

Regular Meeting called to order, Mayor Dennis Vaccaro in the chair, at Kathryn E. Flynn Civic Center on Thursday June 28th, 2018 at 8:01 P.M.

Mayor called for Pledge of Allegiance to the Flag.

ROLL CALL: Bauer, Cirillo- present, Kinsella- not present, Martinez- present,
Millar- not present, Surak- present
Administrator- T. Ciannanea- present
Attorney- F. Migliorino-present
Auditor – P. Lerch-present

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

Motion by C/Surak and second by C/Bauer approve the Minutes of Regular Meeting of April 26, 2018.

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

COMMUNICATIONS:

Borough of Closter- expressing condolences and support for victims of gun violence and their families.

New Jersey Department of Environmental Protection- notification of draft Environmental Impact Statement on the Rebuild By Design Meadowlands Flood Protection Project(proposed project).

Township of Rochelle Park- recognizing national Gun Violence Awareness Day.

City of Hackensack- supporting the adoption of A-3736 for the purpose of holding utilities companies accountable and to provide the NJBPU with a mechanism to fulfill its mission when utilities do not provide or restore critical service in a reasonable timeframe by allowing a municipal governing body to request the revocation of the privilege of a franchise territory.

Neglia Engineering Associates- notification on the submission of a flood hazard area verification to NJDEP for Modular Temp Classrooms project at Block 63, Lot 9.01 in the Borough of Little Ferry.

Borough of Closter- opposing to H.R. 38 and S.446, the Concealed Carry Reciprocity Act of 2017 and the Constitutional Concealed Carry Reciprocity Act of 2017.

Public Service Electric & Gas Company- notice of submission of a petition with NJBPU requesting an increase in the charges for electric and gas services.

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

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

Mayor Vaccaro mentioned about PSEG commutation, the Borough opposed the increase last year.

BIDS: NO BID WAS RECEIVED FOR PURCHASE AND INSTALLATION OF EMERGENCY GENERATOR AT MOONACHIE ROAD PUMP STATION ON JUNE 26, 2018 AT 11:00 A.M.

Mayor Vaccaro mentioned that due to no bids, the Borough is looking into purchasing the generator on state contract and installing it. He asked Borough Attorney to look into if the Borough can buy the generator under State contract and the installation can be done without State contract due to no bid.

BIDS: Nine Bids were received on June 27, 2018 at 11 A.M. for Moonachie DPW building:

	Phase I	Phase II	Total
<u>Reliable NYC Construction</u> 1286 Waterloo Rd. Stanhope, NJ 07874	\$369,500.00	2,086,500.00	\$2,456,000.00
<u>Tricon Enterprises, Inc.</u> 322 Beers St. Keyport, NJ 07735	\$249,525.00	\$2,262,475.00	\$2,512,000.00

Belmont Construction Corp. \$238,030.00 \$2,361,970.00 \$2,600,000.00
240 W. Passaic St., Suite 11
Maywood, NJ 07607

Molba Construction \$220,000.00 \$2,396,000.00 \$2,616,000.00
392 Liberty Street
Little Ferry, NJ 07643

Fuscon Enterprises, Inc. \$263,000.00 \$2,626,000.00 \$2,889,000.00
414 Central Ave., PO Box 2595
Westfield, NJ 07091

Pharos Enterprises, Inc. \$328,000.00 \$2,613,000.00 \$2,941,000.00
879 Upper Main Street
South Amboy, NJ 08879

Cypreco Industries, Inc. \$321,750.00 \$2,658,000.00 \$2,979,750.00
1420 9th Avenue, PO Box 822
Neptune, NJ 07753

Alna Construction Corp. \$310,001.75 \$2,893,000.00 \$3,203,001.75
100 Plaza Center, Suite 2
Secaucus, NJ 07094

Unimak LLC \$603,000.00 \$2,672,000.00 \$3,275,000.00
82 Midland Ave., Suite D
Saddle Brook, NJ 07663

Mayor Vaccaro mentioned that the discussion will be done towards the end of this meeting.

FORMAL ACTION TAKEN AT EXECUTIVE MEETING ON JUNE, 14, 2018:

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

RESOLUTION#18-180

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 2018-2019; 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.

RESOLUTION#18-181

WHEREAS, DUGOUT, INC. has applied for a renewal of their PLENARY RETAIL CONSUMPTION LICENSE for 2018-2019; and

WHEREAS, no objections have been filed with the Borough Clerk to date and DUGOUT, 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 0237-33-004-002, be and is hereby approved.

ROLL CALL: Bauer, Cirillo, Kinsella- ayes, Martinez- abstain Surak- aye.
Four ayes, one abstain. Motion carried.

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

RESOLUTION#18-182

WHEREAS, Resolution#18-157 authorized a refund of overpayment of taxes in the amount \$67,938.04 due to the Judgments of Tax Court of New Jersey for Dominick Associates LLC and Leonard Rosen Family LLC, Tenants in Common; and

WHEREAS the correct amount of refund should be as follows

<u>Year</u>	<u>Block</u>	<u>Lot</u>	<u>Amount</u>
2014	62	10.01	\$14,797.40
2015	62	10.01	\$15,610.85
2016	62	10.01	\$21,137.42
2017	62	10.01	<u>\$16,392.39</u>
	TOTAL		\$67,938.06

BE IT RESOLVED, by the Mayor and Council that Resolution #18-157 be and is hereby amended to correct the refund amount to \$67,938.06; and

BE IT FURTHER RESOLVED, that the tax overpayment in the amount of \$67,938.06 shall be made payable to "Archer & Greiner, P.C. as Trustee for Dominick Associates LLC and Leonard Rosen Family LLC, Tenants in Common," and mailed to Archer & Greiner, 101 Carnegie Center, 3rd Floor, Suite 300, Princeton, NJ 08540.

RESOLUTION#18-183

WHEREAS, two applications were received for the Municipal Alliance Scholarship Award Program; and

WHEREAS, the Moonachie Scholarship Fund reviewed the application and made it's recommendation; and

NOW THEREFORE, BE IT RESOLVED by the Mayor and Council that Ethan Ciannamea be and is hereby awarded the amount of \$250.00 for the Municipal Alliance Scholarship.

RESOLUTION#18-184

WHEREAS, Resolution#17-313 confirmed approval of Construction Change Directive (Change Order No. 4) for the amount not to exceed \$20,662.72 of Two Brothers Contracting Inc. for construction of New Municipal building; and

WHEREAS, this was only a Construction Change Directive; and

WHEREAS, Resolution#17-313 needs to be amended to eliminate the language of (*Change Order No. 4*); and

NOW THEREFORE, BE IT RESOLVED by the Mayor and Council that Resolution#17-313 be and is hereby amended to eliminate the language of (*Change Order No. 4*) and to confirmed approval of Construction Change Directive for the amount not to exceed \$20,662.72 of Two Brothers Contracting Inc. for construction of New Municipal building.

RESOLUTION#18-185

WHEREAS, Two Brothers Contracting, Inc., submitted Change Order No. 4 for the reduction of \$8,800.00 for work performed and material furnisher for the construction of new Municipal Building; and

WHEREAS, L+C Design Consultants PA and the Borough Attorney have approved Change Order No. 4 as presented; and

NOW THEREFORE, BE IT RESOLVED by the Mayor and Council that Change Order No. 4 for the reduction of \$8,800.00 be and is hereby approved.

RESOLUTION#18-186

WHEREAS, Two Brothers Contracting, Inc., submitted Change Order No. 5 (part of General allowance) in the amount of \$22,501.70 for work performed and material furnisher for the construction of new Municipal Building; and

WHEREAS, L+C Design Consultants PA and the Borough Attorney have approve Change Order No. 5 as presented; and

NOW THEREFORE, BE IT RESOLVED by the Mayor and Council that Change Order No. 5 (part of General allowance) in the amount of \$22,501.70 be and is hereby approved.

RESOLUTION#18-187

WHEREAS, Two Brothers Contracting, Inc., submitted Change Order No. 6 (deletion of Cash allowance No. 4) in the amount of \$125,000 for work performed and material furnisher for the construction of new Municipal Building; and

WHEREAS, L+C Design Consultants PA and the Borough Attorney have approve Change Order No. 6 as presented; and

NOW THEREFORE, BE IT RESOLVED by the Mayor and Council that Change Order No. 6 (deletion of Cash allowance No. 4) in the amount of \$125,000 be and is hereby approved.

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

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

RESOLUTION #18-188

WHEREAS, Two Brothers Contracting, Inc., submitted Change Order No. 7 (deletion of Cash allowance No. 5) in the amount of \$125,000 for work performed and material furnisher for the construction of new Municipal Building; and

WHEREAS, L+C Design Consultants PA and the Borough Attorney have approved Change Order No. 7 as presented; and

NOW THEREFORE, BE IT RESOLVED by the Mayor and Council that Change Order No. 7 (deletion of Cash allowance No. 5) in the amount of \$125,000 be and is hereby approved.

RESOLUTION#18-189

RESOLUTION TO REFUND CREDIT BALANCES
ON PROPERTY TAX ACCOUNTS

WHEREAS, Frank J. Santora, Tax Collector, has advised that credit balances exist on the accounts detailed below, said credit balances being the result of excess or duplicate payments by homeowners, Attorneys or mortgage holders, and adjustments in Assessed Value, and

WHEREAS, these credit balances represent funds belonging to the those who remitted payment, and

WHEREAS, the tax accounts are otherwise current, a refund is due; and

Blk	Lot	Name/Add	Refund	Payable to & Mail to
3	6	Hot, Kemal & Dervisevic, Minela	\$2,219.51	Corelogic

TOTAL ALL PROJECTS		\$ -		\$ -	\$ -	\$ -			

3 YEAR CAPITAL PROGRAM 2018- 2020

SUMMARY OF ANTICIPATED FUNDING SOURCES AND AMOUNTS

1 PROJECT	2 Estimated TOTAL COST	3 Budget Appropriations		4 Capital Improvement Fund	5 Capital Surplus	6 Grants in Aid And Other Funds	7 BONDS AND NOTES			
		Current Year 2018	Future Years				General	Self Liquidating	Assessment	School
None										
TOTAL ALL PROJECTS	\$ -			\$ -			\$ -			

TO
CAPITAL BUDGET (Current Year Action)
2018

1 PROJECT	2 Project Number	3 Estimated Total Cost	4 Amounts Reserved in Prior Years	5a 2018 Budget Appropriations	PLANNED FUNDING SERVICES FOR CURRENT YEAR 2018					6 To Be Funded in Future Years
					5b Capital Improvement Fund	5c Capital Surplus	5d Grants in Aid and Other Funds	5e Debt Authorized		
2 Ton Falcon RME Asphalt Hot Patcher										
Dump Trailer		\$ 16,900					\$16,900			
TOTAL ALL PROJECTS		\$ 16,900			\$ -				\$ -	\$ -

3 YEAR CAPITAL PROGRAM 2018 - 2020
 Anticipated PROJECT Schedule and Funding Requirement

1 PROJECT	2 PROJECT NUMBER	3 ESTIMATED TOTAL COST	ESTIMATED COMPLETION TIME	Budget Year 2018	5 FUNDING AMOUNTS PER YEAR					
					2019	2020	2021	2022	2023	
2 Ton Falcon RME Asphalt Hot Patcher										
Dump Trailer		\$ 16,900		\$16,900						
TOTAL ALL PROJECTS		\$ 16,900		\$16,900						

3 YEAR CAPITAL PROGRAM 2018 - 2020
 SUMMARY OF ANTICIPATED FUNDING SOURCES AND AMOUNTS

1 PROJECT	2 Estimated TOTAL COST	3 Budget Appropriations		4 Capital Improvement Fund	5 Capital Surplus	6 Grants in Aid and Other Funds	7 BONDS AND NOTES			
		Current Year 2018	Future Years				Self			
							General	Liquidating	Assessment	School
2 Ton Falcon RME Asphalt Hot Patcher										
Dump Trailer	\$ 16,900				\$16,900					
TOTAL ALL PROJECTS	\$ 16,900			\$ -			\$ -			

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

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

RESOLUTION #18-191

WHEREAS, Two Brothers Contracting, Inc. submitted an invoice for Payment No. 21 for work performed and material furnished in the construction of Moonachie Municipal Building in the amount of \$180,285.70; and

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

NOW THEREFORE, BE IT RESOLVED by the Mayor and Council that the payment in the amount of \$180,285.70 to Two Brothers Contracting, Inc. be and is hereby approved.

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

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

RESOLUTION #18-192

WHEREAS, two proposals were solicited for Police Console and Communication Equipment for new Municipal Building; and

WHEREAS, two proposals as follows:

Procomm Systems, Inc.- \$282,405.00-(New Jersey State Contract# 83924, #83931 and #83891)

Motorola Solutions, Inc.- \$265,930.46 – (New Jersey State Contract #83909)

(Motorola Solutions, Inc. did not include costs for wiring distribution, relocation of transmitter/antennas, extended warranty and ground wiring)

WHEREAS, L+C Design Consultants PA recommended to award the contract to Procomm Systems, Inc.; and

NOW THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Moonachie that the award of the contract to Procomm Systems, Inc. for the proposal in the amount of \$282,405.00 under New Jersey State Contract# 83924, #83931 and #83931 be and is hereby approved for installation of new Police Communication console, dispatch system, extended warranties, UPS system, required electrical distribution, equipment grounding system, computer enclosures, logging & recording equipment and relocation of existing radio antennas Equipment.

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

INTRODUCTION OF ORDINANCE at the Executive Meeting on June 14, 2018:

Motion by C/Bauer and second by C/Martinez

BE IT RESOLVED that the following ordinance:

ORDINANCE 2018-4

AN ORDINANCE OF THE BOROUGH OF MOONACHIE, IN THE COUNTY OF BERGEN, NEW JERSEY, APPROPRIATING \$16,900 FOR 2- TON FALCON RME ASPHALT HOT PATCHER DUMP TRAILER

heretofore introduced, do now pass on first reading, and that said ordinance be further considered for final passage at a meeting to be held on the day of July 12th, 2018 at 7:00 P.M. or as soon thereafter as the matter can be reached, at the regular meeting of the Mayor and Council and that at such time and place all persons interested be given an opportunity to be heard concerning said ordinance, and that the Borough Clerk be and hereby is, authorized and directed to publish said ordinance according to law with a notice of introduction and passage on first reading and of the time and place when and where said ordinance will be further considered for final passage.

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

All ayes. So ordered.

REGULAR MEETING OF JUNE 28, 2018:

NEW BUSINESS:

CONSENT RESOLUTIONS:

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

Mayor Vaccaro- mentioned that Millennium Strategies, LLC helped the Borough to get 1.1 million dollars reimbursement from FEMA. He spoke about the Change order No. 8 of Two Brothers for \$1599.32 which is for the requirement of PSE&G, the Change Order No. 9 for \$8,710.56 which was for the manhole and the change order No. 10 for \$2,500.49, which was for bent metal at the corner.

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

RESOLUTION #18-193

BE IT FURTHER RESOLVED by the Mayor and Council that the payments in the amount of \$9,300.00 for month of May, 2018 to Millennium Strategies, LLC for professional services for the FEMA grants Management and Administration be and is hereby approved.

RESOLUTION #18-194

BE IT RESOLVED, by the Mayor and Council of the Borough of Moonachie that the payment in the amount of \$6,299.79 for professional services for Redesign Reduced Scope of New Municipal building to L+C Design Consultant, PA be and is hereby approved.

RESOLUTION #18-195

BE IT RESOLVED that the Mayor is hereby authorized to sign an agreement with Joseph Licata as Ombudsman to hear rent application for the Mobile Home Parks, at a rate of \$175.00 per hour for a minimum of 15 hours per application (\$2, 625.00) and a maximum of 20 hours per application (\$3,500.00).

RESOLUTION #18-196

WHEREAS, Gerard R. Londino, Jr., has submitted an application for membership to Fire Department, Washington Park & Hose Co. 2; and

WHEREAS, the applicant is free of any medical or physical conditions that would cause harm to him or any other firefighter;

NOW THEREFORE, BE IT RESOLVED that the membership of Gerard R. Londino be and is hereby approved.

RESOLUTION #18-197

BE IT RESOLVED, by the Mayor and Council that the Borough Clerk is hereby authorized to advertise bids for Moonachie Avenue Pump Station MCC; and

BE IT FURTHER RESOLVED, by the Mayor and Council of the Borough of Moonachie that the Borough Clerk is hereby authorized to receive bids for Moonachie Avenue Pump Station MCC.

RESOLUTION#18-198

WHEREAS, the Borough of Moonachie ("Borough") is required pursuant to State law P.L. 2017, Chapter 331 to appoint an Municipal Humane Law Enforcement Officer (MHLEO) within the Moonachie Police Department; and

WHEREAS, the MHLEO shall serve as liaison between the municipality and the Bergen County Prosecutor's Office and shall have the power and authority within the municipality to enforce the animal cruelty laws of the State and animal cruelty ordinances of the municipality; and

WHEREAS, the Borough has received from Richard Behrens, Chief of the Police of the Moonachie Police Department, a recommendation to appointment Police Officer Victor A, Migliorino as MHLEO; and

WHEREAS, the Mayor and Council of the Borough are desirous of appointing Police Officer Victor Migliorino to serve as MHLEO for the moonachie Police Department and the Borough of Moonachie in accordance with the requirements and procedures mandated in P.L. 2017, c.331 (C.4:22-14.4) et seq.

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

1. That Police Officer Victor A. Migliorino of the Moonachie Police Department is hereby appointed to serve as the Municipal Humane Law Enforcement Officer for the Borough of Moonachie.
2. That Police Officer Victor A. Migliorino shall perform all such duties and carry out all of the responsibilities as set forth in accordance with the requirements and procedures mandated under P.L. 2017, c331 (C4:22-14.4), et seq.
3. That no further action of the Borough shall be required.

RESOLUTION#18-199

WHEREAS, the Mayor and Council of the Borough of Moonachie had previously approved resolution #18-154 on May 24, 2018 and it is hereby modified to incorporate recent amendments to paragraph 1 of the proposed settlement of a Tax Appeal filed on behalf The Realty Assoc Fung X LP, under Docket Nos.: 005949-2015; 006410-2016; for the years 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.

THE REALTY ASSOC FUNG X LP,

Plaintiff,

TAX COURT OF NEW JERSEY

DOCKET NOS. 005949-2015
006410-2016

v.

BOROUGH OF MOONACHIE
Defendant.

AMENDED
CIVIL ACTION
Stipulation of Settlement
(Local Property Tax)

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

Block: 66 Lot: 1 Qual:
Street Address: 195 Anderson Ave HM Tax Year: 2015

	<u>Original Assessment</u>	<u>County Board Judgment</u>	<u>Tax Court Judgment</u>
LAND	\$ 514,500	N/A	\$ 514,500
IMPROVEMENTS	\$1,169,900	DIRECT	\$1,169,900
TOTAL	\$1,684,400	APPEAL	\$1,684,400

Block: 66 Lot: 1 Qual:
Street Address: 195 Anderson Ave HM Tax Year: 2016

	<u>Original Assessment</u>	<u>County Board Judgment</u>	<u>Tax Court Judgment</u>
LAND	\$ 328,000	N/A	\$ 328,000
IMPROVEMENTS	\$1,442,200	DIRECT	\$1,299,200
TOTAL	\$1,770,200	APPEAL	\$1,627,200

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(ies) and have obtained such appraisals, analysis and information with respect to the valuation and assessment of the property(ies) as they deem necessary and appropriate for the purpose of enabling them to enter into the stipulation. The assessor of the taxing district has been consulted by the attorney for the taxing district with respect to this settlement and has concurred.
4. Based upon the foregoing, the undersigned represent to the court that the above settlement will result in an assessment at the fair assessable value of the property(ies) consistent with assessing practices generally applicable in the taxing district as required by law.
5. Statutory interest, pursuant to N.J.S.A. 54:3-27.2, having been waived by the taxpayer, shall not be paid provided the tax refund is paid in accordance with paragraph 5 hereof.
6. Pre-judgement interest is waived on the condition that when Judgment is entered on this Stipulation of settlement is approved by Moonachie Mayor and Council and forwarded to the Tax Court of New Jersey within 75 days hereof and provided 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 McCarter & English, LLP, attorneys for Plaintiff and forwarded to Frank E. Ferruggia, Esq., McCarter & English, LLP, Four Gateway Center, 100 Mulberry Street, P.O. Box 652, Newark, NJ 07101-0652 within 90 days from entry of

judgment. The interest waiver in this paragraph and paragraph 5 shall be null and void in the event of failure to fully comply with the provisions of this paragraph, both as to the time and manner of making the payment.

- 7. The provisions of Paragraphs 5 and 6 herein shall survive the entry of the judgment, remain in full force and effect and be subject to any appropriate action for enforcement of the provisions.

McCarter & English, LLP
Attorneys for the Plaintiff

Frank E. Ferruggia
A Member of the Firm

Herbert & Weiss
Attorney for Defendant
Helene C. Herbert

RESOLUTION#18-200

WHEREAS, the Mayor and Council of the Borough of Moonachie had previously approved resolution #18-155 on May 24, 2018 and it is hereby modified to incorporate recent amendments to paragraph 1 of the proposed settlement of a Tax Appeal filed on behalf Avison Young Attn: Gina A. Mesta, under Docket No.: 005002-2017; for the year 2017;

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.

AVISON YOUNG ATTN: GINA A MESTA

TAX COURT OF NEW JERSEY

Plaintiff,

DOCKET NOS. 005002-2017

v.

BOROUGH OF MOONACHIE
Defendant.

AMENDED
CIVIL ACTION
Stipulation of Settlement
(Local Property Tax)

- 1. It is hereby **STIPULATED** and **AGREED** that the assessment of the following property be adjusted and a judgment be entered as follows:

Block: 66 Lot: 1 Qual:

Street Address: 195 Anderson Ave HM

Tax Year: 2017

	<u>Original Assessment</u>	<u>County Board Judgment</u>	<u>Tax Court Judgment</u>
LAND	\$ 328,000	N/A	\$ 328,000
IMPROVEMENTS	\$1,299,200	DIRECT	\$1,299,200
TOTAL	\$1,627,200	APPEAL	\$1,627,200

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(ies) and have obtained such appraisals, analysis and information with respect to the valuation and assessment of the property(ies) as they deem necessary and appropriate for the purpose of enabling them to enter into the stipulation. The assessor of the taxing district has been consulted by the attorney for the taxing district with respect to this settlement and has concurred.
4. Based upon the foregoing, the undersigned represent to the court that the above settlement will result in an assessment at the fair assessable value of the property(ies) consistent with assessing practices generally applicable in the taxing district as required by law.
5. Statutory interest, pursuant to N.J.S.A. 54:3-27.2, having been waived by the taxpayer, shall not be paid provided the tax refund is paid in accordance with paragraph 5 hereof.
6. Pre-judgment interest is waived on the condition that this Stipulation of settlement is approved by Moonachie Mayor and Council and forwarded to the Tax Court of New Jersey within 75 days hereof and provided 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 McCarter & English, LLP, attorneys for Plaintiff and forwarded to Frank E. Ferruggia, Esq., McCarter & English, LLP, Four Gateway Center, 100 Mulberry Street, P.O. Box 652, Newark, NJ 07101-0652 within 90 days from entry of judgment. The interest waiver in this paragraph and paragraph 5 shall be null and void in the event of failure to fully comply with the provisions of this paragraph, both as to the time and manner of making the payment.
7. The provisions of Paragraphs 5 and 6 herein shall survive the entry of the judgment, remain in full force and effect and be subject to any appropriate action for enforcement of the provisions.

McCarter & English, LLP
Attorneys for the Plaintiff

Frank E. Ferruggia
A Member of the Firm

Herbert & Weiss
Attorney for Defendant
Helene C. Herbert

RESOLUTION #18-201

BE IT RESOLVED, by the Mayor and Council that the Borough Clerk is hereby authorized to advertise bids for Curbside Recycling Collection Service; and

BE IT FURTHER RESOLVED, by the Mayor and Council of the Borough of Moonachie that the Borough Clerk is hereby authorized to receive bids for Curbside Recycling Collection Service.

RESOLUTION #18-202

BE IT RESOLVED, by the Mayor and Council of the Borough of Moonachie that the payment in the amount of \$15,611.81 for professional services for Redesign Reduced Scope of New Municipal building to L+C Design Consultant, PA be and is hereby approved.

RESOLUTION #18-203

WHEREAS, Two Brothers Contracting, Inc., submitted Change Order No. 8 (part of Cash allowance) in the amount of \$1,599.32 for work performed and material furnisher for the construction of new Municipal Building; and

WHEREAS, L+C Design Consultants PA and the Borough Attorney have approved Change Order No. 8 as presented; and

NOW THEREFORE, BE IT RESOLVED by the Mayor and Council that Change Order No. 8 (part of Cash allowance) in the amount of \$1,599.32 be and is hereby approved.

RESOLUTION #18-203

WHEREAS, Two Brothers Contracting, Inc., submitted Change Order No. 9 (part of Cash allowance) in the amount of \$8,710.56 for work performed and material furnisher for the construction of new Municipal Building; and

WHEREAS, L+C Design Consultants PA and the Borough Attorney have approved Change Order No. 9 as presented; and

NOW THEREFORE, BE IT RESOLVED by the Mayor and Council that Change Order No. 9 (part of Cash allowance) in the amount of \$8,710.56 be and is hereby approved.

RESOLUTION #18-205

WHEREAS, Two Brothers Contracting, Inc., submitted Change Order No. 10 (part of Cash allowance) in the amount of \$2,500.49 for work performed and material furnisher for the construction of new Municipal Building; and

WHEREAS, L+C Design Consultants PA and the Borough Attorney have approved Change Order No. 10 as presented; and

NOW THEREFORE, BE IT RESOLVED by the Mayor and Council that Change Order No. 10 (part of Cash allowance) in the amount of \$2,500.49 be and is hereby approved.

RESOLUTION #18-206

WHEREAS, PTO Robert L. Craig School submitted applications for Raffles Licenses (RL 418 and RL 419) and

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council that the any fees for Raffles Licenses (RL 418 and 419) for PTO Robert L. Craig School be and is hereby waived.

RESOLUTION #18-207

WHEREAS, Ordinance No. 2006-6 allows for a cost of Living Adjustment to the maximum LOSAP contribution that the Borough may make on behalf of each qualify member of its First Aid & Rescue Squad; and

WHEREAS, the current maximum LOSAP contribution amount is \$1,287.72 for each qualify member of the First Aid & Rescue Squad; and

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Moonachie that the maximum LOSAP contribution amount hereby be adjusted by the Cost of Living Adjustment of .8% to \$1,298.02 for each qualify member of the First Aid & Rescue Squad.

RESOLUTION #18-208

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

WHEREAS, those members who qualify in accordance with the established criteria shall receive a contribution of up to \$1,298.02 per member,

NOW THEREFORE, BE IT RESOLVED, that the 16 members who qualified for an award in 2017, be hereby approved to receive a contribution in the amount of \$1,298.02 per member and that said contribution be paid to Lincoln Financial Services, Corp. for investment in their personal accounts on approval of this Resolution by the Mayor & Council of the Borough of Moonachie.

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

OUT OF CONSENT:

Motion by C/Surak and second by C/Bauer to approve following Resolution:
RESOLUTION#18-209

WHEREAS, El Tango Argentina Grill LLC has applied for a renewal of their PLENARY RETAIL CONSUMPTION LICENSE for 2018-2019; and

WHEREAS, no objection have been filed with the Borough Clerk to date, and El Tango Argentina Grill LLC 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 0237-33-008-010, be and is hereby approved.

ROLL CALL: Bauer, Cirillo-ayes, Martinez-recused, Surak-aye
Three ayes and one recused. Motion carried.

BILLS:

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

CHECK	BILL LIST JUNE 2018 CURRENT ACCOUNT	AMOUNT
1658	BERGEN MUNICIPAL EMPLOYEE BENE	107,713.00
1659	BIOCHEM SUPPLY	850.00
1660	DART COMPUTER SERVICES INC.	1,040.00
1661	EVANS CATERING SERVICE	68.37
1662	HOMETOWN AUTO PARTS	43.96
1663	DOMESTIC LINEN	85.10
1664	RIVER VALLEY RADIO INC.	2,383.85
1665	SPIOTTI & ESPOSITO P.C.	2,111.00
1666	ADC COMMUNICATIONS AND ELECTIC	675.00
1667	BEN SHAFFER RECREATION INC.	1,670.50
1668	C&C TIRE	469.44

1669	DRAEGER SAFETY DIAGNOSTICS INC	120.00
1670	HARRIS UNIFORMS	85.00
1671	LIFESAVERS INC.	145.76
1672	LITTLE FERRY PUBLIC LIBRARY	100.00
1673	LOWE'S HOME CENTER INC.	377.40
1674	MGL PRINTING SOLUTIONS	24.00
1675	NATURE'S CHOICE CORPORATION	678.00
1675	NATURE'S CHOICE CORPORATION	508.50
1676	NORTH JERSEY MEDIA GROUP	24.75
1678	PORT AUTHORITY OF NY AND NJ	122.67
1679	PSE&G COMPANY	7,445.64
1680	STANDARD INSURANCE	1,433.49
1681	STAPLES BUSINESS ADVANTAGE	167.92
1682	MILLENIUM STRATEGIES	9,300.00
1683	TIME WARNER CABLE	144.99
1684	VERIZON	6.55
1685	VIP CAR WASH	12.00
1686	PSE&G COMPANY	3,766.13
1687	BOROUGH OF MOONACHIE PAYROLL A	158,591.02
1688	BOROUGH OF MOONACHIE PAYROLL A	11,529.12
1689	LERCH, VINCI & HIGGINS	3,131.75
1690	NORTH JERSEY MEDIA GROUP	282.15
1691	PABCO INDUSTRIES	870.75
1692	BOARD OF EDUCATION	654,812.00
1693	IRON MOUNTAIN	852.45
1694	IRON MOUNTAIN	852.45
1695	PALISADES SALES CORPORATION ADC COMMUNICATIONS AND	261.00
1696	ELECTIC	8,898.00
1697	BERGEN COUNTY CLERKS ASSOC.	35.00
1698	BOSWELL ENGINEERING	273.00
1699	LOWE'S HOME CENTER INC.	75.74
1701	NORTH JERSEY MEDIA GROUP	147.68
1702	PRO PLUMBER PLUMBING, HEATING &	2,370.00
1703	PUBLIC SERVICE E & G	3,882.04
1704	NEW JERSEY TRANSIT CORPORATION	37,739.63
1705	1-800-GOT JUNK	699.00
1706	THE RECORD	11.55
1707	REYNWOOD COMMUNICATIONS	557.14
1708	STAPLES BUSINESS ADVANTAGE	262.40
1709	SUEZ WATER NEW JERSEY	58.55
1710	TIME WARNER CABLE	224.85
1711	APPRAISAL SYSTEMS INC.	1,500.00
1712	DOSCH-KING INC.	627.30
1713	GATES FLAG & BANNER CO. INC.	181.80
1714	J.G.DRYWALL L.L.C.	2,638.00
1715	LOWE'S HOME CENTER INC.	147.20
1715	LOWE'S HOME CENTER INC.	26.22
1716	NATURE'S CHOICE CORPORATION	237.30
1717	METRO FIRE & SAFETY EQUIPMENT	167.00
1718	SIG SAUER, INC	2,676.00
1719	SUEZ WATER NEW JERSEY	5,270.07
1720	TIME WARNER CABLE	144.94
1721	ARCHER & GREINER PC AS TRUST.	62,736.99
1722	JOSEPH SMENTKOWSKI INC.	13,050.83
1722	JOSEPH SMENTKOWSKI INC.	9,860.83
1723	METRO FIRE & SAFETY EQUIPMENT	600.45
1724	STAPLES BUSINESS ADVANTAGE	86.22
1725	MGL PRINTING SOLUTIONS	292.00
1726	PALISADES SALES CORPORATION	200.00

1727	PRAXAIR DIST. MID-ATLANTIC	47.46
1728	PRESTIGE AWARDS INC.	199.50
1729	VIP CAR WASH	72.00
1730	VALLEY NATIONAL BANK	250.00
1731	VALLEY NATIONAL BANK	100.00
1732	VALLEY NATIONAL BANK	100.00
1733	VALLEY NATIONAL BANK	100.00
1734	DELAGE LANDEN FINANCIAL SERVIC	198.71
1735	DELAGE LANDEN FINANCIAL SERVIC	251.01
1736	GAETA RECYCLING	3,150.33
1737	METRO FIRE & SAFETY EQUIPMENT	167.00
1738	NEW JERSEY STATE LEAGUE OF MUN	100.00
1739	NFIP DIRECT SERVICING AGENT ADC COMMUNICATIONS AND	18,567.00
1740	ELECTIC	675.00
1741	MILLENIUM STRATEGIES	1,500.00
1742	CORELOGIC	2,219.51
1743	DIV. OF ALCOHOL BEVERAGE CONTR	24.00
1744	NATURE'S CHOICE CORPORATION	1,576.35
1745	PORT AUTHORITY OF NY AND NJ	224.19
1746	CORELOGIC	2,336.18
1747	STANDARD INSURANCE	1,433.49
1748	OFFICE BUSINESS SYSTEMS	839.00
1749	C&D COMPUTER SUPPLIERS, INC.	34.00
1750	HOMETOWN AUTO PARTS	12.00
1751	SOL RIVERA-VILLON	150.00
1752	SUEZ WATER NEW JERSEY	102.93
1753	BERGEN MUNICIPAL EMPLOYEE BENE	100,736.00
1754	VERIZON	38.66
1755	VERIZON	1,113.16
1756	GAETA RECYCLING	3,150.33
1757	NATURE'S CHOICE CORPORATION	525.45
1758	REINER OVERHEAD DOORS, LLC.	340.00
1759	TERMINEX	60.00
	BOROUGH OF MOONACHIE PAYROLL	
1760	A	10,750.83
	BOROUGH OF MOONACHIE PAYROLL	
1761	A	148,418.01
1762	KOLAR STEPHEN & PAMELA	6,065.10
1763	BOROUGH OF MOONACHIE TRUST ESC	1,138.37
1764	DELAGE LANDEN FINANCIAL SERVIC	198.61
1765	EVANS CATERING SERVICE	20.40
1765	EVANS CATERING SERVICE	7.21
1766	SUEZ WATER NEW JERSEY	391.98
1767	RACHLES/MICHELE'S OIL CO.	820.35
1768	RACHLES/MICHELE'S OIL CO.	550.18
1769	DOHRMAN PRINTING COMPANY INC.	493.00
1770	EARTHLINK BUSINESS	822.43
1771	MODERN PROPANE	204.03
1772	NJICLE	223.91
1773	LOWE'S HOME CENTER INC.	113.98
1774	KEEHN POWER PRODUCTS INC.	116.46
1775	STAPLES BUSINESS ADVANTAGE	252.10
1776	STAPLES BUSINESS ADVANTAGE	142.92
1777	BRITTANY DEMAREST	30.00
1778	ATEY AUTO BODY, INC.	889.00
1779	DOMESTIC LINEN	85.10
1780	DECOTIIS, FITZPATRICK, COLE &	138.93
1781	VIP CAR WASH	23.00
1782	FEDEX TECH CONNECT REVENUE SER	38.43
1783	AQUA FRESCA AND JAVA LLC	150.00
1784	AQUA FRESCA AND JAVA LLC	150.00

1785	BERGEN MUNICIPAL EMPLOYEE BENE	107,368.00
1786	VERIZON	275.77
1787	METRO FIRE & SAFETY EQUIPMENT	585.00
60678	VOICECOM PLUS, INC.	450.00
60679	VOICECOM PLUS, INC.	450.00
60679	VOICECOM PLUS, INC.	150.00
TOTAL		1,550,339.80

CHECK	CURRENT ACCOUNT	AMOUNT
1677	PALISADES SALES CORPORATION ADC COMMUNICATIONS AND	VOID
1603	ELECTIC	VOID
1700	METRO FIRE & SAFETY EQUIPMENT	VOID
1597	RETRON	VOID
1201	VOICECOM PLUS, INC.	VOID
1202	VOICECOM PLUS, INC.	VOID

NON-CHECK PAYMENT	CURRENT ACCOUNT	AMOUNT
NON-CHECK PAYMENT	STAPLES CREDIT PLAN	81.68
NON-CHECK PAYMENT	PRIMEFLEX	135.00
NON-CHECK PAYMENT	EARTHLINK BUSINESS	815.77
TOTAL		1,032.45

CHECK	TRUST ACCOUNT	AMOUNT
1533	PHILIP A. FACENDOLA	70.32
1534	C J'S PIZZA	96.00
1536	C J'S PIZZA	96.00
1537	C J'S PIZZA	96.00
1538	BECOR SPORTS	210.00
1539	FIRST STUDENT BUS COMPANY	495.00
1540	POSITIVE PROMOTIONS	252.17
TOTAL		1,315.49

CHECK	TRUST ACCOUNT	AMOUNT
1535	C J'S PIZZA	VOID
1518	POSITIVE PROMOTIONS	VOID

CHECK	GENERAL CAPITAL ACCOUNT	AMOUNT
74	AGE'S AUTO LLC.	13,340.00
75	BOSWELL ENGINEERING	2,420.00
76	MOTOROLA SOLUTIONS	15,211.00
76	MOTOROLA SOLUTIONS	24,662.88
76	MOTOROLA SOLUTIONS	1,314.25
77	NORTH JERSEY MEDIA GROUP	132.00
77	NORTH JERSEY MEDIA GROUP	15.68
78	NEW JERSEY DEPT. OF TRANSPORT.	155.84
79	BOSWELL ENGINEERING	368.00
80	DELUXE INTERNATIONAL TRUCKS IN	199,700.00
81	TWO BROTHERS CONTRACTING	180,285.70
82	L & C DESIGN CONSULTANTS	6,299.79
TOTAL		443,905.14

CHECK	GENERAL CAPITAL ACCOUNT	AMOUNT
31	NEW JERSEY DEPT. OF TRANSPORT.	VOID
CHECK	SEWER OPERATING ACCOUNT	AMOUNT
	BOROUGH OF MOONACHIE PAYROLL	
169	A	17,997.08
	BOROUGH OF MOONACHIE PAYROLL	
170	A	1,308.34
171	NATIONAL WATER MAIN CLEANING C	4,020.24
172	BOSWELL ENGINEERING	720.00
173	CARFI ELECTRIC LLC.	840.00
174	ENER-G RUDOX INC.	673.75
175	LOWE'S HOME CENTER INC.	93.02
176	PIERCE EAGLE EQUIPMENT CO.	3,298.00
176	PIERCE EAGLE EQUIPMENT CO.	2,841.39
177	PROGRESSIVE BRICK COMPANY	24.40
178	W.E. TIMMERMAN	2,073.64
179	VERIZON	38.66
180	VERIZON	43.66
181	PRESTIGE LABORATORIES	305.40
	BOROUGH OF MOONACHIE PAYROLL	
182	A	1,274.13
	BOROUGH OF MOONACHIE PAYROLL	
183	A	17,589.72
184	BERGEN MUNICIPAL EMPLOYEE BENE	14,863.00
185	CLEARWATER SERVICES	2,571.75
186	NATIONAL STORMWATER CENTER	824.00
187	RAPID PUMP & METER SERVICE	1,723.59
188	SUEZ WATER NEW JERSEY	132.69
189	W.E. TIMMERMAN	3,035.75
189	W.E. TIMMERMAN	692.63
190	VERIZON	38.66
191	PSE&G COMPANY	2,537.87
192	PUBLIC SERVICE E & G	2,705.86
193	BERGEN MUNICIPAL EMPLOYEE BENE	14,863.00
194	BOSWELL ENGINEERING	956.00
TOTAL		98,086.23
CHECK	SEWER CAPITAL ACCOUNT	AMOUNT
22	NORTH JERSEY MEDIA GROUP	153.45
23	BOSWELL ENGINEERING	2,905.86
TOTAL		3,059.31
CHECK	DOG ACCOUNT	AMOUNT
19	N.J. DEPT. OF HEALTH AND SENIO	54.60
TOTAL		54.60
CHECK	SUMMER REC ACCOUNT	AMOUNT
48	URBAN AIR SOUTH HACKENSACK	400.00
49	KEANSBURG AMUSEMENT PARK	455.05
TOTAL		855.05

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

ORDINANCE: None

BIDS: DPW Building Bids.

Attorney Migliorino- spoke about the bids for the DPW Building. He mentioned that the architect and engineer reviewed the bids along with him, there were some problems with the lowest bidder Reliable regarding mathematics and problem with the instructions in the bids for units amount, the second lowest bid is still being reviewed, and their

references are being looked into, the Borough is waiting to get a report from the architect for second and third lowest bidders. He mentioned that the issues with the lowest bidder are being reviewed to determine if there is a fatal flaw, hopefully the Borough will have answers and possibly award the bids at the next meeting.

Mayor Vaccaro- mentioned that he spoke to the architect earlier about the three lowest bidders and the Borough is looking for most responsible bidder.

Attorney Migliorino- spoke about responsive bids versus a responsible bidder.

PUBLIC HEARING:

Noelle Werdann, 5 Henry Street- spoke about next door neighbor at 7 Henry Street that has a built-in pool that is not being taken care of, and the gate around the pool is open. She mentioned that animals are attracted to the area and there are problems with mosquitos.

Mayor Vaccaro- mentioned that the Borough sent a letter to the owners about the growth in the front yard & to maintain it and the Property Maintenance & Board of Health will reach out to the owner again.

C/Surak -mentioned that he will contact the County Health Inspector.

Mrs. Werdann- spoke about another neighbor at 16 Henry Street that has 6 large dogs that bark all night, get out of the yard, and recently bit another neighbor. She mentioned about her concerned about her grandchildren that want to play in her front and back yards. She mentioned that the owners of the dogs also let the dogs loose on the school property. She wanted to know if the town has any ordinance regarding the number of dogs someone can own. She mentioned that she is also concerned about how many people may be living in the house, there are usually 10-12 cars parked there and the cars stick out of the driveway into the street. She spoke about calling the police about loud parties that have been there.

Mayor Vaccaro- mentioned that he will speak to the Construction Official and the Police Chief regarding the both issues.

C/Surak mentioned that he has called about the dogs being loose and there is a police report on file.

Mrs. Werdann- spoke about the Fedex trucks pulling out in the morning on Joseph Street without looking.

C/Surak mentioned about the low visibility out of that parking lot.

Mayor Vaccaro- mentioned that he will speak to the Police Chief.

Josephine Casola, 57 Diamond Way- spoke about next door neighbor, who has different people in the home all the time for the past year and the people are coming with suitcases. She mentioned that she went online and saw an ad for Airbnb for \$90/night. She wanted to know if it is legal for people to do this in town.

Mayor Vaccaro- mentioned that the Borough does not have an Ordinance that doesn't allow Airbnb and there are other people in town doing the same thing.

Attorney Migliorino -mentioned that two separate leaving units are not allowed in one family home.

Mayor Vaccaro- mentioned that some towns have restrictions and he will discuss with the Construction Official.

Mrs. Casola- mentioned that she is concerned about the different people coming into the home.

Sal DeAlessandro, 1 Frederick Street- spoke about property maintenance in town.

Mayor Vaccaro -mentioned about property maintenance procedures, warnings are given out for the property maintenance and after the 2nd warning the DPW goes on Saturday & cuts the grass at the yard.

Mr. DeAlessandro- asked about the meeting with Signature.

Mayor Vaccaro- spoke about the meeting with Signature that the Port Authority is looking for funding to do a study in the area and the Airport wants to know what towns want from the study regarding flooding. He explained that there are two pumps at the airport to take the water out from the area by East and West Riser ditches. He mentioned that Signature has all approvals from the DEP to move forward. He explained that they are not creating any more water, but the issue is with the maintenance of East and West Riser ditches & downstream. Spoke about neighboring town's engineers looking at the plans along with the DEP and EPA.

Mr. DeAlessandro- spoke about development in the Meadowlands and Airport over the years.

Mayor Vaccaro- explained about the importance of maintenance of downstream in Moonachie. He mentioned about the necessity of maintenance program being followed by all parties for projects including Rebuild By Design's project that are being done in the region to benefit all the towns. Also, he spoke about the removal of pump at the end of East Joseph Street because Mayor of Little Ferry did not want to pay and needs to address the regional flooding problem.

Mrs. Werdann -asked if the project on Route 3 has affected the flooding during Sandy. Mayor Vaccaro mentioned that Losen Slote is being cleaned. Spoke about flood being reduced since the installation of the new pump at the pump station on Lincoln Place, and other work such dredging and cleaning the ditches. He spoke about Rebuild By Design project, which will stop regular flooding but not another Sandy

Mr. DeAlessandro- asked about the traffic light at Moonachie Road and Moonachie Avenue.

Mayor Vaccaro- mentioned that a letter was received that the County will move forward with the project even the County does not receive a grant and he called the Mayor of Carlstadt to discuss the engineering fees, which will have paid by the towns, the quote for the engineering fees was around \$500,000. He mentioned that Washington Avenue is being paved this summer just before the gas station. He spoke about opening Garden Street during PSE&G's work on Empire that made a mess on Moonachie Road.

Mrs. Werdann- asked about having speed bumps on Henry Street to stop speeding cars. C/Surak -mentioned that no one wants the bumps in front of their homes and he spoke about Joseph Street stop sign at Edstan Dr. He mentioned that he spoke to the Police Chief and they discussed about getting the radar signs similar to the one in Little Ferry. He mentioned that two signs were ordered, one is going on Henry Street and the other one will be by the Park on Joseph Street.

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

ROLL CALL: Bauer, Cirillo, Martinez, Surak.

All ayes. So ordered.

C/Surak -mentioned that he discussed with the Borough Clerk regarding the proposal of the ProComm and only the labor was under State Contract but not the equipment. He mentioned that he had a question to a vendor (Auditor) and did not receive an answer after two weeks. He mentioned that the equipment could be purchase through GSA contract, and also he did not get equipment list from ProComm to see if it is under the bid threshold. Spoke about the backup server going out at Borough Hall which affects the internet and work. He mentioned that a new one was ordered yesterday by Administrator Ciannamea.

Mayor Vaccaro- asked C/Surak to reach out to the architect of Municipal building.

C/Surak -mentioned that he gave Council Citizenship award at the 8th Grade Graduation and read the letter of thanks from the recipient to the Mayor and Council.

CLOSED SESSION:

Motion by C/Bauer and second by C/Surak to approve the following Resolution#18- to go into closed session for personnel.

RESOLUTION #18-210

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

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

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

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

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

ROLL CALL: Bauer, Cirillo, Martinez, Surak.

All ayes. So ordered.

Motion by C/Bauer and second by C/Surak to close closed session at 9:18P.M.

ROLL CALL: Bauer, Cirillo, Martinez, Surak.

All ayes. So ordered.

Attorney Migliorino- mentioned that in closed there was discussion regarding disciplinary action for a DPW employee who had a hearing and the resolution directed by the arbitrator.

C/Cirillo -mentioned that one of the Borough employee's father passed away, and it came to his attention that that the Borough does not give anything for passing away of immediate family, he wanted to know if a policy could be done to start giving flowers.

Mayor Vaccaro- mentioned that there was a policy before but it was stopped.

The Mayor and Council discussed that that the policy will be for \$150 for flower or donation or fruit basket for passing away immediate family of employee as per the language in the personnel manual.

C/Surak- mentioned about Board of Health is on recess for the summer and he spoke to Alternate member who is interested to fill the seat of the member that resigned, there is another person that would like to become an Alternate member to the Board.

Attorney Migliorino- mentioned that there is a utility rate consultant that would like to do a presentation to the Mayor and Council.

Mayor Vaccaro- asked the committee to meet with the individual before having a presentation.

Administrator Ciannamea – suggested to have this company analyze after the Borough moves to the new building

Motion by C/Surak and second by C/Bauer to adjourn the meeting at 9:25 P.M.

ROLL CALL: Bauer, Cirillo, Martinez, Surak.

All ayes. So ordered.

ATTEST:

Supriya Sanyal
Borough Clerk