

Regular Meeting called to order, Mayor Dennis Vaccaro in the chair, at Kathryn E. Flynn Civic Center on Thursday May 25th, 2017 at 8:01 P.M.

Mayor called for Pledge of Allegiance to the Flag.

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

Borough Clerk stated that notice of the meeting was announced in accordance with the Open Public Meeting Act.

COMMUNICATIONS:

- GEI Consultants- notification of submittal of Remedial Action Protectiveness/Biennial Certification form for New York Mutual Trading, Inc., 25 Knickerbocker Road, in the Borough of Moonachie.
- Public Service Electric and Gas Company- notice of filing with New Jersey Board of Public Utilities and notice of public hearing on the matter of the petition of PSE&G for approval of changes in its electric and gas Societal Benefits Charge Rates.
- Public Service Electric and Gas Company- notice of filing with New Jersey Board of Public Utilities and notice of public hearing on the matter of the petition of PSE&G for approval of Electric and gas base adjustments pursuant to the energy strong program.
- Maser Consulting PA- notification of submittal of Waterfront Development and Flood Hazard Area Permit application to NJDEP regarding property located at Losen Slote Pump Station, Block 106, Lot 3.01, Block 106.01, Lot 2 in the Borough of Little Ferry and Township of South Hackensack.
- Azzolina & Feury Engineering, Inc.- notification of submittal of an application for flood hazard area individual permit to NJDEP for Block 70, Lot 8.02 in the Borough of Little Ferry.
- Township of Mahwah- recognition of National Gun Violence Awareness Day and to commit to prevent gun violence.

Motion by C/Surak and second by C/Martinez to file communications.
ROLL CALL: Bauer, Cirillo, Kinsella, Martinez, Surak.
All ayes. So ordered.

Mayor Vaccaro- mentioned that the two-year agreement for the temporary cell tower at Civic Center, ends this year, it was for \$45,000 and this agreement will be amended to add one year for \$30,000.

FORMAL ACTION TAKEN AT EXECUTIVE MEETING ON MAY 11, 2017:

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

**RESOLUTION#17-142
RESOLUTION EMPLOYING A FINANCIAL CONSULTANT**

WITHOUT COMPETITIVE BIDDING

WHEREAS, there exists a need for the services of a Financial Consultant in accordance with appropriate New Jersey law; and

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 Borough Administrator has determined and certified in writing that the value of said service will exceed \$17,500.00; and

WHEREAS, the anticipated term of this contract is nine months from April 1, 2017 to December 31, 2017; and

WHEREAS, the maximum amount of the Contract is \$30,000.00 and funds are subject to an appropriation by the Mayor and Council of the Borough of Moonachie and will be provided by the local finance office when appropriated; and

WHEREAS, Gail Fitzgerald has completed and submitted a Business Entity Disclosure Certification which certifies that Gail Fitzgerald 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 Gail Fitzgerald 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 the Borough Clerk of the Borough of Moonachie are hereby authorized and directed to execute the attached Contract with Gail Fitzgerald.
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 of this action shall be printed once in the official newspaper of the Borough.

RESOLUTION #17-143

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) \$24, 840.00 (Sep., 2016 thru March 31, 2017) and \$8,965.00 (April 1 thru April 30, 2017) for Master Plan Reexamination.
- b) \$24, 745.00 (Sep., 2016 thru March 31, 2017) and \$7,275.00 (April 1 thru April 30, 2017) for Neighborhood Plans.
- c) \$10,340.00 (Sep., 2016 thru March 31, 2017)and \$11,460.00 (April 1 thru April 30, 2017) for Zoning Ordinance Update.
- d) \$15,370.00(Sep., 2016 thru March 31, 2017) and \$6,406.00 (April 1 thru April 30, 2017) for Design Standards Ordinance.
- e) \$13,922.50(Sep., 2016 thru March 31, 2017) and \$3,452.50 (April 1 thru April 30, 2017) for Debris Management.
- f) \$22,250.00(Sep., 2016 thru March 31, 2017) and \$16,210.00 (April 1 thru April 30, 2017) for GIS Database.
- g) \$2,535.00(Sep., 2016 thru March 31, 2017) and \$20,745.00 (April 1 thru April 30, 2017) for Capital Improvement Plan.

RESOLUTION #17-144

BE IT RESOLVED by the Mayor and Council of the Borough of Moonachie that according to the term of Shared Services agreement between the Borough of Moonachie and the Borough of Teterboro, Brittany Demarest be and is hereby appointed as a full time Court Administrator at the annual salary of \$46,000.00 effective May 22, 2017 to work part-time at the Borough of Teterboro.

RESOLUTION #17-145

BE IT RESOLVED by the Mayor and Council of Borough of Moonachie that Kevin Boswell of Boswell McClave Engineering, the Borough Engineer is hereby authorized to provide engineering services for preparation of Bid Documents for the importation of Certified Clean Fill to raise the property’s topographic grade due to required excavation during Site Remediation at the proposed Department of Public Works building site located at Block 77, Lot 1 for the total cost not to exceed \$3,500.00; and.

BE IT FURTHER RESOLVED that the Borough Clerk is hereby authorized to advertise for bids, the date of which is to be mutually agreed by said Borough Clerk and Borough Engineer.

BE IT FURTHER RESOLVED that an approved copy of this resolution be furnished to the Borough Chief Financial Officer, and Boswell McClave Engineering.

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

REGULAR MEETING OF MAY 23, 2017:
NEW BUSINESS:

Attorney Migliorino- mentioned that C/Martinez requested to take out all the Resolutions from consent Resolution regarding liquor Licenses because he has a liquor license in town and there may be direct or indirect adversely or detrimental effect on any other license, he cannot vote on those.

CONSENT RESOLUTIONS:

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

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

RESOLUTION #17-146

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 Garsan Realty:

<u>Year</u>	<u>Block</u>	<u>Lot</u>	<u>Amount</u>
2015	61	7	<u>\$3,799.80</u>
	TOTAL		\$3,799.80

BE IT FURTHER RESOLVED, that the tax overpayment in the amount of \$3,799.80 shall be made payable to “Garsan Realty” and mailed to Garsan Realty, 111 W. Commercial Avenue, Moonachie, NJ 07074.

RESOLUTION #17-147

WHEREAS, the Mayor and Council of the Borough of Moonachie have been advised of the proposed settlement of a Tax Appeal filed on behalf Anro Partners LTD, under Docket Nos.: 017535-2009; 019782-2010; 015501-2011; 016875-2012; 017635-2013; 013155-2014; and 012242-2015 and for the years 2009, 2010, 2011, 2012, 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.

ANRO PARTNERS LTD,
Plaintiff,

TAX COURT OF NEW JERSEY
Docket Nos.: 017535-2009, 019782-2010,
015501-2011, 016875-2012, 017635-2013,
013155-2014 & 012242-2015

vs.

CIVIL ACTION

BOROUGH OF MOONACHIE,
a Municipal Corporation of
New Jersey,
Defendant.

STIPULATION OF SETTLEMENT
(Without Affidavit)

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

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

Block: 72
Lot: 2
Street Address: 5 Willow Street HM
Year(s): 2009, 2010, 2014 & 2015
Docket Nos.: 017535-2009, 019782-2010, 013155-2014 & 012242-2015

	<u>Original Assessment</u>	<u>County Board Judgment</u>	<u>Requested Tax Court Judgment</u>
Land	\$ 229,800	\$ 229,800	WITHDRAWN
Impvts	\$ 429,800	\$ 429,800	WITHDRAWN
Total	<u>\$ 659,600</u>	<u>\$ 659,600</u>	<u>WITHDRAWN</u>

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

Block: 72
Lot: 2
Street Address: 5 Willow Street HM
Year(s): 2011, 2012, 2013
Docket Nos.: 015501-2011, 016875-2012 & 017635-2013

	<u>Original Assessment</u>	<u>County Board Judgment</u>	<u>Requested Tax Court Judgment</u>
Land	\$ 229,800	\$ 229,800	\$ 229,800
Impvts	\$ 429,800	\$ 429,800	\$ 380,200
Total	<u>\$ 659,600</u>	<u>\$ 659,600</u>	<u>\$ 610,000</u>

3. The parties agree that there has been no change in value or municipal wide revaluation or reassessment adopted for the tax years (2012) and (2013) and, therefore agree that the provision of N.J.S.A. 54:51A-8 (Freeze Act) shall be applicable to the assessment on the property referred to herein for said Freeze Act year(s) shall be basis for application of the Freeze Act for any subsequent year(s).
4. The undersigned have made such examination of the value and proper assessment of the property and have obtained such appraisal, 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 this 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.
5. Based upon the foregoing, the undersigned represent to the court that the above settlement will result in an assessment at the fair assessable value of the property consistent with assessing practices generally applicable in the taxing district as required by law.
6. Statutory interest, pursuant to N.J.S.A. 54:3-27.2, having been waived by the taxpayer, shall not be paid provided the tax refund is paid in accordance with paragraph 7 hereof.
7. 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 "Daniel G. Keough, Trustee" and received by him within 90 days from date of entry of judgment. The interest waiver in this paragraph and paragraph 7 shall be null and void in the event of failure to comply with the provision of this paragraph, both as to the time and manner of making the payment.
8. The provisions of Paragraph 6 and 7 herein shall survive the entry of judgment, remain in full force and effect and be subject to any appropriate action for enforcement of the provisions.

VENTURA, MIESOWITZ, KEOUGH & WARNER, PC

Daniel G. Keough, Attorney for Plaintiff

HERBERT & WEISS, LP

Helene C. Herbert, Attorney for Defendant

RESOLUTION#17-148

WHEREAS, the Mayor and Council of the Borough of Moonachie have been advised of the proposed settlement of a Tax Appeal filed on behalf East Park Assoc. Partnership, under Docket Nos.: 003690-2011; 000891-2012; 006657-2013; 008025-2014; 004855-2015; and 003886-2016 and for the years 2011, 2012, 2013, 2014, 2015 and 2016;

WHEREAS, the said Governing body has been advised as to the merits of the subject Tax Appeal by legal counsel, expert appraisal personnel hired by the Borough as well as the Borough Tax Assessor; and

WHEREAS, the proposed Tax Appeal settlement components are as set forth in Schedule "A" attached hereto and made a part hereof; and

WHEREAS, it is in the best interest of the Borough of Moonachie to settle the subject Tax Appeal in accordance with the settlement proposal set forth hereinabove.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Moonachie that settlement of the said Tax Appeal be finalized in accordance with Schedule "A" attached and with respect to same, the Mayor, Borough Administrator and/or any other appropriate

official is hereby authorized to perform any act in order to effectuate the purposes set forth in this Resolution.

BE IT FURTHER RESOLVED that the Certificate of Availability of Funds pursuant to N.J.S.A.40A:4-57 has been certified to by the Chief Finance Officer and is attached hereto and made a part hereof.

EAST PARK ASSOC., PARTNERSHIP

Plaintiff,

v.

MOONACHIE BOROUGH,

Defendant.

TAX COURT OF NEW JERSEY

DOCKET NOS. 003690-2011, 000891-2012, 006657-2013, 008025-2014, 004855-2015 and 003886-2016

Block 18
Lot 17.01

Civil Action

STIPULATION OF SETTLEMENT

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

Block: 18
Lot: 17.01
Street: 300 E. Park Street
Year: 2011

	Original Assessment	County Tax Board Judgment	Requested Tax Court Judgment
Land	805,000	N/A	805,000
Improvements	<u>1,168,500</u>	DIRECT	<u>990,000</u>
Total	1,973,500	APPEAL	1,795,000

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

Block: 18
Lot: 17.01
Street: 300 E. Park Street
Year: 2012

	Original Assessment	County Tax Board Judgment	Requested Tax Court Judgment
Land	805,000	N/A	805,000
Improvements	<u>1,168,500</u>	DIRECT	<u>990,000</u>
Total	1,973,500	APPEAL	1,795,000

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

Block: 18
Lot: 17.01
Street: 300 E. Park Street
Year: 2013

	Original Assessment	County Tax Board Judgment	Requested Tax Court Judgment
Land	805,000	N/A	805,000
Improvements	<u>1,168,500</u>	DIRECT	<u>990,000</u>
Total	1,973,500	APPEAL	1,795,000

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

Block: 18
 Lot: 17.01
 Street: 300 E. Park Street
 Year: 2014

	Original Assessment	County Tax Board Judgment	Requested Tax Court Judgment
Land	805,000	N/A	805,000
Improvements	<u>1,168,500</u>	DIRECT	<u>990,000</u>
Total	1,973,500	APPEAL	1,795,000

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

Block: 18
 Lot: 17.01
 Street: 300 E. Park Street
 Year: 2015

	Original Assessment	County Tax Board Judgment	Requested Tax Court Judgment
Land	805,000	N/A	805,000
Improvements	<u>1,168,500</u>	DIRECT	<u>990,000</u>
Total	1,973,500	APPEAL	1,795,000

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

Block: 18
 Lot: 17.01
 Street: 300 E. Park Street
 Year: 2016

	Original Assessment	County Tax Board Judgment	Requested Tax Court Judgment
Land	524,000	N/A	524,000
Improvements	<u>1,096,500</u>	DIRECT	<u>1,096,000</u>
Total	1,620,000	APPEAL	1,620,000

7. The provisions of N.J.S.A. 54:51A-8 (Freeze Act) shall not apply to the judgments entered for tax years 2012 – 2015.

8. 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 evaluation and assessment of the property as they deem necessary and appropriate for the purpose of enabling them to enter into this 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.

9. Based upon the foregoing, the undersigned represent to the court that the above settlement will result in an assessment at the fair assessable value of the property consistent with assessing practices generally applicable in the taxing district as required by law.
10. Statutory interest, pursuant to *N.J.S.A. 54:3-27.2*, having been waived by the taxpayer, shall not be paid provided the tax refund is paid in accordance with Paragraph Eleven (11) hereof.
11. Pre-judgement interest is waived on the condition that this Stipulation of Settlement is paid within 90 days from the date of 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 “Archer & Greiner, P.C. as Trustee for East Park Assoc., Partnership” and forwarded to Archer & Greiner, P.C. (101 Carnegie Center, Suite 300 – 3rd Floor, Princeton, NJ 08540) within 90 days from date of entry of judgment. The interest waiver in this paragraph and Paragraph Ten (10), below, 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.
12. The provisions of Paragraph Ten (10) and Eleven (11) herein shall survive the entry of judgment, remain in full force and effect and be subject to any appropriate action for enforcement of the provisions.

Archer & Greiner, P.C.
Attorneys for Plaintiff
Joseph J. Norcia
Herbert & Weiss, LP
Attorneys for Defendant
Helene C. Herbert

RESOLUTION #17-149

WHEREAS, the Mayor and Council of the Borough of Moonachie have been advised of the proposed settlement of a Tax Appeal filed on behalf 30 Concord Street, under Docket Nos.: 013153-2014 and for the year 2014;

WHEREAS, the said Governing body has been advised as to the merits of the subject Tax Appeal by legal counsel, expert appraisal personnel hired by the Borough as well as the Borough Tax Assessor; and

WHEREAS, the proposed Tax Appeal settlement components are as set forth in Schedule “A” attached hereto and made a part hereof; and

WHEREAS, it is in the best interest of the Borough of Moonachie to settle the subject Tax Appeal in accordance with the settlement proposal set forth hereinabove.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Moonachie that settlement of the said Tax Appeal be finalized in accordance with Schedule “A” attached and with respect to same, the Mayor, Borough Administrator and/or any other appropriate official is hereby authorized to perform any act in order to effectuate the purposes set forth in this Resolution.

BE IT FURTHER RESOLVED that the Certificate of Availability of Funds pursuant to N.J.S.A.40A:4-57 has been certified to by the Chief Finance Officer and is attached hereto and made a part hereof.

30 CONCORD STREET LLC,
Plaintiff,

TAX COURT OF NEW JERSEY
Docket No.: 013153-2014

vs.

CIVIL ACTION

BOROUGH OF MOONACHIE,
a Municipal Corporation of
New Jersey,
Defendant.

STIPULATION OF SETTLEMENT
(Without Affidavit)

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

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

Block: 72
Lot: 8
Street Address: 30 Concord Street HM
Year(s): 2009, 2010, 2011, 2012 & 2013
Docket Nos.: 013153-2014

	<u>Original Assessment</u>	<u>County Board Judgment</u>	<u>Requested Tax Court Judgment</u>
Land	\$ 153,000	\$ 153,000	WITHDRAWN
Impvts	\$ 121,500	\$ 121,500	WITHDRAWN
Total	\$ 274,500	\$ 274,500	WITHDRAWN

2. The provisions of N.J.S.A. 54:51A-8 (Freeze Act) shall not apply.
3. The undersigned have made such examination of the value and proper assessment of the property and have obtained such appraisal, 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 this Stipulation. The assessor of the taxing district has been consulted by the attorney for the taxing district with respect to this settlement and has concurred.
4. Based upon the foregoing, the undersigned represent to the court that the above settlement will result in an assessment at the fair assessable value of the property consistent with assessing practices generally applicable in the taxing district as required by law.

VENTURA, MIESOWITZ, KEOUGH & WARNER, PC

Daniel G. Keough
Attorney for Plaintiff

HERBERT & WEISS, LP

Helene C. Herbert
Attorney for Defendant

RESOLUTION#17-150

WHEREAS, the Mayor and Council of the Borough of Moonachie have been advised of the proposed settlement of a Tax Appeal filed on behalf Anro Partners LTD, under Docket Nos.: 017535-2009; 019782-2010; 015501-2011; 016875-2012; 017635-2013; 013158-2014; and 012251-2015 and for the years 2009, 2010, 2011, 2012, 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.

ANRO PARTNERS LTD,
Plaintiff,

TAX COURT OF NEW JERSEY
Docket Nos.: 017535-2009, 019782-2010,
015501-2011, 016875-2012, 017635-2013,
013158-2014 & 012251-2015

vs.

CIVIL ACTION

BOROUGH OF MOONACHIE,
a Municipal Corporation of
New Jersey,
Defendant.

**STIPULATION OF SETTLEMENT
(Without Affidavit)**

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

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

Block: 69
Lot: 10
Street Address: 38 Grand Street HM
Year(s): 2009, 2010, 2011, 2012 & 2013
Docket Nos.: 017535-2009, 019782-2010, 015501-2011,
016875-2012, 017635-2013, 013158-2014 & 012251-2015

	<u>Original Assessment</u>	<u>County Board Judgment</u>	<u>Requested Tax Court Judgment</u>
Land	\$ 209,200	\$ 209,200	WITHDRAWN
Impvts	\$ 2,900	\$ 2,900	WITHDRAWN
Total	<u>\$ 212,100</u>	<u>\$ 212,100</u>	<u>WITHDRAWN</u>

2. The provisions of N.J.S.A. 54:51A-8 (Freeze Act) shall not apply.
3. The undersigned have made such examination of the value and proper assessment of the property and have obtained such appraisal, 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 this Stipulation. The assessor of the taxing

district has been consulted by the attorney for the taxing district with respect to this settlement and has concurred.

4. Based upon the foregoing, the undersigned represent to the court that the above settlement will result in an assessment at the fair assessable value of the property consistent with assessing practices generally applicable in the taxing district as required by law.

VENTURA, MIESOWITZ, KEOUGH & WARNER, PC
Daniel G. Keough
Attorney for Plaintiff

HERBERT & WEISS, LP
Helene C. Herbert
Attorney for Defendant

RESOLUTION #17-151

WHEREAS, the Mayor and Council of the Borough of Moonachie have been advised of the proposed settlement of a Tax Appeal filed on behalf Anro Partners LTD, under Docket Nos.: 017535-2009; 019782-2010; 015501-2011; 016875-2012; and 017635-2013 and for the years 2009, 2010, 2011, 2012 and 2013;

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.

ANRO PARTNERS LTD,
Plaintiff,

vs.

BOROUGH OF MOONACHIE,
a Municipal Corporation of
New Jersey,
Defendant.

TAX COURT OF NEW JERSEY
Docket Nos.: 017535-2009, 019782-2010,
015501-2011, 016875-2012, 017635-2013,
CIVIL ACTION

STIPULATION OF SETTLEMENT
(Without Affidavit)

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

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

Block: 72
 Lot: 8
 Street Address: 30 Concord Street HM
 Year(s): 2009, 2010, 2011, 2012 & 2013
 Docket Nos.: 017535-2009, 019782-2010, 015501-2011,
 016875-2012 & 017635-2013

	<u>Original Assessment</u>	<u>County Board Judgment</u>	<u>Requested Tax Court Judgment</u>
Land	\$ 153,000	\$ 153,000	WITHDRAWN
Impvts	<u>\$ 121,500</u>	<u>\$ 121,500</u>	<u>WITHDRAWN</u>
Total	<u>\$ 274,500</u>	<u>\$ 274,500</u>	<u>WITHDRAWN</u>

2. The provisions of N.J.S.A. 54:51A-8 (Freeze Act) shall not apply.
3. The undersigned have made such examination of the value and proper assessment of the property and have obtained such appraisal, 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 this Stipulation. The assessor of the taxing district has been consulted by the attorney for the taxing district with respect to this settlement and has concurred.
4. Based upon the foregoing, the undersigned represent to the court that the above settlement will result in an assessment at the fair assessable value of the property consistent with assessing practices generally applicable in the taxing district as required by law.

VENTURA, MIESOWITZ, KEOUGH & WARNER, PC
 Daniel G. Keough
 Attorney for Plaintiff
HERBERT & WEISS, LP
 Helene C. Herbert
 Attorney for Defendant

RESOLUTION #17-152

BE IT FURTHER RESOLVED by the Mayor and Council that the payments in the amounts of 9,150.00 for month of April, 2017 to Millennium Strategies, LLC for professional services for the FEMA grants Management and Administration be and is hereby approved.

RESOLUTION #17-153

WHEREAS, the Borough of Moonachie has entered into a Three Year Cooperative Agreement with the County of Bergen as provided under the Interlocal Services Act N. J. S. A. 40A:8A-1 et seq. and Title 1 of the Housing and Community Development Act of 1974; and

WHEREAS, said Agreement requires that one Municipal Representative be appointed by the Governing Body of the Community to be part of the Community Development Regional Committee for the term of one year coinciding with the fiscal year July 1 through June 30;

NOW THEREFORE, BE IT RESOLVED that the Governing Body hereby appoints Antonio Cirillo as its representative to participate on the Community Development Regional Committee; and

BE IT FURTHER RESOLVED that Administrator Anthony Ciannamea be appointed as the alternative representative.

RESOLUTION #17-154

WHEREAS, Two Brothers Contracting, Inc. submitted an invoice for Payment No. 9 for work performed and material furnished in the construction of Moonachie Municipal Building in the amount of \$140,249.79; 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 \$140,249.79 to Two Brothers Contracting, Inc.be and is hereby approved.

RESOLUTION #17-155

A RESOLUTION AUTHORIZING INCLUSION IN THE BERGEN COUNTY COMMUNITY DEVELOPMENT PROGRAM

WHEREAS, certain Federal funds are potentially available to the County of Bergen under Title I of the Housing and Community Development Act of 1974, as amended, HOME Investment Partnership Act of 1990, as amended and the Emergency Solutions Grants of 2012; and

WHEREAS the current Interlocal Services Cooperative Agreement contains an automatic renewal clause to expedite the notification of the inclusion process; and

WHEREAS, by June 12, 2017, each Municipality must notify the Bergen County Division of Community Development of its intent to continue as a participant in the Urban County entitlement programs noted above; and

WHEREAS, it is in the best interest of the Borough of Moonachie and its residents to participate in said programs.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Municipality of Borough of Moonachie that it hereby notifies the Bergen County Division of Community Development of its decision to be included as a participant municipality in the Urban County entitlement programs being the Community Development Block Grant Program, the Home Investment Partnership Program and the Emergency Solutions Grant program for the Program Years 2018, 2019, 2020 (July 1, 2018-June 30, 2021); and

BE IT FURTHER RESOLVED, that a copy to this resolution be forwarded to the Bergen County Division of Community Development no later than June 12, 2017.

RESOLUTION#17-156

A RESOLUTION AUTHORIZING EXECUTION OF AN AGREEMENT WITH THE COUNTY OF BERGEN TO SUPERSEDE THE COOPERATIVE AGREEMENT DATED JULY 1, 2000 AND AMENDMENTS THERETO ESTABLISHING THE BERGEN COUNTY COMMUNITY DEVELOPMENT PROGRAM

WHEREAS, certain Federal funds are potentially available to the County of Bergen under Title I of the Housing and Community Development Act of 1974, as amended; the HOME Investment Partnership Act of 1990, as amended; and the Emergency Solutions Grant of 2012; and

WHEREAS, it is necessary to supersede an existing Interlocal Services Cooperative Agreement for the County and its people to benefit from these Programs; and

WHEREAS, an Agreement has been proposed under which the Borough of Moonachie and the County of Bergen in cooperation with other Municipalities, will modify an Interlocal Services Program pursuant to N.J.S.A 40:8A-1 et seq.; and

WHEREAS, it is in the best interest of the Borough of Moonachie to enter into such an Agreement.

NOW, THEREFORE, BE IT RESOLVED by the Borough of Moonachie that the agreement entitled “Three Year Cooperative Agreement” (an Agreement superseding the Cooperative Agreement dated July 1, 2000- June 30, 2003) to clarify the planning and implementation procedures and to enable the Borough to make a Three Year irrevocable commitment to participate in the Community Development Block Grant Program, the Home

Investment Partnership Program, and the Emergency Solutions Grant Program for the Years 2018, 2019, and 2020 (July 1, 2018- June 30, 2021) be executed by the Mayor and Municipal Clerk in accordance with the provisions of law; and

BE IT FURTHER RESOLVED, that this resolution shall take effect immediately in accordance with law.

RESOLUTION #17-157

BE IT RESOLVED, by the Mayor and Council that the Summer Recreation Program Registration fees for 2017 are hereby set as the followings:

Moonachie resident:

\$50.00 – 1st child
\$20.00- each additional child

BE IT FURTHER RESOLVED, the Summer Recreation Program Registration fees are set as the followings:

Out of Town resident:

\$200.00 - per 1st child for six weeks of Summer Recreation Program
\$25.00 – each additional child- 6 weeks of Summer Recreation Program
\$50.00- per week for 1st child if attending less than 6 weeks Summer Recreation Program
\$25.00- per week for additional child if attending less than 6 weeks Summer Recreation Program

RESOLUTION #17-158

WHEREAS, James Monico paid an overpayment of permit fees in the amount of \$202.00 for 4 Roosevelt Place, Block 48, Lot 5; and

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council that the refund of the overpayment of permit fees in the amount of \$202.00 to James Monico for 4 Roosevelt Place, Block 48, Lot 5 be and is hereby approved.

RESOLUTION #17-159

BE IT RESOLVED, that the following applicants for Part-time Recreation Staffs are hereby employed effective January 1st, 2017:

<u>NAME</u>	<u>POSITION</u>	<u>HOURLY RATE</u>
Matthew Vaccaro	Assistant Director	\$15.00
Allison Cahill	Counselor	\$9.50
Franchesca Macalintal	Counselor	\$9.00
Francesca M. Morra	Counselor	\$9.50
Nicholas Fugnitti	Counselor	\$9.00
David Finch	Counselor	\$9.00
Ethan Ciannamea	Counselor	\$8.50
Jason Mohr	Counselor	\$8.50
Tofa Singh	Counselor	\$8.50
Arber Hasangjekaj	Counselor	\$8.50
Katelyn Spadavecchia	Counselor	\$8.50
Angelina Samarelli	Counselor	\$8.50

RESOLUTION # 17-160

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 2015 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.

CORRECTIVE ACTION PLAN
BOROUGH OF MOONACHIE
BERGEN COUNTY, NJ
AUDIT YEAR ENDED DECEMBER 31, 2015

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, 2016 audit.

Implementation Date: Immediate.

2. The billings to vendors requesting police outside duty were not prepared in a timely manner.

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.

Corrective Action: The Borough hired an employee who invoices the police traffic control within a week of receiving the Police Department's Report of police outside duty.

Implementation Date: Immediate.

3. The Borough was not verifying submission of the federal tax payments through the federal "EFTPS" website.

Analysis: The Borough was not registered with the federal "EFTPS" website and therefore was 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 has registered with the federal "EFTPS" website and is verifying the submission of the federal tax payments through the website.

Implementation Date: Immediate.

4. 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: Immediate.

5. 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: September 30, 2017.

6. The Borough is paying certain vendors through a non-check process; funds are electronically transferred from the Borough's bank account and they are not being entered into the budget system on a timely basis.

Corrective Action: Electronic payments will be limited and they will be entered into the budget system on a timely basis.

Implementation Date: Immediate.

7. The 2014 Corrective Action Plan was not filed until calendar year 2016.

Analysis: While timely worked on and formulated the formal write up and submission of the 2014 Corrective Action Plan was not done until 2016 when workload permitted.

Corrective Action: Submission of the Corrective Action Plan has become a priority and with the implementation of this year's Corrective Action Plan the 2016 Corrective Action Plan should be less voluminous and time consuming and should be submitted in a timely fashion.

8. In the Sewer Utility Operating Fund there was an over expenditure of budget appropriations in the amount of \$2327.00 and an over expenditure of an appropriation reserve in the amount of \$21,589.00.

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 installing new financial software that will notify the use of over expenditures.

Implementation Date: July 15, 2017.

9. There was a difference between the total tax levy per the tax duplicate and the computer system.

Analysis: There is the possibility that the Borough may have over or under billed taxpayers.

Corrective Action: The Borough has stressed to the Tax Collector that this reconciliation must be performed.

Implementation Date: Immediate.

RESOLUTION #17-161

BE IT RESOLVED, by the Mayor and Council of the Borough of Moonachie that Cristian Loor and Giovanni Sortino be and are hereby employed as Part-Time Summer Help for DPW from May 30, 2017, 2015 to Labor Day at the hourly rate of \$15.00 per hour up to 30 hours a week.

RESOLUTION #17-162

BE IT RESOLVED, by the Mayor and Council of the Borough of Moonachie that the Mayor is hereby authorized to sign a first amendment to Temporary Site License (125 Moonachie Road) agreement with New Cingular Wireless PCS LLC.

RESOLUTION #17-163

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 Thomas Tucci, Trustee:

<u>Year</u>	<u>Block</u>	<u>Lot</u>	<u>Amount</u>
2016	29	2.01	\$1,329.86
		TOTAL	\$1,329.86

BE IT FURTHER RESOLVED, that the tax overpayment in the amount of \$1,329.86 shall be made payable to “Thomas Tucci” and mailed to Thomas Tucci, 31 Orchard Drive, Upper Saddle River, NJ 07458.

RESOLUTION #17-164

BE IT RESOLVED by the Mayor and Council of the Borough of Moonachie that the Mayor Dennis Vaccaro is hereby authorized to sign the memorandum of agreement between the Borough of Moonachie and Teamsters Local Union No. 11 affiliated with International Brotherhood of Teamsters (DPW).

RESOLUTION #17-165

BE IT RESOLVED, by the Mayor and Council of the Borough of Moonachie that Lauren Benegas is hereby employed as Part-Time Summer Help for Borough’s Office effective May 30, 2017 at the hourly rate of \$15.00 per hour.

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

All ayes. So ordered.

OUT OF CONSENT:

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

RESOLUTION#17-166

WHEREAS, GRAYCLIFF CATERING, INC. trading as THE GRAYCLIFF, 122 Moonachie Avenue, Moonachie, New Jersey, has applied for a renewal of their PLENARY RETAIL CONSUMPTION LICENSE for 2017-2018; and

WHEREAS, no objections have been filed with the Borough Clerk to date and GRAYCLIFF CATERING INC. has complied with all legal requirements;

NOW THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Moonachie that the application for the renewal of Plenary Retail Consumption License 0237-33-005-003, be and is hereby approved.

RESOLUTION #17-167

WHEREAS, IL Cantina, LLC trading as IL CANTINA LLC, 107 Moonachie Road, Moonachie, New Jersey, has applied for a renewal of their PLENARY RETAIL CONSUMPTION LICENSE for 2017-2018; and

WHEREAS, no objections have been filed with the Borough Clerk to date and IL CANTINA, LLC has complied with all legal requirements; and

NOW THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Moonachie that the application for the renewal of Plenary Retail Consumption License 0237-33-002-006, be and is hereby approved.

RESOLUTION #17-168

WHEREAS, JNP, Inc. trading as Alray Liquor, 46 Moonachie Road, Moonachie, New Jersey, has applied for a renewal of their PLENARY RETAIL DISTRIBUTION LICENSE for 2017-2018; and

WHEREAS, no objections have been filed with the Borough Clerk to date and JNP, Inc. has complied with all legal requirements;

NOW THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Moonachie that the application for the renewal of Plenary Retail Distribution License 0237-44-001-002, be and is hereby approved.

RESOLUTION #17-169

WHEREAS, BAZZARELLI PIZZERIA & RESTAURANT, INC. trading as BAZZARELLIS PIZZERIA AND RESTAURANT INC. 117 Moonachie Road, Moonachie, New Jersey has applied for a renewal of their PLENARY RETAIL CONSUMPTION LICENSE for 2017-2018; and

WHEREAS, no objection have been filed with the Borough Clerk to date, and BAZZARELLI PIZZERIA & RESTAURANT, INC. has complied with all legal requirements;

NOW THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Moonachie that the application for the renewal of Plenary Retail consumption License 0237-33-007-002, be and is hereby approved.

RESOLUTION #17 –170

WHEREAS, an application has been files for a place to place transfer (Expansion of Premises) of Plenary Retail Consumption License 0237-33-002-006, for purposes of expanding the premises under license wherein the sale, service, and storage of alcoholic beverages are authorized; 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

NOW, THEREFORE BE IT RESOLVED that the Mayor and Council of the Borough of Moonachie does hereby approve, effective June 1st, 2017, the expansion of the aforesaid Plenary Retail Consumption licensed premises located at 107 Moonachie Road, Moonachie, New Jersey to place under license the area delineated in the application form and the sketch of the licensed premises attached hereto.

RESOLUTION #17-171

WHEREAS, CASTREMAR, INC. trading as SEGOVIA RESTAURANT, 150 Moonachie Road, Moonachie, New Jersey has applied for a renewal of their PLENARY RETAIL CONSUMPTION LICENSE NO. 0237-33-006-004 for 2017-2018; and

WHEREAS, Manuel Martinez has partnership in Castremar, Inc.; and

WHEREAS, since Mr. Manuel Martinez is a member of the governing body of the Borough of Moonachie, which also acts as the ABC issuing authority, the subject license is a “conflict” license. Accordingly, said renewal license application will be forwarded to the Director of the Division of Alcoholic Beverage Control for consideration pursuant to N.J.S.A. 33:1-20 and N.J.A.C. 13:2-4.1; and

WHEREAS, N.J.A.C. 13:2-4.6 requires the issuing authority to submit to the Director a certified Resolution setting forth that the issuing authority has no objection to the renewal of the subject license and consents thereto, and furthermore, is not aware of any circumstances or provisions of law or local ordinance which would prohibit the renewal of the subject license; and

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 Mayor and Council has no objection to the renewal of Plenary Retail Consumption License No. 0237-33-006-004 and consents thereto, and furthermore, is not aware of any circumstances or provisions of law or local ordinance which would prohibit the renewal of the subject license.

ROLL CALL: Bauer, Cirillo, Kinsella-s aye, Martinez- recused, Surak- aye,

Four ayes and one recused. Motion carried.

BILLS:

CHECK	BILL LIST OF MAY 2017 CURRENT ACCOUNT	AMOUNT
NON CHECK PAYMENT	PRIMEFLEX	\$135.00
40	BOSWELL ENGINEERING	\$267.00
41	COUNTY OF BERGEN	\$480,000.00
42	DOMESTIC UNIFORM RENTAL	\$76.20
43	N.J.DEPT.OF COMMUNITY AFFAIRS	\$1,082.00
44	REYNWOOD COMMUNICATIONS	\$523.10
45	SUEZ WATER NEW JERSEY	\$96.54
45	SUEZ WATER NEW JERSEY	\$5,571.00
46	VERIZON	\$80.70
47	COUNTY OPEN SPACE TRUST FUND	\$5,050.00
48	VERIZON	\$42.05
49	POSTMASTER	\$225.00
97	MILLENIU STRATEGIES	\$1,500.00
50	COMMERCIAL TIRE SERVICE & SALE	\$430.00
51	EVANS CATERING SERVICE	\$34.00
52	GALL'S INC.	\$175.78
53	GGM INVESTMENTS LLC	\$1,900.00
54	HOMETOWN AUTO PARTS	\$155.51
55	JOSEPH SMENTKOWSKI INC.	\$3,712.92
56	KEEHN POWER PRODUCTS INC.	\$399.99
57	LITTLE FERRY PUBLIC LIBRARY	\$100.00
58	LOWE'S HOME CENTER INC.	\$118.64
59	OCCUPATIONAL MEDICINE	\$2,400.00
60	RACHLES/MICHELE'S OIL CO.	\$523.53
60	RACHLES/MICHELE'S OIL CO.	\$775.30
61	RETRON	\$450.96
62	MILLENIU STRATEGIES	\$1,500.00
63	THE TERRE COMPANY	\$156.06
64	TURN OUT UNIFORMS	\$171.00
65	VANDINE	\$389.00
65	VANDINE	\$400.00
66	VERIZON	\$9.97
67	VIP CAR WASH	\$42.00
68	BOSWELL ENGINEERING	\$267.00
69	VERIZON	\$269.47
70	VERIZON	\$43.70
71	VERIZON	\$192.21
72	VERIZON	\$9.97
73	VERIZON	\$75.34
74	VERIZON	\$6.55
75	BOARD OF EDUCATION	\$612,062.41
76	STAPLES CREDIT PLAN	\$13.08
77	AGE'S AUTO LLC.	\$424.00
77	AGE'S AUTO LLC.	\$102.50
77	AGE'S AUTO LLC.	\$50.00
77	AGE'S AUTO LLC.	\$471.18
78	ALL Maintenance products	\$401.00
79	BOARD OF EDUCATION	\$612,062.41
80	DOMESTIC UNIFORM RENTAL	\$76.20
81	JAMES NOVELLO, ESQ.	\$1,897.50
82	PITNEY BOWES-RESERVE ACCT.	\$800.00
83	VERIZON	\$6.55
84	BOROUGH OF MOONACHIE PAYROLL A	\$145,672.14
85	BOROUGH OF MOONACHIE PAYROLL A	\$10,548.75
86	COM-TECH ELECTRONICS	\$432.45
87	EVANS CATERING SERVICE	\$34.00
87	EVANS CATERING SERVICE	\$6.89
88	HOMETOWN AUTO PARTS	\$203.32
89	LOWE'S HOME CENTER INC.	\$272.87
90	PRAXAIR DISTRIBUTION	\$44.20
91	SAL'S EQUIPMENT SERVICE & REPA	\$2,825.00

92	VIP CAR WASH	\$12.00
93	WINDSOR SOIL COMPANY	\$2,175.00
94	L & C DESIGN CONSULTANTS	\$3,014.00
95	MILLENIU STRATEGIES	\$9,450.00
96	MILLENIU STRATEGIES	\$8,700.00
98	HERBERT & WEISS ATT. AT LAW	\$2,089.41
99	MANSFIELD OIL COMPANY	\$3,217.70
100	NEW JERSEY STATE ASSN. OF CHEI	\$475.00
101	REYNWOOD COMMUNICATIONS	\$522.96
102	TIME WARNER CABLE	\$224.85
103	ALAN FRIEDMAN D.M.D.	\$1,265.00
104	CARROT TOP INDUSTRIES	\$167.57
105	EVANS CATERING SERVICE	\$27.20
106	PITNEY BOWES GLOBAL FINAN.SERV	\$483.00
107	PORT AUTHORITY OF NY AND NJ	\$260.90
108	SUEZ WATER NEW JERSEY	\$5,571.00
109	TIME WARNER CABLE	\$140.13
110	TURN OUT UNIFORMS	\$101.99
111	VERIZON WIRELESS	\$200.05
112	PORT AUTHORITY OF NY AND NJ	\$151.60
113	SUEZ WATER NEW JERSEY	\$116.00
114	ROCKLAND CHRYSLER & JEEP DODGE	\$297.98
115	BERGEN COUNTY ASSESSORS ASSOC.	\$60.00
116	LOWE'S HOME CENTER INC.	\$249.50
117	MODSPACE	\$2,600.00
118	MODSPACE	\$910.21
119	TIME WARNER CABLE	\$91.00
120	MODSPACE	\$725.00
121	TIME WARNER CABLE	\$149.99
122	SEGOVIA STEAKHOUSE	\$1,500.00
123	A PLUS LETTER SERVICE INC.	\$250.00
124	BERGEN COUNTY UTILITIES AUTHOR	\$3,890.28
125	BOROUGH OF MOONACHIE TRUST ESC	\$1,007.27
126	BOROUGH OF MOONACHIE TRUST ESC	\$1,076.56
127	BOROUGH OF MOONACHIE TRUST ESC	\$1,057.15
128	HARRIS UNIFORMS	\$525.00
129	LOWE'S HOME CENTER INC.	\$52.07
130	SOUTH BERGEN MUNICIPAL JOIN IN	\$84,637.12
131	STAPLES CREDIT PLAN	\$49.99
132	SUEZ WATER NEW JERSEY	\$419.68
132	SUEZ WATER NEW JERSEY	\$180.16
132	SUEZ WATER NEW JERSEY	\$97.58
132	SUEZ WATER NEW JERSEY	\$87.95
133	VERIZON	\$42.01
134	CERTIFIED SPEEDOMETER	\$273.00
135	FRANK CARDONE	\$1,525.00
136	NEW JERSEY MOTOR VEHICLE COMMI	\$60.00
137	STONY HILL INN	\$225.00
138	DELAGE LANDEN FINANCIAL SERVIC	\$474.75
60502	VANDINE	\$325.00
60503	WORK N GEAR	\$346.35
60504	VERIZON WIRELESS	\$1,119.03
60505	MARLIN LEASING	\$275.00
60506	MANSFIELD OIL COMPANY	\$3,541.50
60507	MODSPACE	\$2,600.00
60508	GALL'S INC.	\$323.95
60509	VERIZON	\$41.90
60510	VERIZON WIRELESS	\$1,115.20
60511	PAPER CLIPS	\$121.25
60512	PAPER CLIPS	\$679.74
60513	LOWE'S HOME CENTER INC.	\$85.49
60514	MICROSYSTEMS-N.J. COM LLC.	\$120.00
60516	L & C DESIGN CONSULTANTS	\$6,406.00
60517	L & C DESIGN CONSULTANTS	\$15,370.00
60518	L & C DESIGN CONSULTANTS	\$3,452.50
60519	L & C DESIGN CONSULTANTS	\$13,922.50

60520	L & C DESIGN CONSULTANTS	\$8,965.00
60521	L & C DESIGN CONSULTANTS	\$24,480.00
60522	L & C DESIGN CONSULTANTS	\$10,340.00
60523	L & C DESIGN CONSULTANTS	\$11,460.00
60524	L & C DESIGN CONSULTANTS	\$16,210.00
60525	L & C DESIGN CONSULTANTS	\$22,250.00
60527	L & C DESIGN CONSULTANTS	\$7,275.00
60528	L & C DESIGN CONSULTANTS	\$24,745.00
60529	L & C DESIGN CONSULTANTS	\$20,745.00
60074	PSE&G COMPANY	\$8,916.32
60531	L & C DESIGN CONSULTANTS	\$2,535.00
60532	MILLENIUM STRATEGIES	\$9,150.00
60533	PORT AUTHORITY OF NY AND NJ	\$132.31
60534	BOROUGH OF MOONACHIE PAYROLL A	\$142,767.65
60535	BOROUGH OF MOONACHIE PAYROLL A	\$9,769.21
60536	GAIL FITZGERALD	\$5,000.00
TOTAL		<u>\$2,413,229.45</u>

CHECK	CAPITAL ACCOUNT	<u>AMOUNT</u>
1864	ARCARI + IOVINO ARCHITECTS, PC	\$2,849.62
1865	BOSWELL ENGINEERING	\$630.00
1866	BOSWELL ENGINEERING	\$135.00
1867	TWO BROTHERS CONTRACTING	\$4,018.00
1868	L & C DESIGN CONSULTANTS	\$7,156.75
1869	BOSWELL ENGINEERING	\$135.00
1870	BOSWELL ENGINEERING	\$1,353.04
1871	BOSWELL ENGINEERING	\$810.00
1871	BOSWELL ENGINEERING	\$180.00
1871	BOSWELL ENGINEERING	\$180.00
TOTAL		<u>\$17,447.41</u>

CHECK	SEWER OPERATING ACCOUNT	<u>AMOUNT</u>
6503	VERIZON	\$37.05
6504	BERGEN COUNTY UTILITIES AUTHOR	\$177,670.00
6505	BERGEN COUNTY UTILITIES AUTHOR	\$177,671.46
6506	SUEZ WATER NEW JERSEY	\$56.18
60501	PUMPING SERVICES INC.	\$1,250.00
6507	COLONNELLI BROTHERS INC.	\$5,538.95
6508	PITNEY BOWES-RESERVE ACCT.	\$200.00
6509	LOWE'S HOME CENTER INC.	\$36.99
6510	BOROUGH OF MOONACHIE PAYROLL A	\$12,888.78
6511	BOROUGH OF MOONACHIE PAYROLL A	\$933.33
6513	RAPID PUMP & METER SERVICE	\$525.89
6434	PSE&G COMPANY	\$2,906.04
6514	CLEARWATER SERVICES	\$9,700.00
6515	DAVID PLUCHINO	\$250.00
6516	BOROUGH OF MOONACHIE PAYROLL A	\$12,075.92
6517	BOROUGH OF MOONACHIE PAYROLL A	\$826.32
1	SUEZ WATER NEW JERSEY	\$69.45
2	VERIZON	\$37.01
TOTAL		<u>\$402,673.37</u>

CHECK	DOG ACCOUNT	<u>AMOUNT</u>
1444	N.J. DEPT. OF HEALTH AND SENIO	\$40.20
TOTAL		<u>\$40.20</u>

CHECK	SUMMER RECREATION ACCOUNT	<u>AMOUNT</u>
1042	BECOR SPORTS	\$890.00
TOTAL		<u>\$890.00</u>

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

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

FINAL PASSAGE OF ORDINANCES:

**ORDINANCE#2017-2
CALENDAR YEAR 2017
ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS
AND TO ESTABLISH A CAP BANK
(N.J.S.A. 40A: 4-45.14)**

WHEREAS, the Local Government Cap Law, N.J.S. 40A: 4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget up to .5% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and,

WHEREAS, N.J.S.A. 40A: 4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

WHEREAS, the Mayor and Council of the Borough of Moonachie in the County of Bergen finds it advisable and necessary to increase its CY 2017 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

WHEREAS, the Mayor and Council hereby determines that a 3.0% increase in the budget for said year, amounting to \$229,070 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

WHEREAS the Mayor and Council hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

NOW THEREFORE BE IT ORDAINED, by the Mayor and Council of the Borough of Moonachie, in the County of Bergen, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2017 budget year, the final appropriations of the Borough of Moonachie shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 3.0 %, amounting to \$229,070, and that the CY 2017 municipal budget for the Borough of Moonachie be approved and adopted in accordance with this ordinance; and,

BE IT FURTHER ORDAINED, that any that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

Administrator Ciannamea- mentioned that the State allowed us to go to certain level of Cap, this Ordinance allows the Borough to exceed the first level of Cap and go to the second level of cap. We try to establish the highest Cap bank, our budget does not go to the maximum, whatever is not used in budget, can be put into a cap bank or reserve. He explained that the incentive is not to go to the maximum Cap and another year and it can be utilized if it is needed.

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

PUBLIC HEARING ON ORDINANCE#2017-2:

No one wishing to be heard.

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

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

All ayes. So ordered.

Motion by C/Kinsella and second by C/Cirillo to adopt Ordinance#2017-2.

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

All ayes. So ordered.

BUDGET:

Paul Lerch, Auditor – we received approval from the Division of Local Government Services to adopt the budget, we went through the review process and satisfied any concerns the Division had. He mentioned that the 2017 budget has a total increase of \$374,000, about 3.4% of the spending from the previous year. He explained that items on the spending side include grant consultant, \$67,000 who is used for FEMA reimbursements, and salaries & wages up about \$132,000. He spoke about pay off for Sandy emergencies, some of unfunded grants and some of the unfunded capital in the net amount of \$266,000, this is offset by some surplus. He mentioned that the tax impact on average home assessed at \$331,000 is about \$68, tax increase is 1.9% and the overall assessed value of the Borough went up 4%, which is 28 million dollars, average home went up \$4,000, from \$327,000 to \$331,000. He spoke about last year operating surplus of \$1.2 million. Spoke about concerns for outstanding Community Disaster Loan, hopefully it all can be forgiven or it will have to be paid out of the surplus. He mentioned that money is set aside in reserve for tax appeals, much of the tax appeal has been paid out over past eight years and rolling assessment will hopefully be beneficial effect on tax appeal. We have set aside about 1.3 million in the balance sheet for tax appeal. H mentioned that financially, the Borough is set up in a very good position and he explained that around \$11 million out in temporary notes due to the process of building new municipal building and DPW building, and have to wait to see how FEMA works out before going for permanent bonding. He mentioned that this is a good budget.

Administrator Ciannamea- we also put money away for terminal leave.

Mayor Vaccaro- confirmed with Auditor Lerch that since the rolling assessment started two years ago, it has helped with tax appeals and the properties values went up.

Auditor Lerch – mentioned that both commercial and residential properties values went up about 28 million dollars.

Motion by C/Bauer second by C/Kinsella to approve following Resolution:

RESOLUTION#17-172

Resolution Re: Waiver of Reading in Full of the 2017 Budget

WHEREAS, N.J.S. 40A:4-8 permits that the Budget as advertised may be read by its title providing that at least one week prior to the date of the hearing a complete copy of the approved budget shall

- a) be posted in a public place where public notices are customarily posted, and
- b) is made available to each person requesting the same during said week and during the public

hearing, and

WHEREAS, the Borough of Moonachie has complied with the aforesaid requirements.

NOW, THEREFORE, BE IT RESOLVED, the Borough is hereby permitted to waive the reading in full, of the Municipal Budget for the year ending December 31, 2017.

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

All ayes. So ordered.

PUBLIC HEARING ON THE BUDGET:

Sal DeAlessandro, 1 Frederick Street- confirmed that the \$68 increase of taxes for average home is only the municipal portion.

Motion by C/Surak second by C/Cirillo to close the public hearing.

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

All ayes. So ordered.

ADOPTION OF 2017 MUNICIPAL BUDGET:

Mayor Vaccaro- thanked governing body for the work on getting the budget together. We do understand that we are using tax dollars and making a lean budget. Spoke about how the Borough is coming back after Superstorm Sandy, values of properties are going up including the industries. He mentioned that the vacancy level of industry has dropped in town. Also he thanked Administrator Ciannamea and Paul Lerch for their work for this budget.

Motion by C/Surak second by C/Cirillo to adopt the following Resolution:

RESOLUTION #17-173

Be it Resolved by the Governing Body of the Borough of Moonachie, County of Bergen that the budget hereinbefore set forth is hereby adopted and shall constitute an appropriation for the purposes stated of the sums therein set forth as appropriations, and authorization of the amount of:

- (a) \$ 7,955,841 (Item 2 below) for municipal purposes, and
- (b) \$ _____ (Item 3 below) for school purposes in Type I School District only (N.J.S. 18A:9-2) to be raised by taxation and,
- (c) \$ _____ (Item 4 below) to be added to the certificate of amount to be raised by taxation for local school purposes in Type II School Districts only (N.J.S. 18A:9-3) and certification to the County Board of Taxation of the following summary of general revenues and appropriations. (Sheet 43) Open Space, Recreation, Farmland and Historic Preservation Trust Fund Levy
- (d) \$ _____ (Item 5 below) Minimum
- (e) \$ 0 Library Tax

SUMMARY
OF
REVENUES

1. General Revenues		
Surplus Anticipated	08-100	\$ 1,388,000
Miscellaneous Revenues Anticipated	13-099	\$ 1,343,298
Receipts from Delinquent Taxes	15-499	\$ 200,000
2. AMOUNT TO BE RAISED BY TAXATION FOR MUNICIPAL PURPOSES (Item 6(a), Sheet 11)	07-190	\$ 7,955,841
3. AMOUNT TO BE RAISED BY TAXATION FOR SCHOOLS IN TYPE I SCHOOL DISTRICT:		
Item 6, Sheet 41	07-195	\$
Item 6(b), Sheet 11 (N.J.S. 40A:4-14)	07-191	\$
Total Amount to be Raised by Taxation for Schools in Type I School Districts Only		
4. To Be Added TO THE CERTIFICATE FOR AMOUNT TO BE RAISED BY TAXATION FOR SCHOOLS IN TYPE II SCHOOL DISTRICTS ONLY:		
Item 6(b), Sheet 11 (N.J.S. 40A:4-14)	07-191	\$
5. AMOUNT TO BE RAISED BY TAXATION MINIMUM LIBRARY LEVY	07-192	
Total Revenues	13-299	\$ 10,887,139

SUMMARY OF APPROPRIATIONS

5. GENERAL APPROPRIATIONS	XXXXXXXX	XXXXXXXXXX
Within "CAPS"	XXXXXXXX	XXXXXXXXXX
(a&b) Operations Including Contingent	34-201	\$ 6,905,179
(e) Deferred Charges and Statutory Expenditures - Municipal	34-209	\$ 922,838
(g) Cash Deficit	46-885	\$
Excluded from "CAPS"	XXXXXXXX	XXXXXXXXXX
(a) Operations - Total Operations Excluded from "CAPS"	34-305	\$ 469,953
(c) Capital Improvements	44-999	\$ 150,000
(d) Municipal Debt Service	45-999	\$ 841,471
(e) Deferred Charges - Municipal	46-999	\$ 541,698
(f) Judgements	37-480	\$ 6,000
(n) Transferred to Board of Education for Use of Local Schools (N.J.S. 40:48-17.1 & 17.3)	29-405	\$
(g) Cash Deficit	46-885	\$
(k) For Local District School Purposes	29-410	\$
(m) Reserve for Uncollected Taxes	50-899	\$ 1,050,000
6. SCHOOL APPROPRIATIONS - TYPE I SCHOOL DISTRICTS ONLY (N.J.S. 40A:4-13)	07-195	
		\$
Total Appropriations	34-499	10,887,139

It is hereby certified that the within budget is a true copy of the budget finally adopted by resolution of the Governing Body on the 25h day of May, 2017.

It is further certified that each item of revenue and appropriation is set forth in the same amount and by the same title as

appeared in the 2017 approved budget and all amendments thereto, if any, which have been previously approved by the Director of Local Government Services.

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

All ayes. So ordered.

FINAL PASSAGE OF ORDINANCE:

ORDINANCE#2017-1

AN ORDINANCE VACATING
DIVISION STREET

WHEREAS, there has been a dedication of land as a public street hereinafter known as Division Street in the Borough of Moonachie; and

WHEREAS, this street having never been open for transit by the Borough of Moonachie; and

WHEREAS, the public interest shall be better served by vacating that street and releasing that street to become part and parcel of the contiguous Lot 1, Block 77 currently designated as a Department of Public works garage; and

NOW THEREFORE BE IT ORDAINED by the governing body of the Borough of Moonachie, County of Bergen, State of New Jersey, that the Borough of Moonachie in accordance with N.J.S.A.40:67-19 et seq. hereby extinguishes the Division Street designation as though it had not taken place after proper notice and recording thereby vacating Division street; and

BE IT FURTHER ORDAINED that the Clerk of the Borough of Moonachie shall cause this ordinance to be recorded with the Clerk of Bergen County; and

BE IT FURTHER ORDAINED that all ordinances or parts of ordinances which may be inconsistent with this ordinance are hereby repealed to the extent of such inconsistency; and

BE IT FURTHER ORDAINED that any section, paragraph clause or provision of this Ordinance shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, clause or provision and the remainder of this Ordinance shall be deemed valid and effective; and

BE IT FURTHER ORDAINED that this Ordinance shall take effect upon passage and publication according to law.

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

Mayor Vaccaro- mentioned that the street has never been used and is being vacated because part of the property will be used for the new DPW building.

PUBLIC HEARING ON ORDINANCE#2017-1:

Sal DeAlessandro, 1 Frederick Street-asked whether the resident, who had been park cars there, paid anything to the Borough for use of the street.

Attorney Migliorino- mentioned that he had communication with the resident and he presented documentation that he has permission to use. He explained that the Borough has to provide to Port Authority the ownership of this the piece of the property so the street is vacated. He mentioned that this resident is in Wood-Ridge.

Mayor Vaccaro- mentioned that this piece of property is next to the Port Authority's property.

Mr.DeAlessandro- mentioned about loading dock there.

Attorney Migliorino- mentioned that everything is gone from the area.

Mr. DeAlessandro- asked if street is going to be used.

Attorney Migliorino- answered that this area will be used for storage containers.

Mayor Vaccaro- mentioned that the street is no longer being considered for use as an entrance.

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

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

All ayes. So ordered.

Motion by C/Surak and second by C/Cirillo to adopt Ordinance#2017-1.

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

All ayes. So ordered.

PUBLIC HEARING:

Barbra Morales, 43 Diamond Way- asked about the Council meeting minutes that are not available for couple of months.

C/Surak-mentioned that the minutes are on the website.

Mrs. Morales- mentioned that the minutes from February and March are not on the website, Borough Clerk-explained that there is no bill list because the Borough switched to the new finance software and the minutes are not done.

Mayor Vaccaro- mentioned that the Clerk needs the final bill list to be put in the minutes.

C/Surak- as soon as they are approved, he will put them on the website.

Mrs. Morales- asked if this was software discussed in February 2016.

Mayor Vaccaro- spoke about the two portions of the software. He mentioned that the tax portion was already implemented and the finance portion was implemented in January.

Mrs. Morales- spoke about OPRA requirements for minutes and about her concern of conflict of interest for voting. She felt that the Borough Administrator is supervising his wife, it is a conflict. She mentioned that in 2016, they came to the Planning Board and Council regarding her neighbor across from the street. She spoke about communications with Borough Attorney regarding

oversight of the Planning Board and Building Inspector. She mentioned that she was told by DCA the Planning Board is under jurisdiction of the Mayor and Council.

Attorney Migliorino- mentioned that he was referring to Building Inspector being under the DCA. Clarified his previous communications with Mrs. Morales that the Planning Board is autonomous body and the building Inspector is under DCA.

Mrs. Morales- read letter from Attorney Migliorino.

Attorney Migliorino- mentioned that Mrs. Morales or her husband could contact him with questions.

Mrs. Morales- spoke about contacting Governor's Office about her concerns and the matter was forwarded to Attorney General's office. Mentioned about not getting clear answers regarding her concerns.

Jorge Morales, 43 Diamond Way- mentioned that he never received an answer regarding the issue with his neighbor across the street.

Attorney Migliorino- mentioned when questions brought up, were not directed towards him.

Mr. Morales- mentioned that he spoke to the DCA about the oversight of the Zoning Board. Spoke about going to Planning Board meeting for appeal of Zoning Officer's decision for his deck. He did not feel that the interpretation of ordinance was appropriate. He spoke about his appeal that was denied, and about another similar application at that same meeting that was granted. He did not believe there were valid reasons for four members to vote against his application and mentioned that he was discriminated.

Mayor Vaccaro- mentioned the application after Mr. Morales' at the Planning Board meeting was completely different because Mr. Morales had issues with the setbacks for taking out permanent and alternate structure and replacing all with a permanent structure with different setbacks. Spoke about the different setbacks for a pool and a deck. He appreciated what the Board did that night, the Board is an independent board with their votes. Spoke about other application, that all the setback requirements were met for the building structure. He mentioned that the applicant came before the board because of the 6' and 12' rule in the ordinance, he had no control over how close the existing houses were, there was only a 3' difference. He spoke about Mr. Morales's setback requirement, which is 30 feet. He mentioned about Mr. Morales' comments were at the end of the meeting after the decision was already made, that the Board is racist, and the comment was uncalled for. He spoke about the Board being very professional. He mentioned that Mr. Morales would not have made the comment if Mr. Morales' application had been approved and Mr. Morales should apologize to everyone on that Board for insulting them.

Mr. Morales- he mentioned that he did not believe that there was no good reason for denial of his application and the narrow interpretation of the ordinance for granting the other application. He did not need to apologize. He spoke about incident of racism where, he was asked to leave his car at the side of road and walk home in the past by Borough Official. He asked the Mayor and Council to look into the issue with his application. He mentioned that he will see the Mayor and Council in court.

Mr. Anastasio, 20 Albert Street- asked about the street sweeper.

Mayor Vaccaro- mentioned that the Borough has shared services with South Hackensack for the sweeper.

Mr. Anastasio- asked when the sweeper is in Moonachie.

Mayor Vaccaro- answered that the sweeper is in Moonachie two days, another two days it is in South Hackensack and the last day it is used by whoever needs it.

Mr. Anastasio- mentioned that he only sees the sweeper doing one street. He asked who should he call if he wanted the sweeper by his house.

Mayor Vaccaro- mentioned that he will look into the issue and get back to him.

C/Martinez left the meeting.

Mr. Anastasio- mentioned that he will follow up with the Mayor about the sweeper.

Sal DeAlessandro, 1 Frederick Street- spoke about engineer comments at last Executive Meeting for calling Carlstadt for the traffic light on Moonachie Avenue.

Mayor Vaccaro- we have to speak to the County first. He mentioned that Carlstadt did have a plan to do Washington Avenue with DOT money but they are not doing it any longer and the traffic light was mentioned in the Borough's Master Plan that was recently adopted. Also, he mentioned that this is something the Borough wants to do.

Mr. DeAlessandro- asked about property maintenance and asked about house on the corner of Bruno St. and Broad St., it is an eyesore, and the house may be in foreclosure.

Mayor Vaccaro- mentioned that he has spoken to the Property Maintenance Official about that house and other homes in the Borough, if they are not maintained then the Borough will go in and clean them.

Mr. DeAlessandro- mentioned about house that was supposed to be raised on Bruno Street, and there are no front door & garage door on the house. Spoke about security for the home and asked if

someone could look into it. Asked about road openings at sidewalk by Municipal Building that were not patched properly and who is responsible for repairs.

Mayor Vaccaro- mentioned that DPW checked by street opening permits, and he will speak to the Property Maintenance Official to write something up on the house on Moonachie Road that was raised and forward it to the Building Official.

Mr. DeAlessandro- spoke about pothole in the streetscape crosswalks on Moonachie Road.

Mayor Vaccaro- mentioned that they are not being touched until the Municipal Building is done, and the whole corner & the sidewalk will be redone.

Mr. DeAlessandro- mentioned that he appreciated that many of the issues he brings up are understood.

Mr. Anastasio- asked if the potholes will have cold patch or the streets will be redone.

Mayor Vaccaro- mentioned that the DPW Superintendent is getting prices and getting the potholes repairs.

Vivian Drozd, 7 Teresa Court- spoke about her correspondence with the Building Official for viewing any permits of her neighbor who widened the driveway. Mentioned that she would like to review the file on the permit and about the issues with all rain water on her property, she did not receive any response from the Building Official.

Mayor Vaccaro- mentioned that he will call the Construction Official regarding this.

Ms. Drozd- spoke about filing tax appeal last year because her porch has been removed after Sandy. She mentioned that Appraisal Systems said they would be doing another revaluation. She spoke about her home, which did not have any changes. She mentioned that she received a letter regarding her assessment that has gone up and learned that nothing can be put on easement from Little Ferry. She spoke about easement on her property and her neighbor's property. She mentioned that there is a shed on the easement by her neighbor and the sewer plate between 9 and 7 Teresa Court, is lifting because of the widened driveway .

Mayor Vaccaro- asked if it was the stromwater catch basin.

Ms. Drozd- mentioned that the patch by the stromwater catch basin is sinking. She asked about commercial vehicle parking. She mentioned that she called Tax Assessor and Appraisal System regarding her assessment, did not received a call back. She spoke about her property record card, which has her porch still. Spoke about filing tax appeal this year and going to court.

Motion by C/Kinsella second by C/Cirillo to close Public hearing.

ROLL CALL: Bauer, Cirillo, Kinsella, Surak.

All ayes. So ordered.

Attorney Migliorino- stated that six or eight weeks ago, Mr. Coleman and the Attorney were notify that the desire to speak with Mr. Coleman regarding his employment, at that point Mr. Coleman needed time to get better or taking care of some personal problem. He confirmed with Mr. Coleman that he is advising the Borough today for the purpose of Rice Notice that Mr. Coleman wants to go private session to discuss terms and condition of his employment.

Mr. Coleman – answered yes.

Motion by C/Bauer and second by C/Cirillo to go into closed session to discuss DPW personnel matters.

ROLL CALL: Bauer, Cirillo, Kinsella, Surak.

All ayes. So ordered.

Motion by C/Bauer and second by C/Kinsella to close closed session.

ROLL CALL: Bauer, Cirillo, Kinsella, Surak.

All ayes. So ordered.

Mayor Vaccaro- mentioned that he wanted to recognize the first responders, the Police, Fire and EMS who helped with the plane crash and he is very proud of them. He reminded everyone that the Memorial Day service is on Saturday.

Motion by C/Kinsella and second by C/Bauer to adjourn the meeting at 9:40 P.M.

ROLL CALL: Bauer, Cirillo, Kinsella, Surak.

All ayes. So ordered.

ATTEST:

Supriya Sanyal
Borough Clerk