

Regular Meeting called to order, Mayor Dennis Vaccaro in the chair, at Kathryn E. Flynn Civic Center on Thursday February 25th, 2016 at 8:04 P.M.

Mayor called for Pledge of Allegiance to the Flag.

Mayor Vaccaro called for a moment of silence for former Police Chief Stephen Garrand, who passed away.

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

COMMUNICATIONS:

Borough of Tenafly, Borough of Hillsdale, Borough of Old Tappan, Borough of Montvale, Township of Washington and City of Hackensack- opposing Suez Water New Jersey Inc. rate increase.

Ms. Virginia Porcaro, Little Ferry- notice of public hearing on an application submitted to the Little Ferry Joined Planning/Zoning Board for a D(2) use variance for a 2 family in a 1 family Zone at 5 Porcaro Drive, Block 100, Lot 10.03, in the Borough of Little Ferry.

Borough of Tenafly- urging port Authority of NY & NJ to begin capital planning and construction of a new Port Authority Bus Terminal in Manhattan.

Bergen County Board of Chosen Freeholders- notice of adoption of an Ordinance amending the Administrative Code to create a Public Safety Communications Advisory Board to advise on matter regarding 9-1-1 and Dispatch Services.

Bergen County Board of Chosen Freeholders- notice of adoption of an Ordinance amending Ordinance 14-16, setting Standard, Regulations and Rates for Law Enforcement Agency requested and Non-Preference Motor Vehicle Towing and Storage Services for the County of Bergen.

Bergen County Board of Chosen Freeholders- recognizing February 2016 as Black History Month.

Bergen County Board of Chosen Freeholders and City of Hackensack- recognizing February 2016 as American Heart Month.

Environmental Alliance, Inc.- submittal of Remedial Investigation Report and Remedial Action Report Form to NJDEP for State Container Corp., 111 West Commercial Ave.

Borough of Emerson and City of Hackensack- opposition to the Pension & Health Benefit Study Commission Report Dated February 24, 2015.

Township of Lyndhurst, Borough of Westwood and City of Hackensack- requesting New Jersey Senate and Assembly take no further action on Senate Bills S781 and S782, which are attempting to further revise current OPRA and OPMA laws in the name of transparency.

Boswell Engineering – public notification of an application for a Freshwater Wetlands General Permit No. 1 and Flood hazard Area General Permit No. 3 submitted to NJDEP for Bergen County Owned Culverts, Liberty St. over Losen Slote Creek, in the Borough of Little Ferry.

Bergen County Board of Chosen Freeholders- recognizing February 2016 as “Career and Technical Education Month.

New Jersey Department of Protection- notification of Suspected Hazardous Substance at 270 Moonachie Avenue, in the Borough of Moonachie.

New Jersey Department of Protection- issuance of “No Further Action Determination” for 42 Frederick Street, Block 15, Lot 3.01, in the Borough of Moonachie.

Bergen County Board of Chosen Freeholders- notice of public hearing on a Bond Ordinance appropriating \$24,880,000 and authorizing the issuance of \$23,650,000 bonds or notes to reserves for the County of Bergen self-insurance fund.

Bergen County Board of Chosen Freeholders- notice of public hearing on a Guaranty

Ordinance securing the Bergen County Improvement Authority's Lease Revenue Bonds, Series 2016 (Village of Ridgewood Project) in an aggregate Principal Amount not to exceed \$12,300,000.

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

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

All ayes. So ordered.

Attorney Migliorino- announced that the service for Mr. Gerrand will be held on March 15, at Hasbrouck Heights.

REPORTS:

None

PROPOSAL:

Professional Service Proposal from Arcari+Iovino Architects for new DPW building

Mayor Vaccaro- explained that we spoke with the Port Authority who has put money aside for this project, but it was moved around. The Port Authority does not have the money on hand, and they want the time frame for the completion of this project so that they can put money in their capital budget. Asked if the Borough needed to pay the Architect if we sign the contract and the Port Authority does not have the money.

Attorney Migliorino- we can put a stipulation in the contract regarding contingent of payment from the Port Authority.

Mayor Vaccaro- asked attorney to reach out to the Architect to include the contingency of payment from the Port Authority in the proposal.

Administrator Ciannamea- stated that we can put something in the proposal before we returned to the Architect.

C/Surak- asked whether the Architect could use Boswell's survey.

Mayor Vaccaro- stated that the survey was done when the clean-up was done at the site.

C/Bauer – mentioned that he does not know how updated report is required.

Mayor Vaccaro- mentioned that last week A&D appealed the Police Chief's denial for 2016 towing rotation. He stated that he spoke to the Police Chief about the denial, there were problems with not being in good standing for five years and not handing in documents in a timely fashion when A& D was in our towing rotation. Spoke about having Borough Attorney write a letter about denial of the appeal.

Attorney Migliorino- we can take the denial of appeal out of consent.

Mayor Vaccaro- mentioned item of new business regarding changing garbage company to Galaxy Carting.

C/Kinsella- asked when this change would occur.

Attorney Migliorino- stated that it would be after they get approval from the Board of Public Utilities and DEP and the process will go through March.

FORMAL ACTION TAKEN AT THE EXECUTIVE MEETING ON FEBRUARY 18, 2016:

Motion by C/Millar and second by C/Martinez to approve the following Resolutions at the Executive Meeting on February 18, 2016:

Resolution#16-67

FORM 1B

WHEREAS, the Governor's Council on Alcoholism and Drug Abuse established the Municipal Alliances for the Prevention of Alcoholism and Drug Abuse in 1989 to educate and engage residents, local government and law enforcement officials, schools, nonprofit organizations, the faith community, parents, youth, and other allies in efforts to prevent alcoholism and drug abuse in communities throughout New Jersey

WHEREAS, the Borough Council of the Borough of Moonachie, County of Bergen, State of New Jersey recognizes that the abuse of alcohol and drugs is a serious problem in our society amongst persons of all ages; and therefore has an established Municipal Alliance Committee; and,

WHEREAS, the Borough Council further recognizes that it is incumbent upon not only public officials but upon the entire community to take action to prevent such abuses in our community; and,

WHEREAS, the Borough Council has applied for funding to the Governor's Council on Alcoholism and Drug Abuse through the County of Bergen;

NOW, THEREFORE, BE IT RESOLVED by the Borough of Moonachie, County of Bergen, State of New Jersey hereby recognizes the following:

1. The Borough Council does hereby authorize submission of a strategic plan for the Moonachie Municipal Alliance grant for fiscal year 2017 in the amount of:

DEDR	9,520
Cash Match	2,380
In-Kind	7,140

2. The Borough Council acknowledges the terms and conditions for administering the Municipal Alliance grant, including the administrative compliance and audit requirements.

RESOLUTION #16-68

WHEREAS, Little Ferry Boys Club, Inc., 1 Indian Lake Dr. P.O. Box 447, Little Ferry, NJ 07643, has submitted an application for an On Premise Tricky Tray Raffles License to be held on February 23rd, 2016, at 122 Moonachie Ave., Moonachie; and

NOW THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Moonachie, that the application of Little Ferry Boys Club, Inc. for Raffle License RL 363, be and is hereby approved.

RESOLUTION #16-69

WHEREAS, Little Ferry Boys Club, Inc., 1 Indian Lake Dr. P.O. Box 447, Little Ferry, NJ 07643, has submitted an application for a 50/50 On Premise Raffle License to be held on February 23rd, 2016, at 122 Moonachie Ave., Moonachie; and

NOW THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Moonachie, that the application of Little Ferry Boys Club, Inc., for Raffle License RL 364, be and is hereby approved.

RESOLUTION # 16-70

WHEREAS, the Director of Local Government Services has formally directed all Municipalities to adopt a Corrective Action Plan as part of their annual audit process, and

WHEREAS, this Corrective Action Plan shall be submitted to the Director of Local Government Services upon adoption by the Governing Body and it shall be kept on file with the Borough Clerk, and

WHEREAS, the Plan shall cover all audit findings and recommendations and be prepared in accordance with the Single Audit Act OMB Circular 12A and Local Finance Notice 92-15, and

NOW, THEREFORE, BE IT RESOLVED, that the Mayor & Council hereby approves the attached Corrective Action Plan for the 2014 Annual Audit, and

BE IT FURTHER RESOLVED, that the Borough Clerk is hereby directed to maintain said Plan in the Municipal files, and make the Plan available to the public, and

BE IT FURTHER RESOLVED, that a certified copy of this Resolution, including the Corrective Action Plan, be forwarded to the Director of Local Government Services. BE IT RESOLVED, herein listed is the Corrective Action Plan for the Borough of Moonachie for the year ended December 31, 2014.

**CORRECTIVE ACTION PLAN
BOROUGH OF MOONACHIE
BERGEN COUNTY, NJ
AUDIT YEAR ENDED DECEMBER 31, 2014**

1. The Borough's actuarial calculation of the OPEB liability was not available for audit.

Analysis: The Borough procures its health benefits through the Bergen Municipal Employee Benefits Fund. As of the date of the audit the Borough had not received the actuarial calculations and therefore has not complied with the requirements of GASB Statement No. 45 and the State of New Jersey Local Finance Notice 2009-13R.

Corrective Action: The Borough's actuarial calculation of the OPEB is being completed and will be reflected in the December 31, 2015 audit.

Implementation Date: Immediate.

2. The Borough does not have a detailed inventory supporting the fixed asset values.

Analysis: The Borough's fixed assets were significantly impaired during Hurricane Sandy and a detailed Fixed Asset ledger including updates for additions and deletions was not available for audit.

Corrective Action: The Borough hired a fixed asset consultant and a detailed Fixed Asset ledger will be available for the December 31, 2015 audit.

Implementation Date: Immediate

3. The billings to vendors requesting police outside duty were not prepared in a timely manner. In addition, checks received for police outside duty were not deposited timely into the Other Trust bank account.

Analysis: The Police Department's Report of police outside duty was received once a month after the completion of the month. It then took two to three months to complete the invoicing cycle. In addition, payments received were deposited when workload demands permitted it.

Corrective Action: The Borough has directed its Police Department to submit its police outside duty reports bi-weekly. In addition the Borough is acquiring new computer software to assist with police duty invoicing process. Finally the depositing of payments has become a priority.

Implementation Date: June 30, 2016

4. The Borough is not verifying submission of the federal tax payments through the federal "EFTPS" website.

Analysis: The Borough is not registered with the federal "EFTPS" website and therefore is unable to verify the federal payroll tax payments being made by the Borough's payroll processing company on the Borough's behalf.

Corrective Action Plan: The Borough is in the process of registering with the federal "EFTPS" website and will be soon verifying the submission of the federal tax payments through the website.

Implementation Date: April 30, 2016

5. Purchase orders were issued subsequent to the invoice date.

Analysis: This tends to occur when either the supply or service is needed immediately or the total cost of the good or service is indeterminable when needed.

Corrective Action: Department heads have been reminded of the purchasing requirement of utilizing a purchase order prior to the procurement of goods and services. Additionally, when the total cost of a good or service is indeterminable, cost estimates will be utilized on the requisition resulting in subsequent revision to the purchase order based on vendor invoice.

Implementation Date: March 30, 2016

6. Several employees eligible for the Defined Contribution Retirement Plan (DCRP) have not been enrolled.

Analysis: Several employees who are not eligible for the state's pension plan should be enrolled in the state's Defined Contribution Retirement Plan. This has not occurred yet.

Corrective Action: The Borough is in the process of learning about the Defined Contribution Retirement Plan and enrolling those eligible employees.

Implementation Date: May 31, 2016.

7. The Borough is paying certain vendors through a non-check process; funds are electronically transferred from the Borough's bank account.

Analysis: In an attempt to avoid paying late fees and interest the Borough has been paying certain vendors via electronic payment.

Corrective Action Plan: The Borough will no longer utilize electronic payments to pay any vendors.

Implementation Date: Immediate.

8. The 2013 Corrective Action Plan was not filed until calendar year 2015 and did not address all audit recommendations.

Analysis: While timely worked on and formulated the formal write up and submission of the 2013 Corrective Action Plan was not done until 2015 when workload permitted. Based upon previously submitted Corrective Action Plans the Borough believed that it only had to address the Government Auditing Standard recommendations.

Corrective Action: Submission of the Corrective Action Plan has become a priority and with the implementation of this year's Corrective Action Plan, next year's Corrective Action Plan should be less voluminous and time consuming. In addition in this year's Corrective Action Plan all audit recommendations have been addressed.

Implementation Date: Immediate.

9. There were over expenditures of budget appropriations in the amount of \$5927 in the Current Fund and \$5520 in the Sewer Utility Operation Fund.

Analysis: The current financial software does not compare expenditures to budget and notify the user of over expenditures.

Corrective Action: The Borough is in the process of acquiring new financial software that will notify the user of over expenditures.

Implementation Date: June 30, 2016.

RESOLUTION #16-71

WHEREAS, at the Municipal Tax Sale held on Nov.12, 2015, a lien was sold on Block 52/ Lot 3, also known as 6 Lincoln Pl, Moonachie, NJ, for 2013 & 2014 delinquent sewer service charges; and,

WHEREAS, this lien, known as Tax Sale Certificate #15-009, was sold to US BankCust for PC6, LLC Sterling, for a 0% redemption fee and a \$600.00 premium; and,

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council that a check in the amount of \$600.00 be and is hereby authorized to be issue and payable to US BankCust for PC6, LLC Sterling National, for the premium of Tax Sale Certificate #15-009 .

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

REGULAR MEETING

FEBRUARY 25, 2016

CONSENT RESOLUTIONS:

All matters listed bellows are considered to be routine in nature and will be enacted by one motion and second.

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

RESOLUTION #16-72

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

<u>Year</u>	<u>Block</u>	<u>Lot</u>	<u>Amount</u>
2014	70	4.01	\$4,264.13
2015	70	4.01	<u>\$7,665.04</u>
TOTAL			\$11,929.17

BE IT FURTHER RESOLVED, that the tax overpayment in the amount of \$11,929.17 shall be made payable to “Ditobarbi-Moonachie, LLC” and mailed to Robert Giancaterino, Esq. C/O Skoloff & Wolfe, P.C. 293 Eisenhower Parkway, Livingston, NJ 07039.

RESOLUTION #16-73

BE IT RESOLVED by the Mayor and Council of the Borough of Moonachie that the proper officers be and are hereby authorized to refund the following overpayment of taxes due to Tax Court of New Jersey Judgment for Edward W. Mildred Evans:

<u>Year</u>	<u>Block</u>	<u>Lot</u>	<u>Amount</u>
2013	2	1	\$3,027.19
2014	2	1	\$3,117.56
2015	2	1	<u>\$6,455.44</u>
TOTAL			\$12,600.19

BE IT FURTHER RESOLVED, that the tax overpayment in the amount of \$12,600.19 shall be made payable to “Spiotti & Esposito P.C.” and mailed to Spiotti & Esposito P.C. 271 US Highway 46 STE F105-106, Fairfield, NJ 07004.

RESOLUTION #16-74

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

<u>Year</u>	<u>Block</u>	<u>Lot</u>	<u>Amount</u>
2012	65	2.02	\$2,458.82
2013	65	2.02	\$3,932.63
2014	65	2.02	\$4,050.02
2015	65	2.02	<u>\$9,022.41</u>
TOTAL			\$19,463.88

BE IT FURTHER RESOLVED, that the tax overpayment in the amount of \$19,463.88 shall be made payable to “Spiotti & Esposito P.C.” and mailed to Spiotti & Esposito P.C. 165 Passaic Avenue Suite 103A, Fairfield, NJ 07004.

RESOLUTION #16-75

BE IT RESOLVED, by the Mayor and Council of the Borough of Moonachie that the payment in the amount of \$15,000.00 to L+C Design Consultant, PA for Construction Documents for new Municipal Building be and is hereby approved.

RESOLUTION #16-76

BE IT RESOLVED, by the Mayor and Council of the Borough of Moonachie that the payment in the amount of \$26,600.00 to L+C Design Consultant, PA for Strategic Recovery Planning Report for the Borough of Moonachie be and is hereby approved.

RESOLUTION #16-77

BE IT RESOLVED, by the Mayor and Council of the Borough of Moonachie that the payment in the amount of \$17,700.00 to L+C Design Consultant, PA for Redesign Reduced Scope of Work of New Municipal Building be and is hereby approved.

RESOLUTION #16-78

WHEREAS, Resolution #15-134 had a typographical error for the grace period extension for 2nd quarter sewer bills of Commercial properties as June 29th, 2015 instead of July, 20, 2015; and

WHEREAS the 2nd quarter sewer bill had the correct extension of grace period date of July 20th, 2015; and

BE IT RESOLVED, by the Mayor and Council of the Borough of Moonachie that the typographical error on the Resolution#15-134 be and is hereby corrected to July 20, 2015.

RESOLUTION #16-79

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 2015 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 #16-80

WHEREAS, at the Municipal Tax Sale held on Dec. 17, 2011, a lien was sold on Block 61/ Lot 6, also known as 116 Moonachie Ave., Moonachie, NJ, for 2010 delinquent taxes; and,

WHEREAS, this lien, known as Tax Sale Certificate #11-01, was sold to 1 ACG, LLC for a 0% redemption fee and a \$400.00 premium; and,

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council that a check in the amount of \$400.00 be and is hereby authorized to be issue and payable to 1 ACG LLC, for the premium of Tax Sale Certificate #11-01 .

RESOLUTION #16-81

BE IT RESOLVED, by the Mayor and Council of the Borough of Moonachie that Mario Patruno is hereby appointed as a provisional Electrical Sub-Code Official at the annual Salary of \$5,000.00 effective April 1st, 2016.

RESOLUTION #16-82

Re: Authorizing Assignment of Contract for Solid Waste Collection Services from Future Sanitation, Inc. to Joseph Smentkowski, Inc. dba Galaxy Carting

WHEREAS, the Borough of Moonachie and Future Sanitation, Inc. are parties to a contract for five (5) years for the collection of Solid Waste Collection Services from October 1, 2012 through September 30, 2017; and

WHEREAS, Future Sanitation is unable to provide the Borough with a Performance Bond for the year 2016; and

WHEREAS, it is in the best interest of the Borough to assign the remaining years of the Contract from Future Sanitation, Inc. to Joseph Smentkowski, Inc. dba Galaxy Carting, 3 New York Avenue, Jersey City, New Jersey 07307 upon the same terms and conditions as set forth in the Contract with Future Sanitation, Inc., dated September 24th, 2012; and

WHEREAS, the total amount paid per assigned contract is still lower than the next lowest bid received in 2012; and

WHEREAS, the total amount to be paid pursuant to the assigned Contract for the remaining of 2016 through September 30, 2017 on the base bid in the amount of \$44,555.00 per year (i.e. in equal calendar monthly payment of \$3,712.92) for Solid Water Collection Service; and

WHEREAS, the terms of this Resolution are contingent upon the Borough receiving approval from the New Jersey Department of Environmental Protection (NJDEP) and the New Jersey State Attorney General's Office authorizing the assignment as set forth herein;

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 five (5) year contract for the Solid Waste Collection Service from October 1, 2012 through September 30, 2017, be and the same is so as to allow an assignment of the Contract between the Borough of Moonachie and Future Sanitation, Inc. to Joseph Smentkowski, Inc. dba Galaxy Carting commencing March 1st, 2016; and

BE IT FURTHER RESOLVED that the terms of this Resolution are contingent upon the Borough and Joseph Smentkowski, Inc., dba Galaxy Carting executing an Assignment of the said Contract with Joseph Smentkowski, Inc. dba Galaxy Carting, being bound by all terms and conditions of the original contract; and

BE IT FURTHER RESOLVED that the terms of this Resolution are contingent upon receipt by the Borough of a Performance Bond and necessary insurance certificates from Joseph Smentkowski, Inc., dba Galaxy Carting in favor of the Borough in the amount of \$44,555 .00 per year (i.e. in equal calendar monthly payment of \$3,712.92) for the remaining year 2016 through September 30, 2017; and

BE IT FURTHER RESOLVED that this Resolution is subject to approval from the NJDEP; and

BE IT FURTHER RESOLVED that the Borough Clerk and Mayor are hereby authorized to sign and execute an Assignment assigning the balance of the Contract from Future Sanitation Inc., to Joseph Smentkowski, Inc. dba Galaxy Carting, upon the terms and conditions set forth in this Resolution; and

BE IT FURTHER RESOLVED the Borough Clerk is hereby authorized and directed to forward a certified copy of this Resolution to Future Sanitation, Inc., Joseph Smentkowski, Inc. dba Galaxy Carting, the Borough Attorney; the NJDEP and the New Jersey State Attorney General's Office immediately upon its passage.

RESOLUTION #16-83

WHEREAS, Uniformed Shared Services and Consolidation Act(N.J.S.A. 40A:65-1 et. seq.) allows for any local unit to enter into an agreement with any other local unit or units to provide or received any services that each local participating in the agreement is empowered to provide or receive within its own jurisdiction, as set forth in N.J.S.A 40A:65-7(4); and

WHEREAS, the Uniformed Shared Services and Consolidation Act (N.J.S.A. 40A:65-1 et. seq.) promotes the broad use of shared services as a technique to reduce local expenses funded by property tax payers; and

WHEREAS the Borough of Moonachie recognizes need for and wish to enter into Shared Services Agreement with the County of Bergen for utilizing temporary/emergency basis County's Fire Apparatus ; and

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

1. That the Mayor is hereby authorized and directed to execute a shared services agreement with the County of Bergen to utilize the County's Fire Apparatus on a temporary/emergency basis as front line fire apparatus.
2. This contract is awarded pursuant to appropriate Law of the State of New Jersey specifically but not by way of limitation N.J.S.A. 40A:65-1 et seq. as well as any other pertinent statues appertaining thereto.

RESOLUTION #16-84

BE IT RESOLVED by the Mayor and Council of the Borough of Moonachie that the Executive Meeting of the Mayor and Council on Thursday, March 10, 2016 at 7:00 P.M. is hereby changed to Wednesday, March 09, 2016, 7:00 P.M.

RESOLUTION #16-85

WHEREAS, the Borough of Moonachie has sought professional Architectural and related engineering services for the construction of a new Department of Public Works facility to be located at Block 77, Lot 1; and

WHEREAS, Arcari + Iovino Architects PC submitted a qualified response to the Borough's RFQ in the form of a proposal for Professional Architectural and related Engineering, and their proposal satisfies the Borough's needs;

NOW THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Moonachie that Proposal of Arcari + Iovino be and is hereby accepted for professional Architectural and Engineering services for the construction of a new Department of public Works facility to be located at Block 77, Lot 1 at a fee of \$176,200.00 based on the contingency that the Borough must receive the funds in form of a grant from Port Authority of NY & NJ; and

BE IT FURTHER RESOLVED, that the Mayor is hereby authorized to sign the contract of Arcari+ Ivonio Architects PC based on the contingency that the Borough must receive the funds in form the grant from Port Authority of NY & NJ for professional Architectural and Engineering Services at a fee of \$176,200.00.

C/Kinsella asked about the missing judgement for the year 2014 for Evans and Gerardi in the agendas.

Borough Clerk explained that there was not any judgment of 2014 but the assessment change in 2014 due to the judgment of 2013 so the agendas does not listed 2014 but the Resolution include refund for 2014.

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

OUT OF CONSENT:

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

RESOLUTION #16-86

BE IT RESOLVED, by the Mayor and Council of the Borough of Moonachie that the appeal of A & D Towing & Recovery LLC for 2016 Borough's Towing Rotation be and is hereby denied based of the Police Chief's recommendation as well as review and consideration of all the facts as presented by applicant's attorney.

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

Attorney Migliorino- mentioned that his letter to A& D will include the reason for the denial of the appeal.

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

RESOLUTION #16-87

BE IT RESOLVED, by the Mayor and Council that the Borough Attorney be and is hereby authorized to send a letter to Dennis Francis, Esq., attorney of A&D Towing & Recovery LLC regarding the denial of the appeal of A & D Towing & Recovery LLC by the Mayor and Council.

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

BILLS:

BILL LIST FEBRUARY 2016

CHECK	CURRENT ACCOUNT	AMOUNT
058690	BOROUGH OF MOONACHIE PAYROLL ACCOUNT	172,068.77
058691	BOROUGH OF MOONACHIE PAYROLL ACCOUNT	12,675.30
058692	WILLIAM G. HUNT, JR.	240.00
058693	LOU CAPPADONNA	23.22
058694	NICHOLAS TELESMANIC	690.00
058696	MANSFIELD OIL COMPANY	3,860.53
058697	MUNIDEX, INC	462.40
058698	THOMAS DELORENZO	250.00
058699	NICHOLAS TELESMANIC	120.00
058700	NICHOLAS TELESMANIC	810.00
058701	NEW JERSEY MOTOR VEHICLE COMMISSION	150.00
058702	BOROUGH OF MOONACHIE TRUST ESCROW	913.44
058703	RACHLES/MICHELE'S OIL CO.	127.60
058704	BCPWA	75.00
058705	HOMETOWN AUTO PARTS	272.22
058706	MUNICIPAL RECORD SERVICE	507.00
058707	BIOCHEM SUPPLY	1,720.00
058708	RUTGERS, THE STATE UNIVERSITY OF N.J.	357.00
058709	VANDINE	1,278.20
058710	KEEHN POWER PRODUCTS INC.	2,650.00
058730	ALAR MCO SYSTEMS	276.00
058731	PAPER CLIPS	197.50
058732	NEW JERSEY POLICE TRAFFIC OFFICER	200.00
058733	BIOSHINE	3,323.70

058734	HOMETOWN AUTO PARTS	23.62
058735	BERGEN COUNTY PROSECUTOR'S COMPUTER DIVISION	6,000.00
058736	EVANS CATERING SERVICE	27.20
058740	BOROUGH OF MOONACHIE PAYROLL ACCOUNT	316.41
058741	BOROUGH OF MOONACHIE PAYROLL ACCOUNT	90.48
058742	LOWE'S HOME CENTER INC.	63.11
058743	PAPER CLIPS	67.46
058747	VERIZON	264.69
058748	VERIZON	37.41
058753	VERIZON	79.20
058754	UNITED WATER COMPANY	46.53
058755	MARK MUSELLA	200.00
058756	COMPREHENSIVE BEHAVIORAL	1,200.00
058757	TRAFFIC SAFETY AND EQUIPMENT COMPANY, INC.	940.00
058758	TRAFFIC SAFETY AND EQUIPMENT COMPANY, INC.	109.90
058759	CHIZZY'S TRUCK AND AUTO REPAIRS	187.50
058760	HOMETOWN AUTO PARTS	794.73
058761	REINER OVERHEAD DOORS, LLC.	360.00
058762	C&C TIRE	442.45
058763	VANDINE	4,885.00
058764	REYNWOOD COMMUNICATIONS	552.53
058765	GALL'S INC.	324.81
058766	VERIZON	6.55
058767	VERIZON WIRELESS	200.05
058768	BOROUGH OF MOONACHIE PAYROLL ACCOUNT	156,325.08
058769	BOROUGH OF MOONACHIE PAYROLL ACCOUNT	11,437.73
058774	S 4 MILITARY SURPLUS AND SUPPLIES	116.80
058780	EVANS CATERING SERVICE	6.62
058782	EVANS CATERING SERVICE	34.00
058783	AGE'S AUTO LLC.	130.00
058784	HOMETOWN AUTO PARTS	14.34
058785	IRON MOUNTAIN	737.91
058786	AGE'S AUTO LLC.	50.00
058787	AGE'S AUTO LLC.	405.55
058788	AGE'S AUTO LLC.	26.00
058789	AGE'S AUTO LLC.	24.00
058790	AGE'S AUTO LLC.	65.00
058791	AGE'S AUTO LLC.	145.00
058792	AGE'S AUTO LLC.	1,486.15
058793	PAPER CLIPS	574.14
058794	PAPER CLIPS	184.05
058795	SCHNACK'S ON SITE TRUCK REPAIR	424.02
058797	ASSOCIATED APPRAISAL GROUP	7,045.00
058799	GOVERNMENT FINANCE OFFICERS ASSOC.	90.00
058800	IACP MEMBERSHIP	150.00
058809	TIME WARNER CABLE	224.85
058810	STANDARD INSURANCE	1,245.56
058811	VERIZON	35.93
058812	VERIZON WIRELESS	1,136.17
058813	VERIZON	180.43
058814	MARLIN LEASING	150.00
058818	BERGEN COUNTY CLERKS ASSOC.	75.00
058819	DOHRMAN PRINTING COMPANY INC.	627.00
058820	UNITED WATER COMPANY	5,515.83
058821	EARTHLINK BUSINESS	637.89
058822	BOARD OF EDUCATION	600,061.16
058824	WOOD-RIDGE POST OFFICE	98.00
058827	NJ OFFICE OF WEIGHTS AND MEASURES	100.00
058828	NATURE'S CHOICE CORPORATION	372.90
058829	BERGEN MUNICIPAL EMPLOYEE BENEFITS FUND	100,513.00
058830	LOWE'S HOME CENTER INC.	21.60

058831	VILLON, SOL M	150.00
058832	PIA, INC.	3,012.00
058833	SUEZ WATER NEW JERSEY	391.22
058834	DELAGE LANDEN FINANCIAL SERVICES	639.60
058835	BERGEN MUNICIPAL EMPLOYEE BENEFITS FUND	100,513.00
TOTAL		1,215,640.04

CHECK	CURRENT ACCOUNT	AMOUNT
058796		VOID
058804		VOID
058805		VOID
058806		VOID
058807		VOID
059007		VOID
059008		VOID

NON-CHECK PAYMENT	CURRENT ACCOUNT	AMOUNT
NON-CHECK PAYMENT	JP MORGAN CHASE	6,900.00
TOTAL		6,900.00

CHECK	SEWER OPERATING ACCOUNT	AMOUNT
006228	BOROUGH OF MOONACHIE PAYROLL ACCOUNT	1,649.18
006229	BOROUGH OF MOONACHIE PAYROLL ACCOUNT	22,387.81
006231	VERIZON	35.93
006232	BERGEN COUNTY UTILITIES AUTHORITY	160,525.36
006233	SUEZ WATER NEW JERSEY	105.16
006234	BERGEN MUNICIPAL EMPLOYEE BENEFITS FUND	13,055.00
006235	BERGEN MUNICIPAL EMPLOYEE BENEFITS FUND	13,055.00
006250	EAGLE EQUIPMENT INC. DBA PIERCE EQUIP.CO.	93.50
006251	PIERCE EAGLE EQUIPMENT CO.	92.40
006253	UNITED WATER COMPANY	76.03
006254	BOROUGH OF MOONACHIE PAYROLL ACCOUNT	15,235.64
006255	BOROUGH OF MOONACHIE PAYROLL ACCOUNT	1,114.74
006256	NASSOR ELECTRICAL SUPPLY CO.	1,366.18
TOTAL		228,791.93

CHECK	CAPITAL ACCOUNT	AMOUNT
001751		VOID
001760		VOID

CHECK	DOG ACCOUNT	AMOUNT
001419	N.J. DEPT. OF HEALTH AND SENIOR SERVICES	55.20
TOTAL		55.20

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

FINAL PASSAGE OF ORDINANCES:

ORDINANCE#2016-1

AN ORDINANCE AMENDING CHAPTER 7-16.1
 TO RENAME LLADRO DRIVE TO OXFORD DRIVE
 AND MODIFYING "THE REVISED GENERAL

ORDINANCE OF THE BOROUGH OF MOONACHIE
BY THE ADDITION AND/OR MODIFICATION
SET FORTH HEREIN

WHEREAS, Lladro Inc, no longer owns or operate a business facility in the Borough of Moonachie; and

WHEREAS, a new tenant occupies the building located on the street which name is to change to Oxford Drive herein; and

WHEREAS, the Mayor and Council are of opinion that the renaming of the street from Lladro Drive to Oxford Drive would sense the public interest.

NOW THEREFORE, BE IT ORDAINED by the Mayor and Council of the Borough of Moonachie, County of Bergen and State of New Jersey as follows:

SECTION 1. Lladro Drive is hereby renamed Oxford Drive in accordance with N.J.S.A. 40:67-1(k) and same be designated Oxford Drive as provided for herein.

SECTION 2. The Borough Clerk shall, upon final adoption of this Ordinance, file copies of same with the following entities:

1. Recording Officer of Bergen County.
2. United States Postal Service.
3. All Municipalities abutting the Borough of Moonachie.
4. All property owners abutting Oxford Drive.
5. State Department of Transportation.
6. County of Bergen/Clerk of the Board of Chosen Freeholders,
7. Board of Election.

SECTION 3. All Ordinance or parts of Ordinance inconsistent herewith are hereby repealed as to such inconsistencies.

SECTION 4. If any section, subsection, paragraph, sentence, clause or word of this ordinance shall be adjudged invalid by a Court of competent jurisdiction, then such invalidity shall not affect the validity of the remaining portions of this Ordinance.

SECTION 5. This Ordinance shall take effect immediately upon publication and passage pursuant to law.

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

PUBLIC HEARING ON ORDINANCE#2016-1:

Sal DeAlessandro, 1 Frederick Street - asked about reason for the name change of Lladro Dr.

Mayor Vaccaro- we are changing the name back to Oxford Drive so it will not change again due to a change of tenant.

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

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

Motion by C/Surak and second by C/Cirillo to adopt Ordinance#2016-1.

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

ORDINANCE#2016-2

AN ORDINANCE OF THE BOROUGH OF
MOONACHIE IN THE COUNTY OF BERGEN, NEW
JERSEY, PROVIDING FOR THE ACQUISITION AND
INSTALLATION OF FINANCIAL SOFTWARE FOR
THE BOROUGH OF MOONACHIE AND
APPROPRIATING \$65,000 THEREFOR AND

PROVIDING FOR THE ISSUANCE OF \$61,750 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 \$65,000, including the sum of \$3,750 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 \$61,750 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds or notes, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. (a) The improvement hereby authorized and the purpose for which the bonds or notes are to be issued is for the acquisition and installation of financial software for the Borough's Finance Department and the conversion of existing data, and including all work and materials necessary therefor or incidental thereto.

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

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

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

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

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

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

(b) The period of usefulness of the improvement or purpose, within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the bonds authorized by this bond ordinance, is 7 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 \$61,750, and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An amount not exceeding \$33,000 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 Council of the Borough hereby covenants on behalf of the Borough 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. 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 11. 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.

PUBLIC HEARING ON ORDINANCE#2016-2:

Mayor Vaccaro- stated that this Ordinance is putting money in place for the new software and it will bring the tax collection and finance software up to date to make us more efficient.

C/Surak- stated that the software will be able to carry the Borough many years ahead and it can be upgraded. Mentioned that it is a good investment for the Borough.

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

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

All ayes. So ordered.

Motion by C/Millar and second by C/Cirillo to adopt Ordinance#2016-2.

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

All ayes. So ordered.

Administrator Ciannanea- asked about the date for the next meeting, in which with the purchase for the software equipment could be authorize.

Mayor Vaccaro – mentioned that the money will be available after the 20 days of publication and the purchase of software can be done after 20 days.

PUBLIC HEARING:

Sal DeAlessandro, 1 Frederick Street- stated that none of the Meeting dates for 2016 are posted on the website.

C/Surak- mentioned that he will update the website with the meeting dates.

Mr. DeAlessandro- asked about the location of the backflow preventers, which will be installed.

Mayor Vaccaro- stated that one is off East Joseph Street, one near Congress Drive and one by Capitol Drive. He mentioned that the County is asking whether the towns would be able to pay if the grant money does not cover it. He stated that he would like to know what the cost would be before making an agreement. He felt that all the money is spending on professional like engineers and others, not for actual work to prevent flooding.

Mr. DeAlessandro- spoke about the cul-de-sacs by State Street at Congress Drive and he stated that the street is flooding due to lack of maintenance of the catch basin in that area. Mayor Vaccaro- stated that the catch basin needs to be maintained and the back flow preventer will be put in that area. He explained if the back flow preventer pushes against the water, water will not go out because of the valve. Yesterday, he visited the flooded street in the town.

Mr. DeAlessandro- stated that something needs to be done so flooding does not occur with heavy rain. Spoke about the West Riser Dam; it was backed up because it was dirty and even with no rain the area was flooded. He stated that it should be cleaned out.

Mayor Vaccaro- explained that the pumps from the airport were causing the flooding at Concord Street because the tide gates were not open. He took pictures of the flooding.

Mr. DeAlessandro- we supposed to take care of ditches and tidal gates

Mayor Vaccaro -mentioned that the Borough took necessary step to clean up what could be done at the catch basins, sewers, and ditches.

Mr. DeAlessandro- mentioned that the County is not taking care of the tidal gate.

Mayor Vaccaro- mentioned that he will speak with the County regarding maintaining the tidal gates and he is going to show the pictures of flooding to the County.

Mr. DeAlessandro- mentioned that the clean-up was done by the town by Burger King.

Mayor Vaccaro- mentioned that he will give a report for what has been done with the ditches and catch basin to prevent flooding. He stated that last night there was no flooding on Lincoln Place because we put bigger pump.

Mr. DeAlessandro- mentioned that the water is not getting out because the tidal gates are blocked with debris.

Mayor Vaccaro- stated that he spoke to an individual at the NJSEA who is in charge of the sequence of the traffic lights. He mentioned that NJSEA will run scenarios with a left turn signal at Moonachie Avenue and asked if the town can do a traffic study, but the Meadowlands did any necessary studies when the lights were put up, she asked if he could call back in 2 weeks because she just started the job.

Mr. DeAlessandro- mentioned that he always work with the Mayor and Council and he tries to help the town.

C/Surak -asked about the airport pumps.

Mayor Vaccaro- explained that the flooding was cause because the gates were closed and he will mention to the County for the maintenance of the gates.

C/Millar -asked if there is anything in place with the County in terms of maintenance.

Mayor Vaccaro- mentioned that the County told that cleaning are done in rotation by the Mosquito Commission in seventy municipalities.

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

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

All ayes. So ordered.

Motion by C/Surak and second by C/Millar to go into closed session at 9:05 P.M. to discuss contracts and personnel.

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

All ayes. So ordered.

Motion by C/Millar and second by C/Bauer to close closed session at 9:24 P.M.

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

All ayes. So ordered.

C/Bauer – mentioned that the side walk of the empty house on Moonachie Rd was not cleaned and people were walking on the main road. He mentioned that the DPW can clean the sidewalk and the borough can billed the owner for the cleaning of snow by DPW.

Mayor Vaccaro- asked the Borough Attorney about an Ordinance for raffle licenses because we have to pass a resolution every time there is an application. He mentioned that with the ordinance the organizations would not have to wait for the license for a Council Meeting.

Attorney Migliorino- in closed session we discussed matter regarding personnel matter, the Police Department and the Court.

C/Surak- mentioned that he received 95% of the Borough's professionals Contracts and asked to have the contract for Millennium Strategies. He will review all the contracts with C/Cirillo and will have report at the next Executive Meeting.

C/Millar- stated that she is going to Robert L. Craig for Read Across America.

C/Kinsella – mentioned that she will read for Read Across America on behalf of the Mayor.

Motion by C/Bauer and second by C/Millar to adjourn the meeting at 9:27 P.M.

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

All ayes. So ordered.

ATTEST:

Supriya Sanyal

Borough Clerk