

Regular Meeting called to order, Mayor Dennis Vaccaro in the chair, at Kathryn E. Flynn Civic Center on Thursday February 22nd, 2018 at 8:01 P.M.

Mayor called for Pledge of Allegiance to the Flag.

Mayor Vaccaro asked for moment of silence for passing of Philip Kinsella and to recognize the recent tragic events in Parkland, Florida.

ROLL CALL: Bauer, Cirillo, Kinsella- present, Martinez, Millar- not present,
Surak- present
Administrator- T. Ciannamea- not 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/Bauer and second by C/Cirillo to approve the Minutes of Reorganization Meeting of January 3rd, 2018 and Minutes of Regular Meeting of January 25, 2018.

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

COMMUNICATIONS:

Borough of Wallington, Borough of Palisades Park, Borough of Park Ridge, Borough of Carlstadt, Township of Rochelle Park -resolution regarding participation in a Mutual Aid Plan and Rapid Deployment Force in accordance with the plan as submitted by the Bergen County Police Chief's Association.

LSRP Environmental Consulting, LLC- Public Participation Initial Notice for the Moonachie Road Pump Station.

Public Service Electric and Gas Company – request for information for 2017 & 2018 proposed street paving and sewer projects for review.

Bergen County Board of Chosen Freeholders- notice of update of Official County Map of County Road Right-of –Way and public hearing on the adoption of changes to the Official Map of Bergen County.

New Jersey Department of Environmental Protection- notice of Classification Exception Area/Well Restriction Area for Historic Fill at Former Photogravure and Color Company, 100 Grand Street, in the Borough of Moonachie.

Township of Wyckoff- opposing Senate bill#5 which proposes to disproportionately shift control of the Police and Fire Retirement System(PFRS) from a balanced labor-management control to a union dominated(7-5) decision making structure.

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

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

FORMAL ACTION TAKEN AT EXECUTIVE MEETING ON FEBRUARY 8, 2018:

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

RESOLUTION #18-77

BE IT RESOLVED by the Mayor and Council that Frank Tamargo, be and is hereby appointed as Police officer, effective, February 9, 2018 at the annual salary of \$42,031.00.

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

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

RESOLUTION #18-78

WHEREAS, it is with great sadness that the Borough of Moonachie must communicate the tragic consequences of the dangerous conditions for pedestrian traffic on a small portion of US 46 which is in the Borough of Teterboro, and;

WHEREAS, this pedestrian area welcomes bus commuters and is located amidst 6 highway crossways, and is policed by the Borough of Moonachie's Police Department in accordance with a shared service agreement with Teterboro, and;

WHEREAS, there have been 5 fatal pedestrian accidents since the inception of this retail complex, with the most recent being that of a 28-year-old young man who was a victim of a hit and run accident, and;

WHEREAS, the Borough of Moonachie is painfully aware that such accidents are outside our dominion and control, however the Borough of Moonachie is constrained to reach out to all relevant and responsible public officials and entities for guidance, remediation and rectification, in light of these tragedies, and;

BE IT RESOLVED, that the Borough of Moonachie is hopeful that good will and genuine concern for the well-being of both pedestrians and drivers will cause a reexamination of these sad and tragic conditions and endeavor to ameliorate these most grievous and egregious circumstances.

Community Development Project Endorsement Resolution (Unprogrammed Funds)
RESOLUTION #18-79

WHEREAS, a Bergen County Community Development Unprogrammed Funds Grant of \$32,205.00 has been proposed by the Borough of Moonachie for improvements to Joseph Street Park, and

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

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

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

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

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

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

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

RESOLUTION #18-80

WHEREAS, N.J. S.A. 10:4-12 allow for a public body to go into closed session during a public meeting, and

WHEREAS, the Mayor and Council of the Borough of Moonachie has deemed it necessary to go into closed session to discuss certain matters which are exempt from the public, and

WHEREAS, the regular meeting of this governing body will reconvene,

NOW THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Moonachie will go into closed session for the following reason as outlined in N.J.S.A. 10:4-12:

- Any matter involving the employment, appointment, termination of employment, disciplinary action unless individual requests a public meeting.

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

REGULAR MEETING OF FEBRUARY 22, 2018:
NEW BUSINESS:

Mayor Vaccaro- commended the work that Millennium Strategies has done for grants and for FEMA. The Borough will be receiving \$220,000.00 for the streetscape project.

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

RESOLUTION #18-81

WHEREAS, the Mandatory Source Separation and recycling Act P.L. 1987, c.102, has established a recycling fund from which tonnage grant may be made to municipalities in order to encourage local source separation and recycling programs; and

WHEREAS, it is the intent and the spirit of the Mandatory Source Separation and Recycling Act to use the tonnage grants to develop new municipal recycling programs and to continue and to expand existing programs; and

WHEREAS, the New Jersey Department of Environmental Protection has promulgated recycling regulations to Implement the Mandatory Source Separation and Recycling Act; and

WHEREAS, the recycling regulations impose on municipalities certain requirements as a condition for applying for tonnage grants, including but not limited to, making and keeping accurate, verifiable records of material collected and claimed by the municipality; and

WHEREAS, a resolution authorizing this municipality to apply for the 2017 Recycling Tonnage Grants will memorialize the commitment of this municipality to recycling and to indicate the assent of the Mayor & Council to the efforts undertaken by the municipality and the requirements contained in the Recycling Act and recycling regulations; and

WHEREAS, such a resolution should designate the individual authorized to ensure the application is properly completed and timely filed.

NOW THEREFORE, BE IT RESOLVED by the Mayor & Council of Moonachie that the Borough of Moonachie hereby endorses the submission of the recycling tonnage grant application to the New Jersey Department of Environmental Protection and designates Mary Ellen Lyons to ensure that the application is properly filed; and

BE IT FURTHER RESOLVED that the monies received from the recycling tonnage grant be deposited in a dedicated recycling trust fund to be used solely for the purposed of recycling.

RESOLUTION #18-82

BE IT FURTHER RESOLVED by the Mayor and Council that the payments in the amount of \$8,850.00 for month of January, 2018 to Millennium Strategies, LLC for professional services for the FEMA grants Management and Administration be and is hereby approved.

RESOLUTION #18-83

BE IT RESOLVED, by the Mayor and Council of the Borough of Moonachie that the payment in the amount of \$13,695.19 for professional services for Redesign Reduced Scope of New Municipal building to L+C Design Consultant, PA be and is hereby approved.

RESOLUTION #18-84

RESOLUTION AUTHORIZING AGREEMENT FOR
CERTAIN LEGAL SERVICES IN CONNECTION WITH
THE AUTHORIZATION AND THE ISSUANCE OF BONDS
AND NOTES WITHOUT COMPETITIVE BIDDING

WHEREAS, there exists a need for Specialized legal services in connection with the authorization and the issuance of bonds and bond anticipation notes in the Borough of Moonachie, County of Bergen, New Jersey (the "Borough"), including the review of such procedures and the rendering of approving legal opinion acceptable to the financial community; and

WHEREAS, such special legal services can be provided by a recognized bond counsel firm, and the law firm of DeCotiis, FitzPatrick, Cole & Giblin, LLP, Teaneck, New Jersey is so recognized by the financial community

WHEREAS, the provisions of said contract shall be in accordance with the dictates of N.J.S.A. 19:44A-20.5; and

WHEREAS, the Chief Finance Officer has determined and certified in writing that the value of said service may exceed \$17,500.00; and

WHEREAS, the anticipated term of this contract is one (1) year; and

WHEREAS, the amount of the contract in accordance with the fees as follows:

For services rendered or in connection with each bond sale, a fee of \$3,500 plus \$1.00 per thousand dollars of bonds issued for the first \$15,000,000 of bonds issued and \$.75 per thousand dollars of bonds issued in excess of \$15,000,000. If there is more than one (1) series of bonds issued, there will be a charge of \$1,000 for each additional series.

A fee of \$500.00 for each single purpose Ordinance and a fee of \$675.00 for each multipurpose ordinance.

The fee for any temporary financing shall be at the hourly rates (the hourly rates range from \$120.00 to \$250.00 per hour) with a minimum fee of \$.50 per thousand dollars of notes issued up to \$15,000,000 and \$.40 per thousand dollars of notes in excess of \$15,000,000, plus if more than one(1) series of notes are issued , \$500 for each additional series. Other fees related any other bond issues are set forth in the agreement.

In the event of a refunding bond issue providing for an escrow agreement to provide for the payment of a prior issue of bonds, there will be an additional fee of \$5,000.00 for a single refunded bond issue and \$2,500 for each additional refunded bond issue.

The funds are subject to an appropriation by the Mayor and Council of the Borough of Moonachie and will be provided by the local finance officer when appropriated; and

WHEREAS, the law firm of DeCotiis, FitzPatrick, Cole & Giblin, LLP, Teaneck, New Jersey, has completed and submitted a Business Entity Disclosure Certification which certifies that the law firm of DeCotiis, FitzPatrick, Cole & Giblin, LLP, has not made any reportable contributions to a political or candidate committee in the Borough of Moonachie in the previous one year, and that the contract will prohibit the law firm of DeCotiis, Fitzpatrick, Cole& Giblin, LLP, from making any reportable contributions through the term of the contract; and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A:111 et seq.) requires that the Resolution authorizing the award of contracts for "Professional Services" without competitive bids and the Contract itself must be available for public inspection;

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

1. The Mayor and Borough Clerk are hereby authorized and directed to execute the attached Contract with the law firm of DeCotiis, FitzPatrick, Cole & Giblin, LLP,
2. This Contract is awarded without competitive bidding as a "Professional Service" in accordance with N.J.S.A. 40A:11-5(1)(a) of the Local Public Contracts Law because the services are to be performed by a person authorized by law to practice a recognized profession.
3. The Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution.
4. A Notice in accordance with the Local Public Contract Law of New Jersey shall be printed once in the official newspaper of the Borough.

RESOLUTION #18-85

BE IT RESOLVED by the Mayor and Council that Dominick Lunanova be and is hereby appointed as Plumbing Sub-Code Official, effective January 1st, 2018 at the annual salary of \$5,520.00.

RESOLUTION #18-86

WHEREAS, Carretta, LLC, 1111-A Russell Dr. Highland Beach, Fl 33487 (managers of Carretta properties 1, 2, 3 on Moonachie Ave/Empire Blvd) Sewer Account No. 195-0, 196-0, 197-0 questioned their last 4 Sewer Bills claiming they were billed for the exact same usage in 4th quarter of 2016, 1st quarter of 2017, 2nd quarter of 2017 and 3rd quarter of 2017; and

WHEREAS, through subsequent review and evaluation, it was determined that the billings for these three properties were based on a system-calculated average and NOT on actual usage; and

WHEREAS, it was discovered the cause of the problem was that these properties were omitted from the Suez Water data from 4th quarter of 2016 forward; and

WHEREAS, when there is no usage supplied for active Commercial Sewer properties, Borough's system automatically charges an average; and

WHEREAS, subsequently, actually usages were retrieved from Suez Water; and

WHEREAS, Carretta's Sewer Bills for the three aforementioned properties and time frame were in the amount of \$6,822.90 and the corrected TOTAL billing for the three properties is \$4,256.38; and

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council that the Tax Collector be and is hereby authorized to credit Carretta for \$2,566.52 overbilling as follows:

Account 195-0 know as Caretta Proterty #1: \$448.62
 Account 296-0 known as Caretta Property #2: \$312.99
 Account 197-0 known as Caretta Property #3 (Treadway Tours): \$1,804.91.

BE IT FURTHER RESOLVED that authorization for waiving any interest (The estimated interest value is less than \$100) charges resulting from this over billing is granted.

RESOLUTION #18-87

WHEREAS, the deposit of February 7th in the amount of \$123.00 was put into the incorrect account (Borough Clerk’s account);

WHEREAS, this deposit was for dog licenses fees; and

BE IT RESOLVED that the approval of an Interfund transfer from Borough Clerk’s Account to Dog Account in the amount of \$123.00, be and is hereby confirmed to put the deposit in the correct account.

RESOLUTION #18-88

WHEREAS, the Bergen County’s Road Resurfacing Program requires cooperation and coordination between the County and the 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 Program; 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 Program.

RESOLUTION #18-89

WHEREAS, Two Brothers Contracting, Inc. submitted an invoice for Payment No. 18 for work performed and material furnished in the construction of Moonachie Municipal Building in the amount of \$241,297.23; and

WHEREAS, L+C Design Consultants PA and Borough Attorney reviewed and approve the payment as presented; and

NOW THEREFORE, BE IT RESOLVED by the Mayor and Council that the payment in the amount of \$241,297.23 to Two Brothers Contracting, Inc. be and is hereby approved.

ROLL CALL: Bauer, Cirillo, Kinsella, Surak.

All ayes. So ordered.

BILLS:

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

BILL LIST FEBRUARY 2018

CHECK	CURRENT ACCOUNT	AMOUNT
1383	STH BERGEN FIRE CHIEFS ZONE2	200.00
60619	COUNTY OF BERGEN	475,000.00
60620	BOARD OF EDUCATION	654,812.00
60621	COUNTY OF BERGEN	19,786.50
60622	HERBERT & WEISS LLP	666.60
60632	REYNWOOD COMMUNICATIONS	559.47
60633	NEW JERSEY STATE ASSN. OF CHEI	275.00
60634	DART COMPUTER SERVICES INC.	960.00
60635	DART COMPUTER SERVICES INC.	3,250.00

60636	DART COMPUTER SERVICES INC.	240.00
60638	SPECTRUM BUSINESS	224.85
60639	SPECTRUM BUSINESS	147.19
60640	NEW JERSEY MOTOR VEHICLE COMMI	120.00
60641	BOROUGH OF MOONACHIE PAYROLL A	147,257.04
60642	BOROUGH OF MOONACHIE PAYROLL A	10,477.82
60643	VERIZON	297.96
60644	VERIZON	40.58
60645	VERIZON	222.44
60646	VERIZON	38.87
60647	VERIZON	88.93
60648	MILLENIUM STRATEGIES	8,850.00
60649	JAMES NOVELLO, ESQ.	742.50
60650	DELAGE LANDEN FINANCIAL SERVIC	245.00
60651	DELAGE LANDEN FINANCIAL SERVIC	195.00
60652	BER.CTY MUN CLERKS ASSOC.	100.00
60653	JAN PROMOTIONS INC.	25.50
60654	PHILIP A. FACENDOLA	193.64
60655	PHILIP A. FACENDOLA	224.88
60556	PUBLIC EMPLOYEES RETIREMENT SY	328.57
60656	POLICEONE.COM	435.00
60657	MANSFIELD OIL COMPANY	5,310.06
60658	PAPER CLIPS	192.45
60659	PAPER CLIPS	603.32
60660	VERIZON	6.55
60661	CARLSTADT RECREATIO BASKETBALL	600.00
60662	BERGEN COUNTY PUBLIC WORKS	75.00
60663	EARTHLINK BUSINESS	790.07
60664	EARTHLINK BUSINESS	790.21
60665	DELAGE LANDEN FINANCIAL SERVIC	195.00
60666	PSE&G COMPANY	4,634.46
60668	PITNEY BOWES-RESERVE ACCT.	800.00
60669	NJ OFFICE OF WEIGHTS AND MEASU	80.00
60670	PAPER CLIPS	132.93
60671	MILLENIUM STRATEGIES	2,400.00
60672	FRANK MIGLIORINO, ESQ.	76.76
60674	BOROUGH OF MOONACHIE PAYROLL A	175,833.75
60675	BOROUGH OF MOONACHIE PAYROLL A	12,646.21
TOTAL		1,531,172.11

CHECK	CURRENT ACCOUNT	AMOUNT
1401	AGE'S AUTO LLC.	VOID
214201	VERIZON	VOID

NON-CHECK PAYMENT	CURRENT ACCOUNT	AMOUNT
NON-CHECK PAYMENT	PRIMEFLEX	160.00
NON-CHECK PAYMENT	JP MORGAN CHASE	4,400.00
TOTAL		4,560.00

CHECK	TRUST ACCOUNT	AMOUNT
1515	PHILIP A. FACENDOLA	41.96
TOTAL		41.96

CHECK	SEWER OPERATING ACCOUNT	AMOUNT
6544	BOROUGH OF MOONACHIE PAYROLL A	16,015.98
6545	BOROUGH OF MOONACHIE PAYROLL A	1,139.59
6546	VERIZON	38.92
6547	VERIZON	38.87
6548	VERIZON	43.93
6549	PITNEY BOWES-RESERVE ACCT.	200.00
6552	BOROUGH OF MOONACHIE PAYROLL A	17,868.01
6553	BOROUGH OF MOONACHIE PAYROLL A	1,285.09
TOTAL		36,630.39

NON-CHECK PAYMENT	SEWER OPERATING ACCOUNT	AMOUNT
NON-CHECK PAYMENT	JP MORGAN CHASE	2,412.50
TOTAL		2,412.50

CHECK	DOG ACCOUNT	AMOUNT
1452	N.J.DEPT.OF HEALTH & SENIOR	223.20
TOTAL		223.20

CHECK	DOG ACCOUNT	AMOUNT
1447	N.J.DEPT.OF HEALTH & SENIOR	VOID

Bauer, Cirillo, Kinsella, Surak.
All ayes. So ordered.

ORDINANCE: None

Mayor Vaccaro- mentioned that the Police and school have been in contact since the events in Florida. He spoke about plans that are already implemented and ideas going forward to make the parents and students feel safe. Congratulated C/Cirillo for becoming Vice President of the Senior Club.

PUBLIC HEARING:

Marty Costello, 33 Moonachie Road- mentioned that El Tango restaurant next to him has a garbage problem and they should get a larger dumpster. Spoke about home across the street with cars parking on the grass. Presented pictures of the home. He has spoken to the Police Department about it already, there is no ordinance regarding vehicles in driveway, and the ordinance for parking on the grass is not being enforced.

C/Bauer mentioned that the vehicles have to be registered if it is on the property. Mayor Vaccaro mentioned that he will speak to the Police Chief about it and will get back to him.

C/Surak mentioned that Mr. Costello can attend a Board of Health meeting where the Health Inspector is present regarding the dumpsters.

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

ROLL CALL: Bauer, Cirillo, Kinsella, Surak.

All ayes. So ordered.

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

RESOLUTION #18-90

WHEREAS, N.J. S.A. 10:4-12 allow for a public body to go into closed session during a public meeting, and

WHEREAS, the Mayor and Council of the Borough of Moonachie has deemed it necessary to go into closed session to discuss certain matters which are exempt from the public, and

WHEREAS, the regular meeting of this governing body will reconvene,

NOW THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Moonachie will go into closed session for the following reason as outlined in N.J.S.A. 10:4-12:

□ Any matter involving the employment, appointment, termination of employment, disciplinary action unless individual requests a public meeting.

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

Motion by C/Bauer and second by C/Cirillo to close closed session at 8:40 P.M.

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

C/Bauer spoke about the mower for the DPW, the Superintendent wants to take it out of her budget.

Mayor Vaccaro mentioned that he spoke with the Superintendent and will have an Ordinance for the equipment that is needed and for roads.

C/Surak discussed meeting with Police Chief, and at the next Executive Meeting a representative from AllCovered will be coming to present prices for upgrades to the computers and the Office 365 software.

Mayor Vaccaro wanted to acknowledge the Police Department on their work for finding the individual who committed the hit and run in Teterboro.

C/Surak mentioned package he will be sending to Congressman Pascrell.

Motion by C/Surak and second by C/Bauer to adjourn the meeting at 8:45 P.M.

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

ATTEST:

Supriya Sanyal
Borough Clerk