

Regular Meeting called to order, Mayor Dennis Vaccaro in the chair, at Kathryn E. Flynn Civic Center on Wednesday December 30<sup>th</sup>, 2015 at 8:10P.M.

Mayor called for Pledge of Allegiance to the Flag.

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

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

Motion by C/Bauer and second by C/Cirillo to approve the Minutes of Regular Meeting of November 24, 2015.

ROLL CALL: Bauer, Cirillo, Kinsella, Millar - ayes  
Surak- abstain

Four ayes, one abstain. Motion carried.

COMMUNICATIONS:

Lisa Calderon, 46 Diamond Way- notice of a public hearing on a variance application submitted to Planning Board of Borough of Moonachie for fencing.

New Jersey Department of Environmental Protection- notice of suspected Hazardous Substance discharge at 42 Frederick Street, in the Borough of Moonachie.

Bergen County Utilities Authority- notice of a public hearing regarding Authority's proposed 2016 Wastewater Service Charges and 2016 Solid Waste Service Charges.

Bergen County Board of Chosen Freeholders- notice of adoption of an Ordinance appropriating \$858,143 available in the Capital Fund to provide for Tennis Court Improvements pursuant to a Shared Service Agreement with the Pascack Valley Regional High School District.

Bergen County Board of Chosen Freeholders- notice of adoption of a Bond Ordinance providing for tunnel and structural improvements at the Bergen Regional Medical Center appropriating \$1,800,000 and authorizing the issuance of \$1,714,000 bonds or notes.

Bergen County Board of Chosen Freeholders- notice of adoption of an Ordinance appropriating a grant in the amount of \$300,000 expected to be received from the Transportation Trust Fund for the 2014 Countywide Resurfacing program and supplementing Ordinance No. 14-02.

Bergen County Board of Chosen Freeholders-notice of adoption of a Bond Ordinance providing for the County aid 2015 County Road Program, appropriating \$7,604,500 and authorizing the issuance of \$7,604,500 bonds or notes.

Bergen County Board of Chosen Freeholders- recognizing December 9<sup>th</sup>, 2015 as “ National Pearl Harbor Recognition Day”.

South Bergen Joint Insurance Fund- 2016 budgets for the South Bergen Municipal Joint Insurance Fund, the Municipal Excess Liability Joint Insurance Fund(MEL), the New Jersey Municipal Environmental Risk Management Fund(EJIF) and the Residual Claims Fund's(RCF) amended 2015 Budget and adopted 2016 Budget.

Bergen County Utilities Authority- 2016 Authority's Budget.

New Jersey Department of Environmental Protection-public notice of Discharge Approval and Monitoring Requirements Associated with Permit-By-Rule Discharge Authorization for Former Safer Textiles Processing Facility.

SUEZ Water New Jersey-notice of Public hearing and notice of filing of petition for approval of an increase in rates for Water Service and other Tariff Changes.

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

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

FORMAL ACTION TAKEN AT THE EXECUTIVE MEETING ON DECEMBER 10, 2015:

Motion by C/Bauer and second by C/Millar to approve Resolution#15-233:

RESOLUTION #15-233

WHEREAS, Nine (9) bids were received on November 24, 2015, 1:00 P.M. for Moonachie Municipal Building; and

WHEREAS, opening of bids took place November 24, 2015 at 1:00 P.M., at which time the bids were received from the following:

	Base Bid	Add Alt. 1	Deduct Alt. 1
Tri-Form Const. Inc.	\$8,417,480	\$71,300	\$150,000
Benard Associates, Inc.	\$8,848,000	\$109,000	\$0
UniMak, LLC	\$8,919,000	\$95,000	\$7,500
ML Inc.	\$9,231,000	\$67,000	\$5,000
H & S Const. & Mech.Inc.	\$9,264,000	\$68,124	\$35,202
D & K Const. Co., Inc.	\$9,580,000	\$80,000	\$25,000
Fuscon Enterprises, Inc.	\$9,636,000	\$98,000	\$20,000
Brahma Const. Corp.	\$9,690,652	\$144,000	\$15,000
Boockwell & Carrington Contractors, Inc.	\$9,992,162	\$125,000	\$20,000

WHEREAS, the Base bid and the alternate bid exceed the maximum estimated budget; and

NOW THEREFORE, BE IT RESOLVED, that the Governing Body of the Borough of Moonachie hereby authorizes the rejection of all bids submitted for Moonachie Municipal Building due to budgetary reason; and

BE IT FURTHER RESOLVED, that the Borough Clerk is hereby authorized to return all bid bonds to each of the respective bidders.

BE IT FURTHER RESOLVED, that the Borough clerk is hereby authorized to advertise bid for Moonachie Municipal Building.

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

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

RESOLUTION NO. 15-234

A RESOLUTION REQUESTING PERMISSION FOR THE DEDICATION BY RIDER FOR SUMMER RECREATION PROGRAM FEES TRUST FUND REQUIRED BY PL 1999, CHAPTER 292 AND N.J.S.A. 40:48-2.56

WHEREAS, permission is required of the Director of the Division of Local Government Services for approval as a dedication by rider of certain revenues received by a municipality when the revenue is not subject to reasonable accurate estimates in advance; and

WHEREAS, PL 1999, Chapter 292 and N.J.S.A. 40:48-2.56 provides for receipt of the Summer Recreation Program Fees by the municipality to provide for the operating costs to administer this act; and,

WHEREAS, N.J.S.A. 40A:4-39 provides the dedicated revenues anticipated from the Summer Recreation Program Fees are hereby anticipated as revenue and are hereby appropriated for the purpose to which said revenue is dedicated by statute or other legal requirement:

NOW, THEREFORE, BE IT RESOLVED, by the Governing Body of the Borough of Moonachie, County of Bergen, New Jersey as follows:

1. The Governing Body does hereby request permission of the Director of the Division of Local Government Services to pay expenditures of the Summer Recreation Program Fees, PL 1999, Chapter 292 and N.J.S.A 40:48-2.56 as per N.J.S.A. 40A:4-39; and
2. The Borough Clerk of the Borough of Moonachie is hereby directed to forward two certified copies of this resolution to the Director of the Division of Local Government Services.

RESOLUTION NO. 15-235

A RESOLUTION REQUESTING PERMISSION FOR THE DEDICATION BY RIDER FOR SOCCER RECREATION PROGRAM FEES TRUST FUND REQUIRED BY PL 1999, CHAPTER 292 AND N.J.S.A. 40:48-2.56

WHEREAS, permission is required of the Director of the Division of Local Government Services for approval as a dedication by rider of certain revenues received by a municipality when the revenue is not subject to reasonable accurate estimates in advance; and

WHEREAS, PL 1999, Chapter 292 and N.J.S.A. 40:48-2.56 provides for receipt of the Soccer Recreation Program Fees by the municipality to provide for the operating costs to administer this act; and,

WHEREAS, N.J.S.A. 40A:4-39 provides the dedicated revenues anticipated from the Soccer Recreation Program Fees are hereby anticipated as revenue and are hereby appropriated for the purpose to which said revenue is dedicated by statute or other legal requirement:

NOW, THEREFORE, BE IT RESOLVED, by the Governing Body of the Borough of Moonachie, County of Bergen, New Jersey as follows:

1. The Governing Body does hereby request permission of the Director of the Division of Local Government Services to pay expenditures of the Soccer Recreation Program Fees, PL 1999, Chapter 292 and N.J.S.A 40:48-2.56 as per N.J.S.A. 40A:4-39; and
2. The Borough Clerk of the Borough of Moonachie is hereby directed to forward two certified copies of this resolution to the Director of the Division of Local Government Services.

RESOLUTION NO. 15-236

A RESOLUTION REQUESTING PERMISSION FOR THE DEDICATION BY RIDER FOR BASKETBALL RECREATION PROGRAM FEES TRUST FUND REQUIRED BY PL 1999, CHAPTER 292 AND N.J.S.A. 40:48-2.56

WHEREAS, permission is required of the Director of the Division of Local Government Services for approval as a dedication by rider of certain revenues received by a municipality when the revenue is not subject to reasonable accurate estimates in advance; and

WHEREAS, PL 1999, Chapter 292 and N.J.S.A. 40:48-2.56 provides for receipt of the Basketball Recreation Program Fees by the municipality to provide for the operating costs to administer this act; and,

WHEREAS, N.J.S.A. 40A:4-39 provides the dedicated revenues anticipated from the Basketball Recreation Program Fees are hereby anticipated as revenue and are hereby appropriated for the purpose to which said revenue is dedicated by statute or other legal requirement:

NOW, THEREFORE, BE IT RESOLVED, by the Governing Body of the Borough of Moonachie, County of Bergen, New Jersey as follows:

1. The Governing Body does hereby request permission of the Director of the Division of Local Government Services to pay expenditures of the Basketball Recreation Program Fees, PL 1999, Chapter 292 and N.J.S.A 40:48-2.56 as per N.J.S.A. 40A:4-39; and
2. The Borough Clerk of the Borough of Moonachie is hereby directed to forward two certified copies of this resolution to the Director of the Division of Local Government Services.

RESOLUTION #15-237

WHEREAS, First Presbyterian Church of Carlstadt, 457 Division Avenue, Carlstadt, NJ 07072, has submitted an application for an On Premise Tricky Tray Raffle License to be held on January 17, 2016, at the Graycliff Restaurant;

NOW THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Moonachie, that the application of First Presbyterian Church of Carlstadt, for Raffle License RL 353, be and is hereby approved.

RESOLUTION #15-238

WHEREAS, First Presbyterian Church of Carlstadt, 457 Division Avenue, Carlstadt, NJ 07072, has submitted an application for an On Premise 50/50 Raffle License to be held on January 17, 2015 at the Graycliff Restaurant;

NOW THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Moonachie, that the application of First Presbyterian Church of Carlstadt, for Raffle License RL 354, be and is hereby approved.

RESOLUTION #15-239

BE IT RESOLVED, by the Mayor and Council that the Mayor and Administrator be and is hereby authorized to sign the CDBG Essential Service Grant agreement.

RESOLUTION #15-240

WHEREAS, employees with twenty five years of service to the Borough are entitled to be compensated for unused vacation days and employees with five years of service to the Borough are entitled to be compensated for five unused vacation days; and

NOW THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Moonachie that the payment for unused 2015 vacation days to the following employees be confirmed:

Anthony Ciannamea	5 days
MaryEllen Lyons	5 days
Supriya Sanyal	5 days

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

Motion by C/Kinsella and second by C/Cirillo to approve Resolution#15-241:

RESOLUTION #15-241

WHEREAS, the Borough of Moonachie and the Borough of Teterboro have previously entered into a Shared Service Agreement to provide law enforcement services to the Borough of Teterboro; and

WHEREAS, the Borough of Moonachie and the Borough of Teterboro seek to provide the same level of law enforcement service that has been in effect for their respective Municipalities; and

WHEREAS, N.J.S. A. 40A:65 -1et seq. authorizes local units of government to enter into contract with other local units of government for the provision of services; and

WHEREAS, it is in the best interest of the Borough of Moonachie, and the Borough of Teterboro to enter into an Shared Service Agreement to provide law enforcement services to the Borough of Teterboro(the area of Borough of Teterboro which is located to the north from the center line of US Highway Route 46); and

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

1. That it does hereby authorize and approve a two (2) years Shared Service Agreement between the Borough of Moonachie and the Borough of Teterboro, for law enforcement services, which shall commence January 1, 2016 to December 31, 2017. The Term of this agreement may be extended at the option of Borough of Moonachie for an additional one (1) year 2018.
  - a. Upon consultation with Borough of Teterboro, the Borough of Moonachie may purchase shared police equipment not to exceed \$40,000 during the tem of this Contract which shall be reimbursed by Borough of Teterboro.
  - b. Upon prior consultation with Borough of Teterboro, Borough of Moonachie may purchase an additional police vehicle, the cost of which shall be reimbursed by Borough of Teterboro.
2. In consideration of the law enforcement services rendered, the Borough of Teterboro shall pay to the Borough of Moonachie as follows:
  - a. For the year 2016- \$105,062.50, payable in twelve (12) equal monthly installments due by the 10<sup>th</sup> day of the current month for such year of law enforcement services provided pursuant to this agreement.
  - b. For the year 2017 -\$107,689.06, payable in twelve (12) equal monthly installments due by the 10<sup>th</sup> day of the current month for such year of law enforcement services provided pursuant to this agreement.
  - c. For the option year(2018) –with a 2% increase over the price for 2017 and police equipment not to exceed \$10,000,for such year of law enforcement services provided pursuant to this agreement.
2. The Mayor and the Borough Clerk are hereby authorized and directed to execute the Shared Service Agreement following legal review.
3. The said agreement is on file in the office of the Borough Clerk and shall be available for inspection during the regular business hours thereof.

ROLL CALL: Bauer, Cirillo, Kinsella, Millar.

All ayes. So ordered.

Motion by C/Bauer and second by C/Martinez to approve Resolution#15-242

#### RESOLUTION #15-242

BE IT RESOLVED, by the Mayor and Council that the interest for fourth quarter property taxes for property owners affected by billing error be and is hereby waived if paid in full by December 28, 2015.

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

All ayes. So ordered.

Motion by C/Bauer and second by C/Martinez to approve Resolution#15-243:

RESOLUTION #15-243

BE IT RESOLVED, by the Mayor and Council that the Administrator be and is hereby authorized to pay \$1,000 to Civil Service Commission for the administrative costs to ensure compliance with the classification procedures in the matter of Fire Prevention Specialist.

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

All ayes. So ordered.

REGULAR MEETING OF DECEMBER 30, 2015:

NEW BUSINESS:

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

RESOLUTION #15-244

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 Deleasa, John J & Pasquale, JA:

Year	Block	Lot	Amount
2013	69	7	\$452,72
2014	69	7	\$466.23
2015	69	7	<u>\$491.86</u>
TOTAL			\$1,410.81

BE IT FURTHER RESOLVED, that the tax overpayment in the amount of \$1,410.81 shall be made payable to “Spiotti & Esposito P.C. and mailed to Spiotti & Esposito, 271 US Highway 46 STE F105-106, Fairfield, NJ 07004.

RESOLUTION #15-245

BE IT RESOLVED, by the Mayor and Council of the Borough of Moonachie that the payment in the amount of \$30,000.00 to L+C Design Consultant, PA for professional services(Construction Documents and Bid review) for new Municipal Building be and is hereby approved.

RESOLUTION #15-246

WHEREAS, Lyndhurst Booster Club, 400 Weart Ave., Lyndhurst, NJ 07071, has submitted an application for an On Premise 50/50 Raffle License to be held on January 25, 2016, at the Graycliff Restaurant; and

NOW THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Moonachie, that the application of Lyndhurst Booster Club, for Raffle License RL 355, be and is hereby approved.

RESOLUTION #15-247

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 Carmela Grano:

<u>Year</u>	<u>Block</u>	<u>Lot</u>	<u>Amount</u>
2013	6	10	\$637.30
2014	6	10	\$656.33

2015	6	10	<u>\$692.41</u>
		TOTAL	\$1,986.04

BE IT FURTHER RESOLVED, that the tax overpayment in the amount of \$1,986.04 shall be made payable to “Spiotti & Esposito P.C. and mailed to Spiotti & Esposito, 271 US Highway 46 STE F105-106, Fairfield, NJ 07004.

RESOLUTION #15-248

BE IT RESOLVED by the Mayor and Council of the Borough of Moonachie that the Resolution#15-169, which approved the proposed settlement for 2012, 2013, 2014 and 2015 tax appeals of Edward W. & Mildred Evans, Block 2, Lot 1 be and is hereby rescinded to revise the language in the Stipulation of Settlement.

RESOLUTION #15-249

BE IT RESOLVED by the Mayor and Council of the Borough of Moonachie that Resolution#15-170, which approved proposed settlement for 2011, 2012, 2013, 2014 and 2015 tax appeals of Gerardi & Associates, LLC, Block 65, Lot 2.02 be and is hereby rescinded to revise the language in the Stipulation of Settlement.

RESOLUTION NO.:15-250

**WHEREAS**, the Mayor and Council of the Borough of Moonachie have been advised of the proposed settlement of a Tax Appeal filed on behalf of Edward W. & Mildred Evans, under Docket Nos.: 006626-2012; 017564-2013; 007979-2015 for the years 2012, 2013 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.

**Tax Court of New Jersey**

EVANS, EDWARD W. & MILDRED		006626-2012, 017564-2013
Plaintiff,	Docket No.	007979-2015
v.		<b>Civil Action</b>
Moonachie Boro		<b>Stipulation Settlement</b>
Defendant.		(Local Property Tax)

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

Block	Lot	Unit Qualifier
2	1	

Street Address	Year
152 REDNECK AVE	2012

	Original Assessment	County Tax Board Assessment	Request Tax Court Judgment
Land	\$639,000	N/A	\$639,000
Improvements	\$966,800	N/A	\$966,800
Total	\$1,605,800	N/A	\$1,605,800

The parties agree that there was been no change in value or municipal wide revaluation or reassessment adopted for the tax years 2014 and therefore agree that the provisions of N.J.S.A. 54:51 A-8 (Freeze Act) shall be applicable to the assessment on the property referred to herein for said Freeze Act year(s). No Freeze Act year(s) shall be the basis for the application of the Freeze Act for any subsequent years.

The provisions of N.J.S.A. 54:51 A-8 (Freeze Act) shall not apply.

2. The undersigned have made such examination of the value and 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.
3. 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.
4. Statutory interest, pursuant to N.J.S.A. 54:3-27.2, having been waived by the tax payer, shall not be paid provided the tax refund is paid in accordance with paragraph 5 hereof.
5. Pre-Judgement interest is waived on the condition that this Stipulation of Settlement 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 Spiotti & Esposito P.C. and received by the Law Firm within 90 days from date of entry of judgment. The interest waiver in this paragraph and paragraph 4 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.
6. The provisions of Paragraphs 4 and 5 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.

ROBERT E. SPIOTTI, ESQ.  
HELENE C. HERBERT, ESQ.

**Stipulation of Settlement- Additional Properties Schedule**

**Docket No: 017564-2013**

Block	Lot	Unit Qualifier
2	1	
Street Address	Year	
152 REDNECK AVE	2013	

	Original Assessment	County Tax Board Assessment	Request Tax Court Judgment
Land	\$639,000	\$639,000	\$639,000
Improvements	\$966,800	\$966,800	\$811,000
Total	\$1,605,800	\$1,605,800	\$1,450,000

Block 2 Lot 1 Unit Qualifier

Street Address 152 REDNECK AVE Year 2015

	Original Assessment	County Tax Board Assessment	Request Tax Court Judgment
Land	\$639,000	N/A	\$639,000
Improvements	\$966,800	N/A	\$661,000
Total	\$1,605,800	N/A	\$1,300,000

**RESOLUTION NO.:15-251**

**WHEREAS**, the Mayor and Council of the Borough of Moonachie have been advised of the proposed settlement of a Tax Appeal filed on behalf of Gerardi & Associates, LLC, under Docket Nos.: 011005-2011; 000245-2012; 004443-2013; 007983-2015 for the years 2011, 2012, 2013 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.

GERARDI & ASSOCIATES, LLC Plaintiff, v. Moonachie Boro Defendant.	Docket No.	<b>Tax Court of New Jersey</b> 011005-2011, 000245-2012 004443-2013, 007983-2015 <b>Civil Action</b> <b>Stipulation Settlement</b> (Local Property Tax)
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1. It is hereby stipulated and agreed that the assessment of the following property(ies) be adjusted and a judgment be entered as follows:

Block 65 Lot 2.02 Unit Qualifier

Street Address 200 ANDERSON AVE HM Year 2011

	Original Assessment	County Tax Board Judgment	Request Tax Court Judgment
Land	\$655,300	N/A	WD
Improvements	\$1,722,100	N/A	WD
Total	\$2,377,400	N/A	WD

X

The parties agree that there was been no change in value or municipal wide revaluation or reassessment adopted for the tax years 2014 and therefore agree that the provisions of N.J.S.A. 54:51 A-8 (Freeze Act shall be applicable to the assessment on the property referred to herein for said Freeze Act year(s). No Freeze Act year(s) shall be the basis for the application of the Freeze Act for any subsequent years.

The provisions of N.J.S.A. 54:51 A-8 (Freeze Act) shall not apply.

- 2. The undersigned have made such examination of the value and 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.
- 3. 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.
- 4. Statutory interest, pursuant to N.J.S.A. 54:3-27.2, having been waived by the tax payer, shall not be paid provided the tax refund is paid in accordance with paragraph 5 hereof.
- 5. Pre-Judgement interest is waived on the condition that this Stipulation of Settlement is approved by the Moonachie Mayor and Council and forwarded to the Tax Court of New Jersey within 75 days hereof and provided the refund is received 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 Spiotti & Esposito P.C. and received by the Law Firm within 90 days from date of entry of judgment. The interest waiver in this paragraph and paragraph 4 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.
- 6. The provision of Paragraphs 4 and 5 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 provision.

ROBERT E. SPIOTTI, ESQ.  
HELENE C. HERBERT, ESQ.

Stipulation of Settlement- Additional Properties Schedule     Docket No: 000245-2012

Block	Lot	Unit Qualifier
65	2.02	
Street Address	Year	
200 ANDERSON AVE HM	2012	
	Original Assessment	County Tax Board Assessment
Land	\$655,300	N/A
Improvements	\$1,722,100	N/A
Total	\$2,377,400	N/A
		Request Tax Court Judgment
		\$655,300
		\$1,594,700
		\$2,250,000

**Docket No: 004443-2013**

Block	Lot	Unit Qualifier
65	2.02	
Street Address	Year	
200 ANDERSON AVE HM	2013	

	Original Assessment	County Tax Board Assessment	Request Tax Court Judgment
Land	\$655,300	N/A	\$655,300
Improvements	\$1,722,100	N/A	\$1,519,700
Total	\$2,377,400	N/A	\$2,175,000

**Docket No: 007983-2015**  
Unit Qualifier

Block 65                      Lot 2.02

Street Address                      Year  
200 ANDERSON AVE HM                      2015

	Original Assessment	County Tax Board Assessment	Request Tax Court Judgment
Land	\$655,300	N/A	\$655,300
Improvements	\$1,722,100	N/A	\$1,294,700
Total	\$2,377,400	N/A	\$1,950,000

**RESOLUTION #15-252**

BE IT RESOLVED by the Mayor and Council of the Borough of Moonachie that Bhailal Patel be and is hereby appointed as a part-time bus driver at the hourly rate of \$15.00.

**RESOLUTION #15-253**

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 Anro Partners LTD.:

<u>Year</u>	<u>Block</u>	<u>Lot</u>	<u>Amount</u>
2007	72	1	\$4,169.36
2008	72	1	\$4,501.26
2007	72	2	\$ 7,53.92
2008	72	2	\$ 813.94
		TOTAL	\$10,238.48

BE IT FURTHER RESOLVED, that the tax overpayment in the amount of \$10,238.48 shall be made payable to “Anro Partners Ltd., Plaintiff and Daniel G. Keough, Trustee” as attorney for “Anro Partners Ltd, Plaintiff”. and mailed to Daniel G. Keough, Esq. 783 Springfield Avenue, Summit, NJ 07901.

**RESOLUTION #15-254**

WHEREAS, PTO Radcliffe School, 379 Bloomfield Ave., Nutley, NJ 07110, has submitted an application for an On Premise Tricky Tray Raffle License to be held on March 31, 2016, at 122 Moonachie Avenue, Moonachie;

NOW THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Moonachie, that the application of PTO Radcliffe School, for Raffle License RL 356, be and is hereby approved.

**RESOLUTION #15-255**

WHEREAS, PTO Radcliffe School, 379 Bloomfield Ave., Nutley, NJ 07110, has submitted an application for an On Premise 50/50 Raffle License to be held on March 31, 2016, at 122 Moonachie Avenue, Moonachie;

NOW THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Moonachie, that the application of PTO Radcliffe School, for Raffle License RL 357, be and is hereby approved.

RESOLUTION #15-256

WHEREAS, PTO Radcliffe School, 379 Bloomfield Ave., Nutley, NJ 07110, has submitted an application for an Off Premise 50/50 Raffle License to be held on March 31, 2016, at 122 Moonachie Avenue, Moonachie;

NOW THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Moonachie, that the application of PTO Radcliffe School, for Raffle License RL 358, be and is hereby approved.

RESOLUTION #15-257

BE IT RESOLVED that a 2016 license be and is hereby granted to Vanguard Associates, to operate a mobile home park at the premises situated at 113 Moonachie Avenue, Moonachie; said premises also known as Block 62, Lot 2 as shown on the Assessment Map; and

BE IT FURTHER RESOLVED that said premises shall consist of said area as heretofore designated on the Zoning Map as a Mobile Home park.

RESOLUTION #15-258

WHEREAS, the Borough Clerk has received an application for a truck transfer terminal license from UPS Ground Freight, 280 Moonachie Avenue, Block 57, Lot 8, and the fee in the amount of \$500.00 for the year 2016;

NOW THEREFORE, BE IT RESOLVED that the Borough Clerk be and is hereby authorized to issue said license.

RESOLUTION #15-259

BE IT RESOLVED that a 2016 license be and is hereby granted to Metropolitan Associates, LTD to operate a mobile home park at the premises situated at 103 Moonachie Avenue, Moonachie; said premises also known as Block 65, Lot 1 as shown on the Assessment Map; and

BE IT FURTHER RESOLVED that said premises shall consist of said area as heretofore designated on the Zoning Map as a Mobile Home Park.

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

OUT OF CONSENT RESOLUTION:

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

RESOLUTION #15-260

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 Leonardo & Maria Cirillo:

<u>Year</u>	<u>Block</u>	<u>Lot</u>	<u>Amount</u>
2013	43	13	\$559.58
2014	43	13	\$576.29
2015	43	13	<u>\$607.97</u>

TOTAL

\$1,743.84

BE IT FURTHER RESOLVED, that the tax overpayment in the amount of \$1,743.84 shall be made payable to “Spiotti & Esposito P.C. and mailed to Spiotti & Esposito, 271 US Highway 46 STE F105-106, Fairfield, NJ 07004.

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

BILLS:

DECEMBER 2015 CHECK LIST

CHECK	CURRENT ACCOUNT	AMOUNT
058252	VALLEY NATIONAL BANK	1,355,000.00
058427	BOROUGH OF MOONACHIE PAYROLL ACCOUNT	220,044.05
058428	ACTION DATA SERVICES	41.37
058429	BOROUGH OF MOONACHIE PAYROLL ACCOUNT	7,520.48
058430	MOONACHIE SENIOR CITIZENS	1,800.00
058431	MOONACHIE FIRST AID & RESCUE	17,000.00
058433	ACTION DATA SERVICES	276.65
058434	AGE'S AUTO LLC.	2,100.25
058435	BOARD OF EDUCATION	600,061.16
058436	BERGEN COUNTY UTILITIES AUTHORITY	4,139.92
058437	BOROUGH OF MOONACHIE TRUST ESCROW	845.23
058438	COMMERCIAL TIRE SERVICE & SALES	192.00
058439	IRON HORSE ADVERTISING	1,250.00
058440	LOWE'S HOME CENTER INC.	132.70
058441	MILLENIUM STRATEGIES	1,500.00
058442	HOMETOWN AUTO PARTS	526.47
058443	HARVEST/RELIABLE WOOD PRODUCTS,LLC.	915.30
058444	PAPER CLIPS	297.52
058445	POSITIVE PROMOTIONS	118.95
058446	PRAXAIR DISTRIBUTION	51.83
058447	STANDARD INSURANCE	1,245.56
058448	STAPLES CREDIT PLAN	18.97
058449	STORR TRACTOR COMPANY	80.22
058450	UNITED WATER COMPANY	402.89
058451	VERIZON WIRELESS	200.05
058452	JJ&K DISTRIBUTORS	330.00
058453	PANORAMA TOURS INC.	710.00
058454	GAIL FITZGERALD	10,000.00
058455	CHIZZY'S TRUCK AND AUTO REPAIRS	604.78
058456	NEW JERSEY SPORTS & EXPOSITION AUTHORITY	1,416.61
058457	PHILIP A. FACENDOLA	205.88
058458	TREASURER STATE OF N.J.	2,028.00
058459	BOSWELL ENGINEERING	257.00
058460	LAWMEN SUPPLY OF N.J. INC.	198.50
058461	UNITED WATER COMPANY	42.41
058462	VERIZON	34.61
058463	ACTION DATA SERVICES	366.69
058464	MARLIN LEASING	50.00
058465	DELAGÉ LANDEN FINANCIAL SERVICES	213.20
058466	VILLON, SOL M	150.00
058467	A-1 COPIER AND COMPUTER SERVICES, LLC.	262.45
058468	RONALD A. DARIO	240.00
058469	PITNEY BOWES-RESERVE ACCT.	800.00
058470	HUDSON HEATING WHOLESALE	226.58
058471	LOWE'S HOME CENTER INC.	73.98

058472	WORK N GEAR	575.00
058473	VERIZON	263.22
058474	VERIZON	37.02
058476	TURN OUT UNIFORMS	78.12
058477	TURN OUT UNIFORMS	205.10
058478	TASER INTERNATIONAL	9,782.83
058479	PALISADES SALES CORPORATION	465.00
058480	PALISADES SALES CORPORATION	207.00
058481	CHRISTMAS SPECTACULAR	2,560.00
058482	DART COMPUTER SERVICES INC.	195.00
058483	HOMETOWN AUTO PARTS	484.46
058484	NORTH JERSEY MEDIA GROUP	32.13
058485	PHILIP A. FACENDOLA	160.11
058486	PAPER CLIPS	1,132.99
058487	VIP CAR WASH	12.00
058488	DART COMPUTER SERVICES INC.	2,080.00
058489	JJ&K DISTRIBUTORS	165.60
058490	TREVOR PATTERSON	150.00
058491	VERIZON WIRELESS	1,133.17
058493	ANTHONY CIANNAMEA	114.99
058494	DECOTIIS, FITZPATRICK, COLE & WISLER,LLP	732.46
058495	HARRIS UNIFORMS	809.00
058497	BTBL	1,760.54
058499	DECOTIIS, FITZPATRICK, COLE & WISLER,LLP	652.50
058500	STATE OF NEW JERSEY	50.00
058501	DOMESTIC UNIFORM RENTAL	72.70
058502	EAGLE POINT GUN/T J MORRIS & SON	3,205.45
058503	EARTHLINK BUSINESS	475.13
058504	EVANS CATERING SERVICE	34.00
058505	GAETA RECYCLING	6,220.33
058506	GRAINGER	130.80
058507	KEEHN POWER PRODUCTS INC.	739.10
058508	LAWSON PRODUCTS	331.44
058509	MILLENIUM STRATEGIES	1,500.00
058510	MOONACHIE SENIOR CITIZENS	31.97
058511	HOMETOWN AUTO PARTS	789.91
058512	RACHLES/MICHELE'S OIL CO.	4,605.60
058513	TIME WARNER CABLE	153.69
058514	UNITED WATER COMPANY	5,425.65
058515	V.E. RALPH & SON INC.	41.10
058516	LOWE'S HOME CENTER INC.	20.01
058517	BOROUGH OF MOONACHIE TRUST ESCROW	876.79
058518	LO GATTO BOOKBINDING	95.00
058519	PAPER CLIPS	862.19
058520	VERIZON	178.50
058521	BOROUGH OF MOONACHIE PAYROLL ACCOUNT	5,542.87
058522	BOROUGH OF MOONACHIE PAYROLL ACCOUNT	150,759.38
058523	DEBRA BENIGNO	255.84
058524	FAIRFIELD MAINTENANCE	649.79
058525	FUTURE SANITATION INC.	3,712.91
058526	GAETA RECYCLING	12,440.66
058527	IRON MOUNTAIN	737.91
058528	LERCH, VINCI & HIGGINS	3,692.50
058529	HOMETOWN AUTO PARTS	64.08
058530	HARVEST/RELIABLE WOOD PRODUCTS,LLC.	728.85
058531	RACHLES/MICHELE'S OIL CO.	525.53
058532	RETRON	734.01
058533	STAPLES CREDIT PLAN	40.00
058534	TILCON NEW YORK INC.	165.73
058535	VANDINE	1,145.00

058536	VERIZON WIRELESS	200.05
058537	TIME WARNER CABLE	224.85
058538	RIEDEL SIGN COMPANY IN.	375.00
058539	TONY CIRILLO	68.17
058540	AGE'S AUTO LLC.	3,441.00
058541	BIOCHEM SUPPLY	482.55
058542	DOHRMAN PRINTING COMPANY INC.	541.00
058543	JOHNNY ON THE SPOT	70.85
058544	MILLENIUM STRATEGIES	1,950.00
058545	TRI TEC OFFICE EQUIPMENT INC.	235.00
058547	NORTHEAST SERVICES	7,900.00
058548	RETRON	159.98
058549	NORTH JERSEY MEDIA GROUP	1,061.22
058550	GRAINGER	551.50
058551	HERBERT & WEISS ATT. AT LAW	2,094.56
058552	ACTION DATA SERVICES	331.61
058553	US GAMES	788.49
058554	MGL PRINTING SOLUTIONS	395.00
058556	MGL PRINTING SOLUTIONS	98.60
058557	LOWE'S HOME CENTER INC.	861.42
058558	MGL PRINTING SOLUTIONS	145.00
058559	MGL PRINTING SOLUTIONS	71.00
058560	MGL PRINTING SOLUTIONS	390.00
058562	MGL PRINTING SOLUTIONS	282.00
058563	REYNWOOD COMMUNICATIONS	3,752.00
058564	ACTION DATA SERVICES	41.37
058565	HACKENSACK AUTO SPRING	1,496.00
058566	KUBLER ELECTRIC	450.00
058567	PABCO INDUSTRIES	819.00
058568	UNITED WATER COMPANY	333.73
058569	V.E. RALPH & SON INC.	1,518.00
058570	EZ PASS	9.75
058571	VERIZON	6.55
058572	ACTION DATA SERVICES	364.01
058573	DRAEGER SAFETY DIAGNOSTICS INC.	152.50
058574	EVANS CATERING SERVICE	54.22
058575	LOWE'S HOME CENTER INC.	139.43
058577	VERIZON WIRELESS	1,144.58
058580	VERIZON	40.71
058581	VERIZON	79.20
058582	VERIZON	78.97
058586	TREASURER STATE OF NEW JERSEY	100.00
058587	LERCH, VINCI & HIGGINS	740.00
058588	LOWE'S HOME CENTER INC.	23.29
058589	MODSPACE	5,720.00
058591	VERIZON	37.02
058592	VERIZON	263.22
058593	PUBLIC SERVICE E & G	6,958.97
058594	AGE'S AUTO LLC.	2,936.28
058595	PHILIP A. FACENDOLA	120.76
058600	SHERWIN WILLIAMS	193.13
058601	SUPRIYA SANYAL PETTY CASH FUND	31.41
058602	BOSWELL ENGINEERING	257.00
058603	TREASURER STATE OF N.J.	7,507.00
058604	REYNWOOD COMMUNICATIONS	574.81
058605	UNITED WATER COMPANY	57.29
058606	VERIZON	178.67
058607	VILLON, SOL M	150.00
058609	PAPER CLIPS	91.29
058611	COMMERCIAL TIRE SERVICE & SALES	2,189.78

058612	GALL'S INC.	176.83
058613	ON SCENE TAGS	117.00
058614	PALISADES SALES CORPORATION	145.00
058617	CHIZZY'S TRUCK AND AUTO REPAIRS	1,094.29
058618	DOMESTIC LINEN	72.70
058619	HOMETOWN AUTO PARTS	17.34
058620	RAPID PUMP & METER SERVICE	4,375.33
058621	TRUCK PARTS SPECIALIST/TRUCKPRO	238.00
058622	W.E. TIMMERMAN	3,934.61
058623	AGE'S AUTO LLC.	697.00
058624	FAIL SAFE TESTING LLC	2,466.10
058625	FEDEX TECH CONNECT REVENUE SERVICES	32.47
058626	HARRIS UNIFORMS	977.80
058627	PUBLIC SERVICE E & G	8,919.43
058628	VERIZON	6.55
058636	ANRO PARTNERS LTD. PLAINTIFF AND	10,238.48
058637	DECOTIIS, FITZPATRICK, COLE & WISLER,LLP	177.50
058638	WERNER SUAREZ & MORAN LLC.	900.00
058639	LASSER HOCHMAN, LLC.TRUST ACCT.	9,915.61
058640	NATURE'S CHOICE CORPORATION	2,220.45
058641	GAIL FITZGERALD	2,500.00
058646	BERGEN MUNICIPAL EMPLOYEE BENEFITS FUND	96,626.00
058647	FAIRFIELD MAINTENANCE	270.00
058648	FUN TIME ENTERTAINMENT	200.00
058649	GAETA RECYCLING	3,150.33
058650	IRA RUBIN (FIRE DEPT. SUPPLIES)	600.00
058651	JOHN EARL	60.06
058652	N.J. CIVIL SERVICE COMMISSION	1,000.00
058653	NEW JERSEY FIRE EQUIPMENT	3,275.00
058654	SPIOTTI & ESPOSITO P.C.	1,986.04
058655	UNITED WATER COMPANY	154.48
058656	VERIZON WIRELESS	1,134.58
058657	VIP CAR WASH	33.95
058658	WORK N GEAR	156.60
058659	BERGEN MUNICIPAL EMPLOYEE BENEFITS FUND	89,982.00
058660	SPIOTTI & ESPOSITO P.C.	1,410.81
058661	SPIOTTI & ESPOSITO P.C.	1,743.84
058662	BERGEN COUNTY UTILITIES AUTHORITY	4,227.49
058663	C&C TIRE	222.54
058664	EVANS CATERING SERVICE	20.40
058665	JOHNSON PUBLIC LIBRARY	250.00
058666	SOUTH BERGEN MUNICIPAL JOIN INSURANCE FUND	75,985.77
058667	UNITED WATER COMPANY	397.51
058668	VIP CAR WASH	54.00
058669	VIP CAR WASH	30.00
058680	C&C TIRE	222.54
058681	EVANS CATERING SERVICE	33.82
058682	PRAXAIR DISTRIBUTION	144.96
058683	RACHLES/MICHELE'S OIL CO.	741.27
058686	BERGEN COUNTY UTILITIES AUTHORITY	6,028.54
058687	RACHLES/MICHELE'S OIL CO.	463.17
058695	MANSFIELD OIL COMPANY	691.68
058717	DAVID WEBER OIL COMPANY	505.35
058718	F&E CHECK PROTECTOR SALES CO.	250.00
058719	METRO FIRE & SAFETY EQUIPMENT	215.00
058720	NEW JERSEY FIRE EQUIPMENT	346.00
058721	HOMETOWN AUTO PARTS	6.50
058722	WEeping PINE LANDSCAPING	4,300.00
058723	ZEP SALES & SERVICE	560.10

058724	PAPER CLIPS	97.93
058725	RACHLES/MICHELE'S OIL CO.	707.63
058727	PAPER CLIPS	122.05
058728	APPRAISAL SYSTEMS INC.	14,400.00
058729	APPRAISAL SYSTEMS INC.	6,300.00
058737	LAWSON PRODUCTS	1,868.81
058738	VIP CAR WASH	12.00
058739	LERCH, VINCI & HIGGINS	11,000.00
058744	LERCH, VINCI & HIGGINS	5,245.00
058745	JOHN ROSSILLO	1,258.80
058746	TANEUM	115.00
058750	PAPER CLIPS	166.62
058751	PUBLIC SERVICE E & G	9,268.89
058752	REINER OVERHEAD DOORS, LLC.	420.00
058770	PUBLIC SERVICE E & G	923.39
058771	RONALD DENICHILO	1,258.80
058772	FERRARA FIRE APPARATUS INC.	3,241.68
058773	VERIZON WIRELESS	200.05
058775	ACTION DATA SERVICES	85.22
058776	AGE'S AUTO LLC.	1,368.00
058777	DRAEGER SAFETY DIAGNOSTICS INC.	147.00
058778	HARRIS UNIFORMS	2,772.00
058779	JOHN MULVANEY	1,258.80
058798	VICTOR M. GARCIA	115.10
058801	LERCH, VINCI & HIGGINS	1,172.50
058802	ACTION DATA SERVICES	595.00
058803	HERMAN STERZER	2,517.60
058808	ACTION DATA SERVICES	1,447.75
058815	ROBERT BAUER	1,258.80
058816	AGE'S AUTO LLC.	26.00
058817	DART COMPUTER SERVICES INC.	520.00
058823	METRO FIRE & SAFETY EQUIPMENT	643.00
058825	ACTION DATA SERVICES	882.25
058826	MILLENIUM STRATEGIES	1,500.00
058845	HOMETOWN AUTO PARTS	72.26
058846	NATURE'S CHOICE CORPORATION	932.25
058862	ACTION DATA SERVICES	833.10
058867	PARTY MAGIC	600.00
058868	BSN SPORTS	349.97
058875	SEGOVIA RESTAURANT	525.00
058902	FERRARA FIRE APPARATUS INC.	3,881.87
058904	PUBLIC SERVICE E & G	9,530.20
058905	PUBLIC SERVICE E & G	6,974.27
058911	HOMETOWN AUTO PARTS	699.70
058912	HARRIS UNIFORMS	550.00
058913	KEEHN POWER PRODUCTS INC.	539.87
058914	PALISADES SALES CORPORATION	58.00
058923	LINCOLN FINANCIAL ADVISORS	30,508.56
058926	PORT AUTHORITY OF NY AND NJ	234.68
058927	PORT AUTHORITY OF NY AND NJ	157.22
058928	PORT AUTHORITY OF NY AND NJ	218.58
058929	TECHNICAL FIRE SERVICE INC.	2,399.80
058930	MODSPACE	5,720.00
058931	MODSPACE	5,720.00
058932	LOWE'S HOME CENTER INC.	45.30
058933	ZEPPELELLI	60.00
058934	MODERN TRAVELER INC.	46.85
058935	NEW JERSEY FIRE EQUIPMENT	432.00
058941	BOROUGH OF MOONACHIE PAYROLL ACCOUNT	316.41
058955	SCHNACK'S ON SITE TRUCK REPAIR	3,201.35

058960	HERBERT & WEISS ATT. AT LAW	87.36
<b>TOTAL</b>		<b>3,020,436.80</b>

CHECK	CURRENT ACCOUNT	AMOUNT
057284		VOID
058288		VOID
058432		VOID
058475		VOID
058492		VOID
058496		VOID
058498		VOID
058546		VOID
058555		VOID
058561		VOID
058576		VOID
058590		VOID
058596		VOID
058726		VOID
058903		VOID
058925		VOID

NON-CHECK PAYMENT	CURRENT ACCOUNT	AMOUNT
NON-CHECK PAYMENT	PRIMEFLEX	120.00
NON-CHECK PAYMENT	EARTHLINK BUSINESS	796.53
NON-CHECK PAYMENT	JP MORGAN CHASE	47,475.99
NON-CHECK PAYMENT	VERIZON WIRELESS	410.00
NON-CHECK PAYMENT	EARTHLINK BUSINESS	865.25
NON-CHECK PAYMENT	JP MORGAN CHASE	345,732.00
<b>TOTAL</b>		<b>395,399.77</b>

CHECK	CAPITAL ACCOUNT	AMOUNT
001733	CHERRY HILL WINNER FORD	34,299.00
001734	BOSWELL ENGINEERING	951.50
001735	BOSWELL ENGINEERING	3,117.26
001736	FIRE FIGHTERS ONE	9,993.00
001737	NORTH JERSEY MEDIA GROUP	918.54
001738	LERCH, VINCI & HIGGINS	2,732.50
001739	L & C DESIGN CONSULTANTS	30,000.00
001740	LERCH, VINCI & HIGGINS	700.00
001741	DECOTIIS, FITZPATRICK, COLE & WISLER,LLP	890.70
001742	DECOTIIS, FITZPATRICK, COLE & WISLER,LLP	500.00
001743	DECOTIIS, FITZPATRICK, COLE & WISLER,LLP	500.00
001744	DECOTIIS, FITZPATRICK, COLE & WISLER,LLP	500.00
001745	CHERRY HILL WINNER FORD	31,754.00
001746	LERCH, VINCI & HIGGINS	3,552.50
001747	IPREO	1,290.00
001749	L & C DESIGN CONSULTANTS	15,000.00
001750	TREASURER, STATE OF N.J.	3,830.00
001752	JUPITER ENVIRONMENTAL SERVICES INC.	82,775.00
001753	LERCH, VINCI & HIGGINS	800.00

001754	LERCH, VINCI & HIGGINS	740.00
001756	LERCH, VINCI & HIGGINS	1,755.00
001757	LERCH, VINCI & HIGGINS	8,170.00
001758	LERCH, VINCI & HIGGINS	6,450.00
001759	LERCH, VINCI & HIGGINS	2,732.50
001761	DECOTIIS, FITZPATRICK, COLE & WISLER,LLP	6,297.50
001762	BOROUGH OF MOONACHIE CURRENT FUND	1,658.00
<b>TOTAL</b>		<b>251,907.00</b>

CHECK	CAPITAL ACCOUNT	AMOUNT
001728		VOID
001755		VOID

CHECK	SEWER OPERATING ACCOUNT	AMOUNT
006197	BOROUGH OF MOONACHIE PAYROLL ACCOUNT	15,732.01
006198	BOROUGH OF MOONACHIE PAYROLL ACCOUNT	537.67
006199	UNITED WATER COMPANY	47.18
006200	VERIZON	39.61
006201	BOROUGH OF MOONACHIE PAYROLL ACCOUNT	651.05
006202	BOROUGH OF MOONACHIE PAYROLL ACCOUNT	17,707.83
006203	NASSOR ELECTRICAL SUPPLY CO.	39.16
006204	FIRST BYTE CORPORATION	100.00
006205	PRESTIGE LABORATORIES	290.00
006206	W.E. TIMMERMAN	979.04
006207	CLEARWATER SERVICES	5,947.50
006208	COLONNELLI BROTHERS INC.	598.00
006209	Q.C. LABORATORIES	274.50
006210	UNITED WATER COMPANY	55.42
006213	VERIZON	40.71
006214	PUBLIC SERVICE E & G	1,603.82
006215	BOSWELL ENGINEERING	1,465.90
006216	SCOTT TESTING INC.	1,400.00
006217	PUBLIC SERVICE E & G	1,550.57
006221	Q.C. LABORATORIES	91.50
006223	BERGEN MUNICIPAL EMPLOYEE BENEFITS FUND	19,634.00
006224	CLEARWATER SERVICES	12,792.25
006225	DAVID PLUCHINO	250.00
006226	NATIONAL WATER MAIN CLEANING COMPANY	2,815.21
006227	PRESTIGE LABORATORIES	437.50
006230	BOSWELL ENGINEERING	346.00
006244	PUBLIC SERVICE E & G	1,924.02
006248	ID SIGNS	335.00
006249	LERCH, VINCI & HIGGINS	4,300.00
006252	PUBLIC SERVICE E & G	1,670.83
006259	BOROUGH OF MOONACHIE CURRENT ACCT.	3,000.00
006260	BOROUGH OF MOONACHIE CURRENT FUND	9,000.00
006262	BOROUGH OF MOONACHIE CURRENT FUND	5,600.00
<b>TOTAL</b>		<b>111,256.28</b>

CHECK	SEWER CAPITAL ACCOUNT	AMOUNT
002072	DECOTIIS, FITZPATRICK, COLE & WISLER,LLP	1,025.17
002073	IPREO	210.00
002074	BOROUGH OF MOON. GEN CAP ACCT	34,892.56
002075	BOROUGH OF MOONACHIE CURRENT FUND	623.00
002076	LERCH, VINCI & HIGGINS	1,050.00
002077	LERCH, VINCI & HIGGINS	1,330.00
<b>TOTAL</b>		<b>39,130.73</b>

CHECK	TRUST ACCOUNT	AMOUNT
1414	PHILIP A. FACENDOLA	56.67
1415	PHILIP A. FACENDOLA	128.05
1416	PHILIP A. FACENDOLA	47.62
1417	C J'S PIZZA	80.00
1418	PHILIP A. FACENDOLA	107.35
1419	STAN KERSNOWSKI	32.00
1420	C J'S PIZZA	80.00
1421	C J'S PIZZA	80.00
1423	PHILIP A. FACENDOLA	99.60
1424	1 ACG LLC	400.00
1426	BOROUGH OF MOONACHIE CURRENT ACCT.	86,575.00
1427	U.S.BANKCUST FOR PC6, LLC STERLING NATIONAL	600.00
<b>TOTAL</b>		<b>88,286.29</b>

CHECK	TRUST ACCOUNT	AMOUNT
1422		VOID
1425		VOID

CHECK	BASKETBALL ACCOUNT	AMOUNT
0502	LOUD MERCHANDISE	121.00
0503	LYNDHURST BOYS BASKETBALL	150.00
<b>TOTAL</b>		<b>271.00</b>

CHECK	SUMMER REC. ACCOUNT	AMOUNT
1016	KEANSBURG AMUSEMENT PARK	600.00
<b>TOTAL</b>		<b>600.00</b>

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

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

All ayes. So ordered.

FINAL PASSAGE OF ORDINANCE:

### **ORDINANCE#2015-12**

AN ORDINANCE OF THE BOROUGH OF MOONACHIE, IN THE COUNTY OF BERGEN, NEW JERSEY, AMENDING ORDINANCE NUMBER 2014-3 OF THE BOROUGH FINALLY ADOPTED ON AUGUST 28, 2014, PROVIDING FOR VARIOUS ROAD IMPROVEMENTS AND APPROPRIATING \$845,250 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$411,964 IN BONDS OR NOTES OF THE BOROUGH OF MOONACHIE TO FINANCE THE COST THEREOF

BE IT ORDAINED BY THE BOROUGH COUNCIL OF THE BOROUGH OF MOONACHIE, IN THE COUNTY OF BERGEN, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring), AS FOLLOWS:

Bond Ordinance Number 2014-3 of the Borough of Moonachie, in the County of Bergen, New Jersey, finally adopted on August 28, 2014 (the "Prior Ordinance"), is hereby amended in full to read as follows:

Section 1. The several improvements or purposes described in Section 3 of this bond ordinance are hereby authorized to be undertaken by the Borough of Moonachie, in the County of Bergen, New Jersey (the "Borough"), as general improvements. For the several improvements or purposes described in Section 3 hereof, there are hereby appropriated the respective sums of money therein stated as the appropriations made for each improvement or purpose, such sums amounting in the aggregate to \$845,250 (representing a decrease of \$62,250 from the Prior Ordinance), including a \$149,000 grant from the Fiscal Year 2015 Municipal Aid Program for Various Streets from the New Jersey Department of Transportation ("NJDOT")

appropriated for the purpose set forth in Section 3(b) of this bond ordinance, a \$279,604 FY 2013 Assistance to Firefighters Grant to be received from the Federal Emergency Management Agency and the Department of Homeland Security appropriated for the purpose set forth in Section 3(c) of this bond ordinance, and the aggregate sum of \$4,682 (representing a decrease of \$24,212 from the Prior Ordinance) as the several down payments for the improvements or purposes required by the Local Bond Law. The down payments have been made available by virtue of the provision in the capital improvement fund in one or more previously adopted budgets.

Section 2. In order to finance the cost of the several improvements or purposes not covered by application of the several down payments or otherwise provided for hereunder, negotiable bonds are hereby authorized to be issued in the principal amount of \$411,964 (representing a decrease of \$137,038 from the Prior Ordinance) pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. The several improvements hereby authorized and the several purposes for which the bonds or notes are to be issued, the estimated cost of each improvement and the appropriation therefor, the estimated maximum amount of bonds or notes to be issued for each improvement and the period of usefulness of each improvement are as follows:

- (a) Purpose: Acquisition of two (2) SUV's for the Police Department, and including all other work and materials necessary therefor and incidental thereto.

<u>Appropriation and Estimated Cost:</u>	\$71,625
<u>Maximum Amount of Bonds or Notes:</u>	\$68,044
<u>Period or Average Period of Usefulness:</u>	5 years
<u>Amount of Down Payment:</u>	\$ 3,581

- (b) Purpose: Reconstruction of various streets to a Class B standard, as provided in the Local Bond Law, pursuant to the Borough's 2014-2015 Road Improvement Program, as said streets are identified from time to time on a list on file in the Borough Clerk's office, and including all other work and materials necessary therefor and incidental thereto

<u>Appropriation and Estimated Cost:</u>	\$472,000
<u>NJ DOT Grant</u>	\$149,000
<u>Maximum Amount of Bonds or Notes:</u>	\$323,000
<u>Period or Average Period of Usefulness:</u>	10 years
<u>Amount of Down Payment:</u>	\$ 0

- (c) Purpose: Acquisition of equipment and protective gear for the Fire Department, and including all other work and materials necessary therefor and incidental thereto.

<u>Appropriation and Estimated Cost:</u>	\$301,625
<u>Federal Grant:</u>	\$279,604
<u>Maximum Amount of Bonds or Notes:</u>	\$ 20,920
<u>Period or Average Period of Usefulness:</u>	10 years
<u>Amount of Down Payment:</u>	\$ 1,101

(d) The estimated maximum amount of bonds or notes to be issued for the several improvements or purposes is as stated in Section 2 hereof.

(e) The estimated cost of the several improvements or purposes is equal to the amount of the appropriation herein made therefor.

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer; provided that no note shall mature later than one year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer. The chief financial officer shall determine all matters in connection with notes issued pursuant to this bond ordinance, and the chief financial

officer's signature upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time subject to the provisions of the Local Bond Law. The chief financial officer is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this bond ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the notes sold, the price obtained and the name of the purchaser.

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

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

(a) The several improvements or purposes described in Section 3 of this bond ordinance are not current expenses. They are improvements or purposes the Borough may lawfully undertake as general improvements, and no part of the costs thereof have been or shall be specially assessed on property specially benefited thereby.

(b) The average period of usefulness of the several improvements or purposes, within the limitations of the Local Bond Law, computed on the basis of the respective amounts or obligations authorized for each improvement or purpose and the reasonable life thereof within the limitations of the Local Bond Law, is 9.17 years (representing a decrease of 0.81 years from the Prior Ordinance).

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the Borough as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$411,964 and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$97,500 (representing an increase of \$10,000 from the Prior Ordinance) for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the several improvements or purposes.

(e) The Borough reasonably expects to commence the acquisition and/or construction of the several improvements or purposes described in Section 3 hereof, and to advance all or a portion of the costs in respect thereof, prior to the issuance of bonds or notes hereunder. To the extent such costs are advanced, the Borough further reasonably expects to reimburse such expenditures from the proceeds of the bonds or notes authorized by this bond ordinance, in an aggregate amount not to exceed the amount of bonds or notes authorized in Section 2 hereof.

Section 7. Except for the grants described in Section 8, any grant moneys received for the purposes described in Section 3 hereof shall be applied either to direct payment of the cost of the improvement or to payment of the obligations issued pursuant to this bond ordinance. The amount of obligations authorized hereunder shall be reduced to the extent that such funds are so used.

Section 8. As a portion of the total appropriation of \$845,250 made in Section 1 hereof, there is herein appropriated for the purpose described in (a) Section 3(b) hereof the sum of \$149,000 constituting the amount payable to the Borough from a grant expected to be received from the Fiscal Year 2015 Municipal Aid Program for Various Streets from the New Jersey Department of Transportation and (b) Section 3(c) hereof the sum of \$279,604 constituting the amount payable to the Borough from a grant expected to be received from the Federal Emergency Management Agency and the Department of Homeland Security.

Section 9. The full faith and credit of the Borough is hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Borough, and the Borough shall be obligated to levy ad valorem taxes upon all the taxable real property within the Borough for the payment of the obligations and the interest thereon without limitation of rate or amount.

Section 10. The chief financial officer of the Borough is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Borough and to execute such disclosure document on behalf of the Borough. The chief financial officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Borough pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of obligations of the Borough and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Borough fails to comply with its undertaking, the Borough shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

Section 11. This Ordinance amends Bond Ordinance 2014-3 of the Borough finally adopted August 28, 2014. To the extent that the Prior Ordinance or any other previous ordinance or resolution is inconsistent herewith or contradictory hereto, said ordinance or resolution is hereby repealed or amended to the extent necessary to make it consistent herewith.

Section 12. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law. The Borough Clerk has presented an affidavit showing that advertisement had been made according to law.

Administrator Ciannamea – we did not allocate enough money for the joint road program with the school, so we amended the Ordinance for the roads. He mentioned that we cancelled one ordinance for the work on the Joseph Street Park, that work was done by someone else and actual amount of this Ordinance went down, we will be reimburse by the School for the paving at School.

PUBLIC HEARING ON ORDINANCE#2015-12:

No one wishing to be heard.

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

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

All ayes. So ordered.

Motion by C/Bauer and second by C/Kinsella to adopt Ordinance#2015-12.

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

All ayes. So ordered.

PUBLIC HEARING (Regular):

Barbra Mendola, 27 Union Street- asked that now that there is a part-time bus driver, whether the Borough will consider to do more run.

Mayor Vaccaro – we are going to let the driver get accustomed to the current schedule then we can look into adding days.

Mrs. Mendola – asked about the property on Moonachie Avenue, and if any information was received from Code Official or the Property Maintenance Officer.

Mayor Vaccaro –mentioned that he asked the Building Official to look into the issue, did not get the chance to follow up due to the holidays.

Mrs. Mendola – asked when the Borough knew that the DPW needed new equipment and asked when the Borough started to look for equipment so that the Borough did not have to pay more for equipment that was available.

Mayor Vaccaro – explained how the budget is reviewed in the beginning of the year and we were not sure about purchasing equipment until July. He mentioned that many of the vehicles we used last year failed and repairs were too costly. He explained that only one of the vehicles has more equipment than we needed and it was not that much of a cost difference.

C/Bauer – mentioned that the difference for the vehicles has to do with one truck is diesel, and 4 wheel drive. Spoke about the advantages of diesel tank.

Administrator Ciannamea- mentioned that every department ask for new equipment.

C/Bauer – spoke about the DPW equipment being older and we try to repair. He mentioned that maintenance cost become more than the cost of purchasing the equipment.

Mrs. Mendola- mentioned that the DPW does a great job with plowing the town.

Sal DeAlessandro, 1 Frederick Street- asked about the notification of hazardous waste discharge at 42 Frederick St. under the communications.

Mayor Vaccaro – stated that it was a removal of an oil tank.

Mr. DeAlessandro- mentioned about the oil tank leak on Bruno Street a few years ago and the Sale was pending due to the oil tank leak.

Administrator Ciannamea – read the communication. He confirmed that it has to do with oil tank removal, and could give Mr. DeAlesandro a copy.

Mr. DeAlessandro- asked about when the road paving will be done.

Mayor Vaccaro- we will start paving in the spring.

Mr. DeAlessandro- asked about lowering the cost of the new Municipal Building,

Mayor Vaccaro- stated that he discussed with the architect removing the metal panels outside, curtain windows, brick design, skylight, taking walls out down below to reduce the cost. He mentioned that the overall plans are not changing; minor structure and some details inside will be changed. He stated that the bids may still come in over budget. We want to go out soon so people who are looking for job in spring could bid.

Mr. DeAlessandro- asked about the Ordinance search feature on the Borough's web side.

C/Surak – stated that it is tied in with the Borough's website, and explained that Mr.

DeAlessandro could use the keyword search for the Ordinance.

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

Mayor Vaccaro- stated that he will talk to the NJSEA about the traffic light. He mentioned people that worked with the traffic lights are no longer there.

Mr. DeAlessandro- expressed his concern about the traffic light and spoke about the traffic light on Route 46 by the Wall Mart and Cosco,

Mayor Vaccaro mentioned that the South Hackensack wanted light near Green Street and NJSEA could not do anything.

Administrator Ciannamea- spoke about traffic back up on Route 46 by Wall Mart.

Mr. DeAlessandro – added that the traffic condition is not getting better in this area.

Mayor Vaccaro- mentioned about the proposal for the Casino at the Meadowlands district and the resident and people need to be concern how it will affect this area.

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

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

All ayes. So ordered.

Mayor Vaccaro wished everyone a Happy New Year. Thanked the Borough employee and all the Departments for their work for the Borough. He mentioned that it is very good when residents come at the Council Meetings.

Motion by C/Millar and second by C/Bauer to go into closed session at 8:41 PM to discuss personnel.

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

All ayes. So ordered.

Motion by C/Bauer and second by C/Millar to close closed session at 8:51 PM.

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

All ayes. So ordered.

C/Bauer- mentioned that there will be a meeting with the Architect on Tuesday for the new DPW building.

Motion by C/Surak and second by C/Millar to adjourn the meeting at 8:52 PM.

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

All ayes. So ordered.

ATTEST:

Supriya Sanyal  
Borough Clerk