services from the Division of Disability Services and advisory Committee to foster equal access to the community life and activities for people with disabilities. Spoke about community programs that are available.

Attorney Migliorino- commended Mr. Roy for his work advocating for the issue.

C/Surak- spoke about presentation in January at the school.

Barbra Morales, 43 Diamond Way- spoke about ramp near the mailboxes for her mother. Mentioned email correspondence from Mr. Fitzgibbons regarding the ramp for her mother to get her mail and not getting a reply back from the Borough.

Mayor Vaccaro- mentioned that the Borough has some quotes for the ramp and he will discuss with the Council next month. He explained that the side walk has to be taken out for the space to put the ramp. He spoke about Jubilee Place that is going to be paved next year, and the ramp could be addressed then.

Mrs. Morales- asked about the Police contract with Teterboro. She mentioned that the Police are spending a lot of time at Teterboro and they are overworked. Spoke about break in incidents occurring at Teterboro. She felt that the Borough needs more police in the town to protect.

Mayor Vaccaro- we are going to bring up these issues with Teterboro before end of the year and will discuss with the Council tonight.

Mr. Roy- mentioned that Mrs. Morales can get help through HIP.

Jorge Morales, 43 Diamond Way- asked about the objections from different towns to the OPRA/OPMA amendments and if Moonachie objects as well.

Mayor Vaccaro- mentioned that this amendment puts too much financial burden on smaller towns, but he does believe in the Open Public Meeting Act.

Mr. Morales- mentioned that the amendment is to help keep up to date with technology and the Council should consider supporting the amendments.

Mayor Vaccaro- spoke about this amendment will required having minutes for subcommittee meetings and this will requires additional personnel, which can burden taxpayers.

Mr. Morales- suggested that the Mayor and Council may consider to do some research on the amendments. He spoke about issue with approval of meeting minutes not being done in a timely manner, about his filing of action and about court case of Kean University regarding minutes to be release period of 30 to 45 days. He mentioned that the court found that there was a violation.

Mayor Vaccaro- mentioned that there was a reasonable reason why the minutes were not released and there was no excuse. He explained that the bills were not ready due to financial software

Attorney Migliorino-mentioned that Mr. Morales' complaint was dismissed and he agreed upon to give Mr. Morales the fees. He gave Mr. Morales the explanation and there was consent in the court.

Mr. Morales – mentioned that he will get the audio from the court.

Sal DeAlessandro, 1 Frederick Street- spoke about the home on Bruno Street with no door and garage door.

Mayor Vaccaro- mentioned that the Construction Official may have the owner in court, the house was going to be raised and the contractor did not do the work after the job was started. He explained that the town can go in as a nuisance. Spoke about tree in the backyard that is supposed to be taken care of there.

Mr. DeAlessandro- spoke about maintenance of foreclosure homes and about DPW cleaning up homes in past.

Mayor Vaccaro- mentioned that the town is on top of certain homes with cutting grass and something will be done with that home by winter.

Mr. DeAlessandro- asked whether Rebuild By Design will be coordinate the new Master Plan of the town for flooding. He spoke about CAG meeting that he attended.

Mayor Vaccaro- spoke about different proposals of Rebuild By Design to alleviate some flooding and about ongoing maintenance of the projects are necessary in order to alleviate flooding issues. He mentioned if the Losen Slot is not maintained then East Joseph Street and Little Ferry will be flooded.

Mr. DeAlessandro- mentioned that the last CAG meeting, there was lot of input by residents from other towns.

Mayor Vaccaro- mentioned that the community's involvement in those meetings is very important.

Sal DeAlessandro- spoke about maintenance of new tidal gate.

Mayor Vaccaro- mentioned that the tidal gate was cleaned last week.

Barbra Morales- asked how long recordings of meetings are kept.

Borough Clerk mentioned that she has recordings since after Sandy and they can be destroyed after approval from the State.

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

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

All ayes. So ordered.

Motion by C/Bauer and second by C/Martinez approve Resolution to go into closed session at 9:15 P.M.

RESOLUTION #17-269

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.

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

All ayes. So ordered.

Motion by C/Bauer and second by C/Surak to close closed session at 9:40 P.M.

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

All ayes. So ordered.

Attorney Migliorino- mentioned that in the closed session, there was discussion regarding contract negotiation.

Motion by C/Surak and second by C/Bauer to adjourn the meeting at 9:41 P.M.

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

All ayes. So ordered.

ATTEST:

Supriya Sanyal
Borough Clerk

