

EXECUTIVE MEETING called to order, Mayor Vaccaro in the chair, at the Municipal Building on Thursday January 12, 2023 7:06 P.M.

Mayor called for Pledge of Allegiance to the Flag.

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

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

Motion by C/Kinsella and second by C/Cirillo to approve Minutes of Executive Meeting of October 13<sup>th</sup> and November 10<sup>th</sup> ,2022.

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

#### COMMUNICATIONS:

Borough of Allendale, Park Ridge. River Edge, Dumont, Emerson, Old Tappan, Wood-Ridge., Fairlawn, Waldwick, Fairview, Paramus, Edgewater, Little Ferry, Waldwick, Bergenfield, Ho-Ho-Kus, Fort Lee, Hillsdale, New Milford, City of Garfield, City of Hackensack and Washington Township - supporting inter-local agreement for Mutual and Rapid Deployment Force.

Borough of Alpine- supporting Senate Bill 3213 which authorizes the creation and issuance of registered nurse license plates.

REPORTS: None

#### FORMAL ACTION:

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

##### RESOLUTION#23-59

WHEREAS, the Borough has not obtained competitive quotes for Borough's 2023 Calendar due to the fact that the Borough has utilized Dynamic Inc. in prior years and for this year there was a significant increase in cost due to an increase in paper costs and the Borough didn't anticipate that it would exceed their quote threshold.

WHEREAS, competitive quotes will be obtained for the 2024 year.

NOW THEREFORE, BE IT RESOLVED, by the Mayor and Council the printing of the Borough's 2023 calendar by Dynamic Inc in the amount of \$5,995.00 be and is hereby authorized; and

##### RESOLUTION#23-60

BE IT RESOLVED that the Mayor is hereby appointed John Anastasio as member to the Board of Health, effective January 1, 2023, term to expire December 31, 2025; and

BE IT FURTHER RESOLVED, by the Governing Body that the appointment of John Anastasio as the member to the Board of Health be and is hereby confirmed.

##### RESOLUTION#23-61

BE IT RESOLVED, by the Mayor and Council that Lerch, Vinci & Bliss LLP be and is hereby authorized to perform a cost analysis/financial impact on the Borough's collective bargaining agreements in an amount not to exceed \$5,000; and

BE IT FURTHER RESOLVED, by the Mayor and Council of the Borough of Moonachie that the Proposal of Lerch, Vinci & Bliss LLP, in an amount not to exceed \$5,000 be and is hereby approved for the cost analysis/financial impact on the Borough's collective bargaining agreements.

## RESOLUTION#23-62

BE IT RESOLVED by the Mayor and Council of the Borough of Moonachie that Madilyn Williams be and is hereby appointed as part-time Police Communication Clerk, at the hourly rate of \$21.51, effective January 12, 2023.

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

## NEW BUSINESS:

1. Approving a credit on the Sewer Utility bill for anyone who receives the Senior Citizen Property tax Credit.  
Will be acted upon at the Regular Meeting on January 26<sup>th</sup> 2023.
2. Setting a mileage allowance of 65.5 cents per mile to officials and employees while on official borough business.  
Will be acted upon at the Regular Meeting on January 26<sup>th</sup> 2023.
3. Authorize Borough Clerk to advertise and receive bids for Curbside Collection of Grass, Yard Waste and Tree Trimming.  
Will be acted upon at the Regular Meeting on January 26<sup>th</sup> 2023.
4. Authorize Mayor to sign an agreement with Helene C. Herbert for the Services of Special Tax Counsel.  
Will be acted upon at the Regular Meeting on January 26<sup>th</sup> 2023.
5. Authorize Mayor to sign a service Agreement with Bergen County Utilities Authority for a Certified Recycling Professional.  
Will be acted upon at the Regular Meeting on January 26<sup>th</sup> 2023.
6. Approval of Change Order No. 1 of T.M. Brennan Contractors, Inc. in the amount of \$6,190.00 for installation of Senior center HVAC.  
Will be acted upon at the Regular Meeting on January 26<sup>th</sup> 2023.
7. Approval of payment to Arcari +Iovino Architects P.C. in the amount of \$437.40 for installation of Senior Center HVAC.  
Will be acted upon at the Regular Meeting on January 26<sup>th</sup> 2023.

## FINAL PASSAGE OF ORDINANCE:

**ORDINANCE #2023-1**

**AN ORDINANCE TO AMEND CHAPTER XIII "UTILITIES" SECTION 13-14,  
OF THE REVISED GENERAL ORDINANCE OF THE BOROUGH OF  
MOONACHIE, COUNTY OF BERGEN, STATE OF NEW JERSEY  
Public hearing and Final Passage will be held on January 23, 2023**

## DISCUSSION:

1. New DPW Building Construction.  
Mayor Vaccaro mentioned that the light was fixed and was not sure what else is going on. Asked Borough Clerk if they submitted for final payment.  
Borough Clerk mentioned that there no final payment was submitted.
2. Traffic Light between Moonachie Road and Moonachie Avenue.  
Mayor Vaccaro mentioned that he will follow up with Boswell.  
Mayor Vaccaro asked the DPW Committee and Police Committee to schedule a meeting.
3. Energy efficiency for Municipal Building.  
Mayor Vaccaro asked C/Martinez if there was any update.  
C/Martinez mentioned that he spoke to the individual and they were not aware it had go out to RFP.  
Mayor Vaccaro asked Attorney Migliorino if they are able to accept a proposal due to having no responses to the RFP.

#### 4. Moving Court to Municipal building.

Mayor Vaccaro mentioned speaking to the County, and the Court Administrator is on maternity leave. Spoke about the tables needing to not have wheels and the chairs have to be together. Discussed the layout for the Municipal Court.

C/Bauer spoke about the echo in the courtroom for recording.

Mayor Vaccaro mentioned that can look into getting material for the walls.

Attorney Migliorino mentioned that most courts are still using Zoom or are hybrid.

#### 5. Backflow Preventor Site Access Agreements.

Mayor Vaccaro mentioned that in the last storm, the backflow preventors helped areas not to flood, the backflow preventor put on Carol Place was closed during the storm and with the town's pump station at Burger King, caused the church parking lot to flood, it did seem to help on East Joseph Street and Park Street.

#### 6. Ordinance for "Access Restrictions to Designated Municipal Facilities and Offices to protect and safeguard Public Records containing Personally Identifiable information".

Borough Clerk mentioned that the Ordinance was given to the Police Chief to review and has not heard back.

#### 7. 2023 Mobile Home Park Licenses.

Mayor Vaccaro mentioned that he needs to speak to the park owners before the next Council Meeting. Mentioned that there are things going on in the mobile home communities regarding construction and the process was changed a few years ago where before work is done a letter of approval from the park is required. Spoke about Work that is still being done without approval from the park. Spoke about non-permitted work is being stopped by the Borough, but there are instances where work is only partially completed. Spoke about visiting the one mobile home community where areas are being built out from the mobile home. Mayor Vaccaro mentioned that he spoke to the Ombudsman about making changes to the Borough Ordinance regarding the park's rent increases. Discussed adding a maintenance log to make sure that the capital improvements that were applied for were completed. The Mayor and Council discussed about current pad fee rates. He mentioned that at the last Ombudsman meeting, many residents of the parks attended and also Mayor Vaccaro received calls from residents about the rent increases.

C/Martinez asked about how the parks are charged for the sewer tax.

Mayor Vaccaro mentioned that it is based off the flow.

Administrator Ciannanea mentioned that the rate is based off the residential rate per mobile home for each park.

C/Martinez mentioned that the parks should be charged at the commercial rate.

Administrator Ciannanea discussed the rates and rents for the mobile home parks.

Mayor Vaccaro spoke about the illegal construction that is occurring in the parks, and that Metropolitan is having more issues than Vanguard.

Attorney Migliorino mentioned that the mobile home park owners should be held accountable.

Mayor Vaccaro spoke about speaking to residents that own their mobile homes, and the quality of life for residents there.

C/Martinez asked if there are more residents in both parks than in residential homes.

Administrator Ciannanea mentioned that Community Development grants are largely based on income of the residents

Mayor Vaccaro asked if the park owners could be held responsible for the construction rather than the mobile home owner. Mentioned that the park maintenance should be able to see construction is going on and stop the work.

C/Bauer mentioned receiving a call about properties on Moonachie Avenue and Grand Street being combined into one large property.

Mayor Vaccaro mentioned that it was already approved for zoning by the NJSEA.

C/Bauer mentioned removing the structures will devalue the property and the Borough will collect less taxes.

Mayor Vaccaro mentioned that they subdivided the properties into one large property, the one property was involved in a raid last year with drugs and guns, and the corner property was selling cars, now the owner of the properties want to develop it, but he is not sure what is going to be put there.

C/Bauer mentioned that if this occurs in other locations in the Borough it will decrease tax revenues.

Mayor Vaccaro mentioned speaking to the NJSEA about the car dealer that was at the end of Redneck Avenue on Moonachie Avenue about having too many cars on the property, and afterwards the cars were removed. Mentioned that he does not want Moonachie Avenue to have all car dealers on the road. He was not sure if the town is able to rezone the areas because they are in the Meadowlands District.

C/Bauer mentioned about his concerns about Moonachie losing commercial taxes which will affect residential taxes.

Administrator Ciannanea mentioned speaking with the Construction Official about the car dealers in Hasbrouck Heights on Industrial Avenue.

C/Martinez asked if the Borough could make changes about not allowing cars outside.

Mayor Vaccaro mentioned that those areas are under the Meadowlands District for zoning. The company on Moonachie Avenue has found another location that they are moving cars to.

C/Martinez asked who enforces the limit on the number of cars at the dealer.

Mayor Vaccaro mentioned that the NJSEA does enforcement, and the NJSEA sent someone to look after the Borough spoke to them about it, and it was resolved. Asked Attorney Migliorino to look into what Hasbrouck Heights does regarding licenses and fees.

#### 8. Appointment of redactor for Daniel's Law.

Attorney Migliorino spoke about Daniel's Law, where judicial employees and police officers have to file with the State to have their name and address removed.

Mayor Vaccaro mentioned that it is to redact certain people's name and address from an OPRA request.

Borough Clerk spoke about receiving call from the State earlier today, and the Borough has to appoint someone as a redactor. Mentioned there was an issue with a property owner list having all names redacted, and the developer had complained to the Governor's office, the State mentioned that only the names of those who have registered can be redacted, and others can remain.

Attorney Migliorino mentioned speaking to the Police Chief about the system and registration.

Mayor Vaccaro asked who is eligible.

Attorney Migliorino mentioned that it includes judicial employees, prosecutors, police officers and their relatives and the state verifies who signs up to be redacted.

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

#### RESOLUTION #23-63

BE IT RESOLVED by the Mayor and Council that Supriya Sanyal, Borough Clerk be and is hereby appointed as redactor to comply with Daniel's Law.

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

All ayes. So ordered.

Mayor Vaccaro mentioned going to the Civic Center and the HVAC is being worked on, the Senior side ceilings are all down and it should be finished by the end of the month.

Borough Clerk mentioned getting emails from the County regarding reimbursement on the project.

PUBLIC HEARING: No one wished to be heard.

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

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

All ayes. So ordered.

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

#### RESOLUTION #23-64

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

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

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

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

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

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

Motion by C/Kinsella and second by C/Bauer to close closed session at 8:10 P.M.

Motion by C/Kinsella and second by C/Bauer to adjourn the meeting at 8:11 P.M.  
ROLL CALL: Bauer, Cirillo, Kinsella, Martinez, Surak, Wende.  
All ayes. So ordered.

ATTEST:

Supriya Sanyal  
Borough Clerk