

Regular Meeting called to order, Mayor Dennis Vaccaro in the chair, at Kathryn E. Flynn Civic Center on Thursday, October 27, 2016 at 8:00 P.M.

Mayor Vaccaro called for Pledge of Allegiance to the Flag.

Mayor Vaccaro asked for a Moment of Silence for former Fire Chief John Mulvaney who passed away.

Attorney Migliorino- asked everyone to send positive thoughts for Councilwoman Lucille Millar, who is not feeling well.

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/Kinsella to approve the Minutes of Special Meeting on September 8, 2016 and Minutes of Regular Meeting of September 22, 2016.

ROLL CALL: Bauer, Cirillo, Kinsella, Martinez.

All ayes. So ordered.

#### COMMUNICATIONS:

Borough of New Milford, Borough of Norwood and Borough of Elmwood Park- encouraging Governor Christopher Christie and the State of New Jersey to lift the suspension and to replenish the funding of the Transportation Trust Fund.

Public Service Electric and Gas Company- notice of filing and public hearings in the matter of the petition Public Service Electric and Gas Company for approval of Gas Base rate adjustments pursuant to its Gas System Modernization Program.

Patricia Lanzetti, 17 Adams Street-notice of public hearing on the application for variance for the proposed alterations to an existing one family house for the construction of a new floor at 17 Adams Street in the Borough of Little Ferry.

Borough of Carlstadt and Borough of Closter- petitioning the Port Authority of New York- New Jersey to install Anti-Suicide fencing along the walkways of the George Washington Bridge.

Bergen County Board of Chosen Freeholders- notice of introduction, public hearing and adoption of a bond ordinance providing for various Capital Improvements of Special Services Schools and Technical Schools, appropriating the aggregate amount of \$2,485,000 and authorizing the issuance of \$2,485,000 bonds or notes.

Bergen County Board of Chosen Freeholders- notice of adoption of a bond ordinance providing for various capital improvements, appropriating the aggregate amount of \$13,461,000 and authorizing the issuance of \$11,867,000 bonds or notes.

Bergen County Board of Chosen Freeholders-notice of adoption of a bond ordinance providing for various capital improvements at Bergen Regional Medical Center, appropriating the aggregate amount of \$3,000,000 and authorizing the issuance of \$2,857,000 bonds or notes.

Bergen County Board of Chosen Freeholders-notice of adoption of a bond ordinance providing for various capital improvements for Bd. of Election/County Clerk/Superintendent of School/Superintendent of Election, appropriating the aggregate amount of \$145,000 and authorizing the issuance of \$138,000 bonds or notes.

Bergen County Board of Chosen Freeholders- notice of introduction, public hearing and adoption of a bond ordinance providing for various Capital Improvements for Law Enforcement/Prosecutor's Office, appropriating the aggregate amount of \$1,000,000 and authorizing the issuance of \$952,000 bonds or notes.

Bergen County Board of Chosen Freeholders- notice of introduction, public hearing and adoption of a bond ordinance providing for various Capital Improvements for Public Works, appropriating the aggregate amount of \$1,715,000 and authorizing the issuance of \$1,632,500 bonds or notes.

Bergen County Board of Chosen Freeholders-notice of adoption of a bond ordinance providing for various Capital Improvements, appropriating the aggregate amount of \$4,725,000 and authorizing \$4,499,000 bonds or notes of the County.

New Jersey Department of Environmental Protection- issuance of a Soil Remedial Action Permit Modification for Transfer of ownership for the site located at Applied Printing Technology, LP, 77 Moonachie Ave., in the Borough of Moonachie.

Port Authority of NY & NJ and First Aviation Services- notification of submittal of an application for a Flood Hazard Area Verification to New Jersey Department of Environmental Protection for the proposed project of the expansion of an existing hanger facility and construction of two new hangers, associated office areas and an expanded apron area at Block 76, Lot 1.02 in the Borough of Moonachie and Block 203, Lot 1 in the Borough of Teterboro.

Langan Engineering and Environmental Services, Inc.- submittal of applications for Flood Hazard Area Verification, Individual Flood Hazard Area Permit, Water Quality Certification and Stormwater Management Report to NJ DEP for the expansion of First Aviation Services Expansion at Block 76, Lot 1.02 in the Borough of Moonachie and at Block 203, Lot 1 in the Borough of Teterboro.

Bergen County Board of Chosen Freeholders- notice of introduction and public hearing on an ordinance establishing weight limits on certain Bergen County Bridges.

Scarinci/Hollenbeck, Attorney At Law- notification of submittal of a revised schedule of Prices, Terms and Condition to certain rate adjustment to Board of Public Utilities on behalf of Time Warner Cable New York City LLC, I/K/A Charter Communications, Inc.

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

ROLL CALL: Bauer, Cirillo, Kinsella, Martinez.

All ayes. So ordered.

SALE OF \$13,580,000 BOROUGH OF MOONACHIE GENERAL OBLIGATION NOTES Consisting of: \$11,254,562 General Improvement Bond Anticipation Notes, \$518,000 Tax Appeal Refunding Bond Anticipation Notes, \$1,475,476 Sewer Utility Bond Anticipation Notes and \$331,963 Special Emergency Notes.

Four proposals for General Obligation Note Sale in the amount of \$13,580,000 were received.

The following proposals were received:

	NIC( Net Interest Cost)
TD Bank	1.04000%
TD Securities(USA)	1.26997%
Jefferies	1.27799%
Oppenheimer & Co.	1.28502%

Anthony Ciannamea, Chief Financial Officer-Memorandum regarding sale of \$13,5830000 Borough of Moonachie General Obligation notes.

Administrator Ciannamea- mentioned that every year the notes come due. We added money for municipal building to the notes, which were due. We went out to bid, TD Bank has a good rate of 1.04%.

FORMAL ACTION TAKEN AT EXECUTIVE MEETING OCTOBER 13, 2016

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

RESOLUTION #16-222

WHEREAS, Moonachie Fire Department Assn. submitted applications for Raffles Licenses (RL375 and RL 376) and

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council that the any fees for Raffles Licenses (RL 375 and 376) for Moonachie Fire Department Assn. be and is hereby waived.

RESOLUTION #16-223

WHEREAS, the Mayor and Council of the Borough of Moonachie previously adopted Resolution #16-196 regarding a Shared Services Agreement between the Borough of Moonachie and the Borough of Teterboro for the services of Deputy Court Administrator; and

WHEREAS, it is necessary to amend said Shared Services Agreement to incorporate certain comments provided by the Court; 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 the Amended Shared Services Agreement between the Borough of Moonachie and the Borough of Teterboro, to provide the services of a Deputy Municipal Court Administrator,
2. This Amended Shared Services Agreement is intended to take effect upon the appropriate adoption of Resolutions of both Moonachie and Teterboro which shall be attached to the Amended Shared Services Agreement as well as signatures by both municipalities to said agreement.
3. The Mayor and the Borough Clerk are hereby authorized and directed to execute the Amended 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 #16-224

WHEREAS, a contract was awarded to Get A Can Inc. (Gaeta Recycling Co. Inc.) for the amount of \$15,730.00 for curbside collection of grass, yard waste, and tree trimmings for the period from April 6, 2016 through August 31, 2016; and

NOW THEREFORE, BE IT RESOLVED that the extension of said contract of Get A Can Inc. be and is hereby confirmed for the period from September 1st, 2016 through November 30, 2016 for the monthly payment of \$3,146.00.

#### RESOLUTION #16-225

WHEREAS, the agreement was awarded based on the proposal of Millennium Strategies, LLC for professional services for the FEMA grants Management and Administration at the hourly fee of \$150, not to exceed 65 hours per month, which will be not to exceed \$9,750.00; and

BE IT FURTHER RESOLVED by the Mayor and Council that the Mayor is hereby authorized to sign an agreement with Millennium Strategies, LLC for professional services for the FEMA grants Management and Administration at the hourly fee of \$150, not to exceed 65 hours per month which will be not to exceed \$9,750.00.

#### RESOLUTION #16-226

WHEREAS, 3<sup>rd</sup> quarter tax bills were due on August 1<sup>st</sup>, 2016 and 4<sup>th</sup> quarter tax bills were due on November 1<sup>st</sup>, 2016; and

WHEREAS, the billing process has been delayed due to new Tax software and due to the delay in receiving the certified tax rate from the County for the year of 2016; and

NOW THEREFORE, BE IT RESOLVED, by the Mayor and Council that the Grace period for 3<sup>rd</sup> quarter tax bills are hereby extended from August 10<sup>th</sup>, 2016 to November 10<sup>th</sup>, 2016 and the Grace period for 4<sup>th</sup> quarter tax bills are hereby extend from November 10, 2016 to December 1<sup>st</sup>, 2016.

**RESOLUTION #16-227**

BE IT RESOLVED , by the Mayor and Council of the Borough of Moonachie that the Mayor be and is hereby authorized to sign a Right-Of -Way Agreement with New York SMSA Limited Partnership d/b/a Verizon Wireless to maintain poles within the Public right-of-way to provide telecommunication services

**RESOLUTION #16-228**

WHEREAS, Two Brothers Contracting, Inc., submitted Change Order No. 1 of \$15,608.27 for work performed and material furnisher for the construction of new Municipal Building( for Asbestos Removal); and

WHEREAS, L+C Design Consultants PA has approve the change Order No. 1 as presented; and

NOW THEREFORE, BE IT RESOLVED that Change Order No. 1of \$ 15,608.27 be and is hereby approved.

**RESOLUTION #16-229**

BE IT RESOLVED, by the Mayor and Council of the Borough of Moonachie that the authorization of the Mayor to sign the Non-Federal Cost Share Grant application be and is hereby confirmed.

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

Motion by C/Surak and second by C/Cirillo to approve Resolution#16-230 at the Executive Meeting on October 13, 2016

**RESOLUTION #16-230**

BE IT RESOLVED by the Mayor and Council of the Borough of Moonachie that Mayor Dennis Vaccaro is hereby authorized to sign an agreement between the Borough of Moonachie and PBA Local 102 effective January 1, 2016 through December 31, 2018.

ROLL CALL: Bauer- recused, Cirillo, Kinsella, Martinez- ayes, Millar-recused,  
Surak- ayes.

Four ayes and two recused. Motion carried.

Motion by C/Kinsella and second by C/Cirillo to approve the following Resolutions at the Executive Meeting of October 13, 2016:

**RESOLUTION#16-231**

**BE IT RESOLVED**, by the Mayor and Council of the Borough of Moonachie that the following Policy 2016-01 is hereby approved and shall take effect immediately:

**Policy 2016-01**

The Borough Tax Assessor shall notify the Chief Financial Officer and the Governing Body of all tax appeals upon filing, but no later than June 1<sup>st</sup> of each year.

**RESOLUTION#16-232**

**BE IT RESOLVED**, by the Mayor and Council of the Borough of Moonachie that the following Policy 2016-02 is hereby approved and shall take effect immediately:

**Policy 2016-02**

All department heads are required to notify the Borough Administrator in writing of any all outside employment. The Borough Administrator, in consultation with

the Borough Attorney if necessary, shall determine whether the outside position causes a conflict of interest with the borough position.

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

Motion by C/Kinsella and second by C/Surak to approve the following Resolution at the Executive Meeting on October 13<sup>th</sup>, 2016:

RESOLUTION #16-233

**WHEREAS**, the Mayor and Council of the Borough of Moonachie have reviewed the results of the 2016 Best Practices Inventory as issued by the Department of Community Affairs; and

**WHEREAS**, the Checklist is an agenda item on the agenda at the regularly scheduled Council meeting on October 13, 2016; 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, Millar, Surak.  
All ayes. So ordered.

REGULAR MEETING OF OCTOBER 27, 2016:

NEW BUSINESS:

CONSENT RESOLUTIONS:

All matters listed below 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#16-234

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 2015 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#16-235

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  
Court Administrator- AnaMaria Matos  
Borough Clerk- Supriya Sanyal

#### RESOLUTION #16-236

##### PETITION THE PORT AUTHORITY OF NEW YORK- NEW JERSEY TO INSTALL ANTI-SUICIDE FENCING ALONG THE WALKWAYS OF THE GEORGE WASHINGTON BRIDGE

WHEREAS, the Port Authority of New York-New Jersey owns and operate the George Washington Bridge spanning the Hudson River between the Borough of Fort Lee and the City of New York; and

WHEREAS, there is a pedestrian walkway along the George Washington Bridge which is open to the public; and

WHEREAS, the guardrail along the aforesaid walkway is not sufficiently high to prevent persons from jumping off the Bridge to their deaths; and

WHEREAS over the past year, there have been 8 reported suicides resulting from persons jumping off of the George Washington Bridge, two of which occurred as recently as the week of July 10<sup>th</sup>, 2016; and

WHEREAS, the Mayor and Council of the Borough of Moonachie finds that the installation of higher fencing along the pedestrian walkway on the George Washington Bridge would dissuade persons from attempting suicide and would save lives; and

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Moonachie, County of Bergen, State of New Jersey hereby petition the Port Authority of New York-New Jersey to install an anti-suicide fence along the pedestrian walkway on the George Washington Bridge; and

BE IT FURTHER RESOLVED, that the Borough Clerk is hereby directed to provide a copy of this resolution to the Port Authority of New York-New Jersey, the Hon. Andrew Cuomo, Governor of New York, the Hon, Chris Christie, Governor of New Jersey, and the municipal Clerks of each Bergen County.

RESOLUTION #16-237

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 #16-238

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 #16-239

WHEREAS, Two Brothers Contracting, Inc. submitted an invoice for Payment No 2 for work performed and material furnisher in the construction of Moonachie Municipal Building in the amount of \$125,244.00; 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 \$125,244.00 to Two Brothers Contracting, Inc.be and is hereby approved.

RESOLUTION #16-240

BE IT RESOLVED, by the Mayor and Council of the Borough of Moonachie that the payment in the amount of \$12,924.23 to L+C Design Consultant, PA for Redesign Reduced Scope of Work of New Municipal Building be and is hereby approved.

RESOLUTION #16-241

BE IT RESOLVED, by the Mayor and Council of the Borough of Moonachie that the payment in the amount of \$17,666.25 to Arcari+Iovino Architect PC for professional architectural and engineering services for the construction of the DPW building be and is hereby approved.

RESOLUTION #16-242

BE IT RESOLVED, by the Mayor and Council of the Borough of Moonachie that the payment to L+C Design Consultant, PA in the following amounts be and are hereby approved:

- a) \$9,880.00 for Master Plan Reexamination
- b) \$4,630.00 for Neighborhood Plans
- c) \$1,225.00 for Update Zoning Ordinance
- d) \$2,740.00 for Design Standards
- e) \$1,700.00for Debris Management Plan

- f) \$7,895.00 for GIS Database Plan
- g) \$2,345.00 for Capital Improvement Plan.

Mayor Vaccaro- mentioned that all these payments to L & C Design are offset by the grant which the Borough received.

#### RESOLUTION #16-243

BE IT RESOLVED, by the Mayor and Council of the Borough of Moonachie that the authorization of the Mayor to sign the Memorandum of Agreement with the County of Bergen for the installation of backflow preventer on certain outfalls located in the Borough of Moonachie be and is hereby confirmed.

Mayor Vaccaro- mentioned that County has a grant to install about five backflow preventers on various locations in Moonachie.

#### RESOLUTION #16-244

WHEREAS, the Bergen County's Road Resurfacing Project require cooperation and coordination between the County and the seventy municipalities in which the County roads are located; and

WHEREAS, the County of Bergen and the municipalities within Bergen County are "local units" under N.J.S.A. 40:65-4(a)(1), authorized to enter into shared services agreements pursuant to the Uniform Shared Services and Consolidation Act. N.J.S.A. 40A:65-1 et. seq.; and

WHEREAS, it is in the best interest of Borough of Moonachie to enter a Shared Services agreement with the County of Bergen for the County's Road Resurfacing Project; and

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Moonachie that the Mayor is hereby authorized to sign the Shared Services Agreement with the County of Bergen for the County's Road Resurfacing Project.

Mayor Vaccaro- mentioned that this is a standard agreement for any future road resurfacing by the County.

#### RESOLUTION #16-245

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

That pursuant to N.J.S.A. 39-4-8(e) the following described locations are designated as bus stops:

##### MOONACHIE COUNTY ROADS

1. Along Moonachie Avenue (CR 36), eastbound, on the southerly side thereof at:
  - a. Grand Street- (near side)  
Beginning at the westerly curblineline of Grand Street and extending 105 feet westerly therefrom (location 12712).
  - b. Charles Lindbergh Boulevard- (far side) (prolongation)  
Beginning at the prolongation of the easterly curblineline of Charles Lindbergh Boulevard extending 100 feet easterly therefrom (location 12713).
2. Along Moonachie Avenue (CR 36), westbound, on the northerly side thereof at:
  - a. Between Moonachie Road and Eastern Avenue – (mid-block)



Beginning 300 feet west of the westerly curbline of Moonachie Road extending 135 feet westerly therefrom (location 12714).

b. Redneck Avenue – (near side)

Beginning at the easterly curbline of Redneck Avenue extending 105 feet easterly therefrom (location 12715).

c. Charles Lindbergh Boulevard – (near side)

Beginning at the easterly curbline of Charles Lindbergh Boulevard extending 105 feet easterly therefrom (location 12716).

d. Grand Street – (far side) (prolongation)

Beginning at the prolongation of the westerly curbline of Grand Street extending 100 feet westerly therefrom (location 31115).

3. Along Moonachie Road (CR 503), northbound, on the easterly side thereof at:

a. Between Carol Place and Edstan Drive – (mid-block)

Beginning 155 feet south of the southerly curbline of Carol Place and extending 135 southerly therefrom (location 12718).

b. Garden Street- (near side)

Beginning at the southerly curbline of Garden Street extending 105 feet southerly therefrom (location 12719).

c. Joseph Street- (near side)

Beginning at the southerly curbline of Joseph Street extending 105 feet southerly therefrom (location 12720).

d. Park Street - (near side)

Beginning at the southerly curbline of Park Street extending 105 feet southerly therefrom (location 12721).

4. Along Moonachie Road (CR 503), southbound, on the westerly side thereof at:

a. Park Street – (near side)

Beginning at the northerly curbline of Park Street extending 105 feet northerly therefrom (location 12722).

b. Rooney Place – (near side)

Beginning at the northerly curbline of Rooney Place extending 105 feet northerly therefrom (location 12723).

c. Between Moonachie Avenue and Edstan Drive – (mid block)

Beginning 605 feet north of the northerly curbline of Moonachie Avenue and extending 135 feet northerly therefrom (location 12724).

That the Mayor and Council of the Borough of Moonachie will enforce the needed traffic regulation governing the aforementioned bus stop location and provide the necessary police security to ensure the safety of the traveling public.

Mayor Vaccaro- mentioned that these are the same bus stop, which needed to be updated and these are approve by Acting Police Chief.

RESOLUTION #16-246

**RESOLUTION HONORING THE BERGEN VOLUNTEER CENTER ON ITS 50TH ANNIVERSARY**

**WHEREAS**, the Bergen Volunteer Center was founded in 1966 to meet community needs through the power of volunteers. Its direct service programs organize volunteers to provide invaluable support to some of Bergen County's most vulnerable citizens. The Mentoring Youth program has recruited, trained and supervised volunteer mentors for children who have been abused or neglected; since 1978 Mentoring Youth

has provided a trusted mentor to more than 3,700 children. The Mentoring Moms program recruits, trains and supervises mentors for mothers whose children are at-risk for abuse or neglect; since 1995 more than 500 mothers have been matched with a mentor. The Chore Service provides home safety repairs for senior citizens and the disabled free of charge through the volunteer efforts of senior citizens. The Business Volunteer Council organizes corporations to help eliminate hunger and illiteracy; and

**WHEREAS**, the Bergen Volunteer Center ensures that Bergen County has a pipeline of committed, civic leaders through its training programs: Bergen LEADS for adults and Teen LEADS and Ready-Set-Serve for young people. They also strengthen the nonprofit community by maintaining a database of volunteer opportunities, providing volunteer managers' training and the Expert Exchange workshops and webinars; and

**WHEREAS**, Borough of Moonachie has benefitted from the efforts of the Bergen Volunteer Center since 2010 in the following ways:

13 residents received safety repairs from the Chore Service  
2 mothers received a mentor; and

**WHEREAS**, residents of Borough of Moonachie have supported the Bergen Volunteer Center since 2010 in the following ways:

4 supported the Bergen Volunteer Center with their philanthropy; and

**NOW, THEREFORE, BE IT RESOLVED** that the Mayor and Council of Borough of Moonachie, County of Bergen, hereby honors the Bergen Volunteer Center for its 50 years of turning caring into action and knowing that the Bergen Volunteer Center is not getting old, it is just getting started.

#### RESOLUTION #16-247

**WHEREAS**, Borough of Moonachie Ordinance No. 2006-6 provides for the members of the Moonachie First Aid & Rescue Squad to participate in a Length of Service Awards Program whereby members are rewarded for their volunteer service through a contribution from the Borough; and

**WHEREAS**, those members who qualify in accordance with the established criteria shall receive a contribution of up to \$1,271.19 per member,

**NOW THEREFORE, BE IT RESOLVED**, that the 22 members who qualified for an award in 2015, be hereby approved to receive a contribution in the amount of \$1,271.19 per member and that said contribution be paid to Lincoln Financial Services, Corp. for investment in their personal accounts on approval of this Resolution by the Mayor & Council of the Borough of Moonachie.

#### RESOLUTION#16-248

**WHEREAS**, the Mayor and Council of the Borough of Moonachie have been advised of the proposed settlement of a Tax Appeal filed on behalf JDP Realty LLC, under Docket Nos.: 013556-2014; and 010614-2015 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.

JDP REALTY LLC, *Plaintiff*

TAX COURT OF NEW JERSEY  
DOCKET NO. 0135556-2014;  
010614-2015

v.

Civil Action

STIPULATION OF SETTLEMENT

MOONACHIE BOROUGH, *Defendant*

Assigned Judge:  
Hon. Joseph M. Andresini, J.T.C.  
First Calendar Date:  

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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:* 72  
*Lot:* 10  
*Street Address:* 55 Moonachie Avenue  
*Year:* 2014

	<u>Original Assessment</u>	<u>County Board Judgment</u>	<u>Request Tax Court Judgment</u>
Land	\$264,000	\$264,000	\$264,000
Impvts	<u>\$261,000</u>	<u>\$261,000</u>	<u>\$261,000</u>
Total	\$525,000	\$525,000	\$525,000

*Block:* 72  
*Lot:* 10  
*Street Address:* 55 Moonachie Avenue  
*Year:* 2015

	<u>Original Assessment</u>	<u>County Board Judgment</u>	<u>Request Tax Court Judgment</u>
Land	\$264,000	\$264,000	\$264,000
Impvts	<u>\$261,000</u>	<u>\$261,000</u>	<u>\$261,000</u>
Total	\$525,000	\$525,000	\$525,000

2. The provisions of N.J.S.A. 54:51 A-8 (Freeze Act) shall not apply.
3. The undersigned have made such examination of the value and proper assessment of the property(ies) and have obtained such appraisals, analysis and information with respect to the valuation and assessment of the property(ies) 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 represents to the Court that the above settlement will result in an assessment at the fair assessable value of the property(ies) 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 tax payer, 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 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 and received by Zipp Tannenbaum & Caccavelli, LLC, 280 Raritan Center Parkway, Edison, New Jersey 08837, 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 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, L.L.C

MICHAEL J. CACCAVELLI, ESQ.  
Attorney for Plaintiff

HERBERT & WEISS, L.L.P.  
HELENE C. HERBERT, ESQ.  
Attorney for Defendant

RESOLUTION#16-249

**WHEREAS**, the Mayor and Council of the Borough of Moonachie have been advised of the proposed settlement of a Tax Appeal filed on behalf Garsan Realty, under Docket Nos.: 003558-2013; 00321-2014; and 002780-2015 for the years 2013, 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.

GARSAN REALTY,  
Plaintiff,

TAX COURT OF NEW JERSEY  
DOCKET NOS. 003558-2013  
000321-2014  
002780-2015

v.

CIVIL ACTION

BOROUGH OF MOONACHIE,  
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
61	7	

  

Street Address	Docket No./Year
111 W. Commercial Avenue	003558-2013 000321-2014 002780-2015

- A. Tax Appeal Docket No. 003558-2013 is hereby withdrawn by plaintiff.  
B. Tax Appeal Docket No. 000321-2014 is hereby withdrawn by plaintiff.  
C. Tax Appeal Docket No. 002780-2015 is settled as follows:

	Original Assessment	County Tax Board Judgment	Requested Tax Court Judgment
Land	\$1,717,800.00	\$None	\$1,717,800.00
Improvements	\$1,862,200.00	\$None	\$1,682,200.00
Total	\$3,580,000.00	\$None	\$3,400,000.00

- D. Assessment for Tax Year 2016 will be set as follows:

	Original Assessment	County Tax Board Judgment	Requested Tax Court Judgment
Land	\$1,452,000.00	\$None	\$1,452,000.00
Improvements	\$1,798,000.00	\$None	\$1,798,000.00
Total	\$3,250,000.00	\$None	\$3,250,000.00

2. The provisions of N.J.S.A. 54:51 A-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 represents 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 tax payer, 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 Garsan Realty and received by Garsan Realty 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 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.

LeClair Ryan  
Attorneys for Plaintiff,  
Garsan Realty  
Bruce S. Edington, Esq.  
HERBERT & WEISS, L.L.P.  
Attorney for Defendant

Helene C. Herbert, Esq.

#### RESOLUTION #16-250

BE IT FURTHER RESOLVED by the Mayor and Council that the payments in the amounts of \$8,700.00 for month of August, 2016 and \$9,450.00 for month of September, 2016 to Millennium Strategies, LLC for professional services for the FEMA grants Management and Administration be and is hereby approved.

#### RESOLUTION #16-251

WHEREAS, an application has been filed for a person to person transfer of Plenary Retail Consumption License 0237-33-008-008, heretofore issued to GFR Maywood LLC., for premises located at 35 Moonachie Road, Moonachie, New Jersey; and

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

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

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

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Moonachie does hereby approve, effective November 1<sup>st</sup>, 2016, the transfer of the aforesaid Plenary Retail Consumption License to, and does hereby direct the Borough Clerk to endorse the license certificate to the new ownership as follows: "This License, subject to all its terms and conditions, is hereby transferred to Clearview Properties Corporation, effective November 1<sup>st</sup>, 2016."

#### RESOLUTION #16-252

WHEREAS, at the Municipal Tax Sale held on Nov.12, 2015, a lien was sold on Block 11/ Lot 5, also known as 24 Bruno St., Moonachie, NJ, for 2014 delinquent sewer charges; and,

WHEREAS, this lien, known as Tax Sale Certificate #15-001, was sold to US BankCust for PC6, LLC Sterling, for a 18% redemption fee and no premium; and,

**WHEREAS**, Corelogic, representing Nationstar Mortgage holder of the mortgage for Michael C. Silvestri, has effected redemption of Certificate #15-001 in the amount of \$1045.25,

**NOW, THEREFORE, BE IT RESOLVED**, by Mayor and Council that a check in the amount of \$1045.25 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 #15-001 .

#### RESOLUTION #16-253

BE IT RESOLVED, by the Mayor and Council of the Borough of Moonachie that the Proposal from Agnoli Engineering, LLC in the amount of \$8,130.00 to provide professional services for Community Rating System for the Borough be and is hereby approved.

Mayor Vaccaro- spoke about CRS, and mentioned that this will help to cut down \$500 to \$600 for residents with their Flood Insurance premiums.

#### RESOLUTION #16-254

BE IT RESOLVED, by the Mayor and Council that the Mayor is hereby authorize to request NJ Civil Services Commission for the Certification of Eligibles for Appointment of Police Officer.

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

#### BILLS:

##### BILL LIST OCTOBER 2016

CHECK	CURRENT ACCOUNT	AMOUNT
059627	MAPLE DIRECT INC.	371.07
059629	ANA MARIA MATOS	28.08
059630	BOARD OF EDUCATION	612,062.41
059631	BERGEN COUNTY UTILITIES AUTHORITY	5,403.96
059633	BOROUGH OF MOONACHIE TRUST ESCROW	1,111.35
059634	DELAGE LANDEN FINANCIAL SERVICES	213.20
059635	LOWE'S HOME CENTER INC.	80.74
059636	NJLM	330.00
059637	HOMETOWN AUTO PARTS	745.54
059638	PUBLIC SERVICE E & G	10,872.53
059639	RIEDEL SIGN COMPANY IN.	150.00
059640	TIME WARNER CABLE	224.85
059641	TREASURER STATE OF NEW JERSEY	150.00
059642	VERIZON	38.71
059643	VERIZON	6.55
059644	VERIZON	189.76
059645	BERGEN MUNICIPAL EMPLOYEE BENEFITS FUND	96,963.00
059646	BERGEN MUNICIPAL EMPLOYEE BENEFITS FUND	97,957.00
059647	RACHLES/MICHELE'S OIL CO.	586.01
059648	DYNAMIC PRINTING & GRAPHICS	2,525.00
059649	AGE'S AUTO LLC.	1,096.00
059650	CONTINENTAL FIRE & SAFETY	1,790.00
059651	PAPER CLIPS	149.00
059652	BOROUGH OF MOONACHIE PAYROLL ACCOUNT	7,405.29
059653	BOROUGH OF MOONACHIE PAYROLL ACCOUNT	143,564.51
059654	BERGEN COUNTY CLERKS ASSOC.	30.00

059655	MANSFIELD OIL COMPANY	2,782.25
059656	AQUA FRESCA AND JAVA LLC	150.00
059657	BERGEN COUNTY ASSESSORS ASSOC.	175.00
059658	BROOKSIDE AUTOMOTIVE	886.62
059659	COUNTY OF BERGEN	542,009.00
059660	DOHRMAN PRINTING COMPANY INC.	378.00
059661	DOMESTIC UNIFORM RENTAL	36.39
059662	EVANS CATERING SERVICE	67.95
059663	MILLENIUUM STRATEGIES	2,400.00
059664	MORPHOTRAK	2,633.69
059665	NATURE'S CHOICE CORPORATION	169.50
059667	SUPRIYA SANYAL PETTY CASH FUND	66.12
059668	SHERWIN WILLIAMS	217.90
059669	TILCON NEW YORK INC.	63.63
059670	V.E. RALPH & SON INC.	1,123.40
059671	VERIZON WIRELESS	200.05
059672	WORK N GEAR	532.14
059673	COUNTY OPEN SPACE TRUST FUND	5,024.00
059674	VERIZON	154.34
059675	ALL BERGEN LOCKSMITH	206.25
059676	ANJR	80.00
059677	ARLINGTON DOG & CAT HOSPITAL	200.00
059678	BOSWELL ENGINEERING	262.00
059679	COM-TECH ELECTRONICS	2,497.25
059680	FEDEX TECH CONNECT REVENUE SERVICES	30.18
059681	LOWE'S HOME CENTER INC.	6.48
059682	TREASURER, STATE OF NEW JERSEY	1,764.00
059683	REYNWOOD COMMUNICATIONS	513.89
059684	SUEZ WATER NEW JERSEY	5,638.20
059685	TIME WARNER CABLE	149.99
059686	RETRON	159.98
059687	CRYSTAL CARPET CLEANING	240.00
059688	LOWE'S HOME CENTER INC.	12.75
059689	VILLON, SOL M	150.00
059690	SUEZ WATER NEW JERSEY	96.79
059691	NEW JERSEY MOTOR VEHICLE COMMISSION	60.00
059692	PANORAMA TOURS INC.	725.00
059693	STANDARD INSURANCE	1,245.56
059694	EARTHLINK BUSINESS	739.67
059695	BOROUGH OF MOONACHIE PAYROLL ACCOUNT	134,504.08
059696	SUEZ WATER NEW JERSEY	58.44
059697	BOROUGH OF MOONACHIE PAYROLL ACCOUNT	7,262.24
059698	ANA MARIA MATOS	175.00
059699	LOWE'S HOME CENTER INC.	217.23
059700	MARY ELLEN LYONS	175.00
059701	PAPER CLIPS	309.00
059702	SUPRIYA SANYAL	175.00
059703	PAPER CLIPS	533.50
059704	L & C DESIGN CONSULTANTS	2,740.00
059705	L & C DESIGN CONSULTANTS	17,795.00
059706	L & C DESIGN CONSULTANTS	9,880.00
059707	VERIZON	264.23
<b>TOTAL</b>		<b>1,731,981.25</b>

CHECK	CURRENT ACCOUNT	AMOUNT
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059555		VOID
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059628		VOID
059632		VOID
059666		VOID
NON-CHECK PAYMENT		AMOUNT
NON-CHECK PAYMENT	PRIMEFLEX	125.00
NON-CHECK PAYMENT	JP MORGAN CHASE	11,293.00
<b>TOTAL</b>		<b>11,418.00</b>
CHECK	SEWER OPERATING ACCOUNT	AMOUNT
006375	BERGEN COUNTY UTILITIES AUTHORITY	160,526.00
006377	CLEARWATER SERVICES	23,112.50
006378	PUBLIC SERVICE E & G	2,233.53
006379	BERGEN MUNICIPAL EMPLOYEE BENEFITS FUND	15,042.00
006380	BERGEN MUNICIPAL EMPLOYEE BENEFITS FUND	15,042.00
006381	BOROUGH OF MOONACHIE PAYROLL ACCOUNT	774.44
006382	BOROUGH OF MOONACHIE PAYROLL ACCOUNT	15,013.91
006383	CLEARWATER SERVICES	9,261.75
006384	RAPID PUMP & METER SERVICE	1,239.42
006385	ENER-G RUDOX INC.	1,712.80
006386	W.E. TIMMERMAN	3,072.57
006387	ALL BERGEN LOCKSMITH	12.50
006388	SUEZ WATER NEW JERSEY	238.57
006389	BOSWELL ENGINEERING	256.00
006390	BOROUGH OF MOONACHIE PAYROLL ACCOUNT	15,277.88
006391	ANGELO SORTINO	244.98
006392	CRISTAIN LOOR	64.89
006393	BOROUGH OF MOONACHIE PAYROLL ACCOUNT	824.89
006394	VERIZON	37.00
<b>TOTAL</b>		<b>263,987.63</b>
CHECK	SEWER OPERATING ACCOUNT	AMOUNT
006376		VOID
CHECK	CAPITAL ACCOUNT	AMOUNT
001808	ARCARI + IOVINO ARCHITECTS, PC	115,970.00
001809	BOSWELL ENGINEERING	4,609.55
001810	DECOTIIS, FITZPATRICK, COLE & WISLER,LLP	801.70
001811	LERCH, VINCI & HIGGINS	1,375.00
001812	VOICECOM PLUS, INC.	1,455.00
001813	L & C DESIGN CONSULTANTS	12,924.23
001814	LERCH, VINCI & HIGGINS	500.00
<b>TOTAL</b>		<b>137,635.48</b>
CHECK	TRUST ACCOUNT	AMOUNT
1457	INTERBORO COMMUNICATIONS INC.	700.00
1458	PHILIP A. FACENDOLA	66.43
1459	PHILIP A. FACENDOLA	331.36
<b>TOTAL</b>		<b>1,097.79</b>

CHECK	RECREATION SUMMER ACCOUNT	AMOUNT
1036	TONY CIRILLO	166.58
<b>TOTAL</b>		<b>166.58</b>

CHECK	DOG ACCOUNT	AMOUNT
001428	N.J. DEPT. OF HEALTH AND SENIOR SERVICES	15.00
<b>TOTAL</b>		<b>15.00</b>

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 ORDINANCE:

ORDINANCE #2016-7

AN ORDINANCE OF THE BOROUGH OF MOONACHIE IN THE COUNTY OF BERGEN, NEW JERSEY, PROVIDING FOR THE CONSTRUCTION OF A DEPARTMENT OF PUBLIC WORKS BUILDING FOR THE BOROUGH OF MOONACHIE AND APPROPRIATING \$2,000,000 THEREFOR AND PROVIDING FOR THE ISSUANCE OF \$1,900,000 IN BONDS OR NOTES OF THE BOROUGH OF MOONACHIE TO FINANCE 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 the sum of money therein stated as the appropriation made for the improvement or purpose, such sum amounting to \$2,000,000, including the sum of \$100,000 from the 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 \$1,900,000 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 construction of a building for the Borough's Department of Public Works, and including all work and materials necessary therefor or incidental thereto. The building will be constructed to Class A standards, as defined in the Local Bond Law.

(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 40 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 \$1,900,000, and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An amount not exceeding \$200,000 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.

Mayor Vaccaro- we will be receiving 1.6 million from the Port Authority for the Construction of this building and they gave the piece of land for the building.

PUBLIC HEARING ON ORDINANCE#2016-7:

No one wishing to be heard.

Motion by C/Bauer and second by C/Kinsella 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#2016-7.

ROLL CALL: Bauer, Cirillo, Kinsella, Martinez.

All ayes. So ordered.

REPORTS:

C/Kinsella- reported about the scores of PARCC for 2015 spring and 2016 Spring in the school and the most part of the scores have gone up comparing within the State, specially math and language in levels four and five. She stated that Dr. Ponds is very proud with the scores. She thanked everyone that helped at the Ragamuffin parade and mentioned that it was very successful. She announced that December 3<sup>rd</sup> is the Tree Lighting at 7:00P.M.

Mayor Vaccaro- thanked the DPW for painting the blue line on Moonachie Road and mentioned that it is a way to show support for the Police Officers. He thanked the Police officers

C/Cirillo – mentioned that he attended the meeting with the Contractor regarding the asbestos abatement. He mentioned that the Contractor is resuming work on the Municipal Building tomorrow and Monday they will be start digging for the footings.

PUBLIC HEARING(Regular):

Tom Schmidt, Sergeant- thanked the governing body for showing the support for the Police Department, and having the DPW paint the blue line.

Mayor Vaccaro- spoke about the Police Department and commended on the job of the Police Department.

Attorney Migliorino- spoke about his son getting hurt seriously in the job as a Police Officer. He mentioned that his nephew work in the Police Department and expressed his appreciation of the police Department.

Jorge Morales, 43 Diamond Way- spoke about the painting of the blue line, and thanked the governing body for the support of the Police Department.

Barbra Morales, 43 Diamond Way- spoke about conversation from previous minutes regarding the Police Department staffing and number of calls to Teterboro. Mentioned that she had looked through Chief's monthly reports from January through June regarding

numbers of calls at Teterboro. She spoke about issues that she found, particularly understaffing in the Police Department and increase numbers of calls at Teterboro. Mayor Vaccaro- spoke about meeting with the Chief weekly in April and May regarding Teterboro and increase in calls. He spoke about addressing the issues with Teterboro Landing. He mentioned that Walmart will start to do door checks and have outside security in the parking lot. We will revisit the contract for the Police Service to Teterboro.

Mrs. Morales- spoke about liability of Police Department, vulnerability of the Borough residents, police retirements and hiring new police officers with experience. She mentioned about ongoing repairs on older vehicles for the Police Department. She asked to look at the contract with Teterboro.

Mayor Vaccaro- mentioned that Teterboro just purchase a new car for Police Department and few years back Teterboro gave another car. He mentioned that Safety is not a budget issue. He spoke about how Moonachie has worked in Teterboro for 20 years with no issues until Teterboro Landing. We are evaluating Teterboro Landing and the Contract of Teterboro.

Mr. Morales, 43 Diamond Way- spoke about how resident calls may have to wait due to Teterboro. He mentioned that Restaurants in Teterboro Landing will serve alcohol and this will be become issues. Spoke about shoplifting issues in relation to courts. Suggested to talk with Teterboro with the issues.

Mayor Vaccaro-mentioned that three liquor licenses were issued by the State, one is Costco and other two are restaurants, they will only be able to serve alcohol until 1AM on the weekends and 12AM during the week.

Attorney Migliorino- mentioned that the liquor license were issued by the State but not by the Teterboro and he spoke with Borough Attorney of Teterboro and one restaurant owner regarding the liquor licenses, the Borough is on top of the issue.

Mayor Vaccaro- we are reviewing the contract with Teterboro and we have to make a decision on the contract which is up next year.

Mrs. Morales- asked about hiring full time Court Administrator.

Mayor Vaccaro – mentioned that Moonachie had a part-time Court Administrator, now a full time Court Administrator is hired and Teterboro is picking up the cost.

He mentioned that there are other cost included in the Contract of Police Service, such as purchase of a new vehicle and dollar allowance for other such as teaser gun or body camera. Also, he mentioned that the Moonachie Court is using Teterboro since Sandy for four years at no cost.

Sal DeAlessandro, 1 Frederick Street- asked about the liquor license transfer.

Mayor Vaccaro- mentioned that it is the restaurant across the street from Alray's, the bank had owned the license.

Mr. DeAlessandro- mentioned that he attended CAG meeting. He spoke about discussion at the meeting about studies and improvements to alleviate flooding. He mentioned that other discussion was about two Alternatives, one is structural barrier by the river and other one is widening the ditches and cleaning the ditches inside.

Mayor Vaccaro- mentioned that basically they are looking for town to be resilience to flooding and part of that will be putting retention basin to control flooding from rainfall. He spoke about previous discussion with the Mayors on surge flooding and the discussion on part of the alternate one was putting park closer to the river and putting sheeting down to stop the surge.

Mr. DeAlessandro- felt that more citizens from the town should be involved in the CAG. Spoke about discussion at the meeting, about the water movement in the ditches, the poor percolation of the soil, and the lack of wildlife in the area. He mentioned that there was discussion that they would like to add pump stations before or after the tidal gets.

He mentioned that the Community Rating System is a great idea for the residents.

Mr. Petruzella, 4 Sova Place- expressed his concern about the ditch, which needs to be cleaned by his property.

Mayor Vaccaro- mentioned that the top of the ditch has been cleaned and this ditch is one of the item to be repaired by Rebuild By Design. He will ask the DPW to look at the ditch.

Motion by C/Kinsella 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 go into closed session to discuss contract, and possible litigation at 8:47 P.M.

ROLL CALL: Bauer, Cirillo, Kinsella, Martinez.

All ayes. So ordered.

Motion by C/Bauer and second by C/Kinsella to close closed session at 8:52 P.M.

ROLL CALL: Bauer, Cirillo, Kinsella, Martinez.

All ayes. So ordered.

Attorney Migliorino – mentioned that the two matters were discussed in the closed session, he was advice to send a letter to the attorney of Hain Celestial regarding on going issues about their affluence and other matter is to fax a Resolution regarding the DPW Union, which will be done tonight, that the governing Body accepting their representation by the Union.

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

RESOLUTION #16-255

BE IT RESOLVED by the Mayor and Council that International Brotherhood of Teamsters Local 11 (IBT Local 11) be and is hereby recognized to represent the Department of Public Works employees for the purposes of collective bargaining.

ROLL CALL: Bauer, Cirillo, Kinsella, Martinez.

All ayes. So ordered.

Motion by C/Bauer and second by C/Kinsella to adjourn the meeting at 8:54 P.M.

ROLL CALL: Bauer, Cirillo, Kinsella, Martinez.

All ayes. So ordered.

ATTEST:

Supriya Sanyal  
Borough Clerk