

EXECUTIVE MEETING called to order, Mayor Vaccaro in the chair, at the Municipal Building on Thursday February 9, 2023 7:06 P.M.

Mayor called for Pledge of Allegiance to the Flag.

ROLL CALL: Bauer, Cirillo-present, Kinsella- not present, Martinez, Surak,
Wende- present,
Administrator- T. Ciannanea-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/Bauer and second by C/Martinez to approve Minutes of Executive Meeting of January 12, 2023.

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

COMMUNICATIONS:

Borough of Little Ferry- notice of adoption of an ordinance authorizing amendment of Chapter 35- Land Use Regulation for Smoke Shops/Vape Shops prohibited Uses.
New Jersey Department of Environmental Protection- Notification of Suspected Hazardous Substance Discharge at 235 Moonachie Road.
Bergen County Utilities Authority- notice of public hearing on Bergen County Solid Waste Management Plan Amendment.
Mayor Vaccaro asked Attorney Migliorino to look into Little Ferry's regulations on Smoke Shop/Vape Shops.

REPORTS:

FORMAL ACTION:

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

RESOLUTION#23-75

RESOLUTION EMPLOYING A FINANCIAL CONSULTANT

WITHOUT COMPETITIVE BIDDING

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

WHEREAS, the provisions of said contract shall be in accordance with the dictates of N.J.S.A. 19:44A-20.5; and

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

WHEREAS, the anticipated term of this contract is seven months from January 1st, 2023 to December 31st, 2023; and

WHEREAS, the compensation for the service of the Financial Consultant will be \$89.61/hour (3% increase from 2022) with a minimum of 20 hours a week. The total maximum yearly hours will be 1,300 hours (equivalent of 25 hours per week). The additional hours can be utilized as workload requires and funds are subject to an appropriation by the Mayor and Council of the Borough of Moonachie and will be provided by the local finance office when appropriated. The Borough will compensate the Financial Consultant for the President of the Firm's attendance at 40 hours per year of Continuing Professional Education classes. DKL Consulting shall be responsible for paying for the actual classes. These 40 hours are not included in either the 20 hours a week minimum or the 1300 hour yearly maximum; and

WHEREAS, DKL Consulting has completed and submitted a Business Entity Disclosure Certification which certifies that DKL Consulting has not made any reportable contributions to a political or candidate committee in the Borough of Moonachie in the

previous one year, and that the contract will prohibit DKL Consulting from making any reportable contributions through the term of the contract; and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A:111 et seq.) requires that the Resolution authorizing the award of contracts for "Professional Services" without competitive bids and the Contract itself must be available for public inspection;

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

1. The Mayor and the Borough Clerk of the Borough of Moonachie are hereby authorized and directed to execute the attached Contract with DKL Consultant.
2. This Contract is awarded without competitive bidding as a "Professional Service" in accordance with N.J.S.A. 40A:11-5(1)(a) of the Local Public Contracts Law because the services are to be performed by a person authorized by law to practice a recognized profession.
3. The Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution.
4. A Notice of this action shall be printed once in the official newspaper of the Borough.

The Mayor and Council agreed on 3% hourly rate.

RESOLUTION#23-76

WHEREAS, Moonachie Fire Department submitted applications for Raffles Licenses (RL 482 and RL 483) and

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council that the any fees for Raffles Licenses (RL 482 and RL 483) for Moonachie Fire Department be and is hereby waived.

Mayor Vaccaro mentioned speaking to the Grant Consultant about letting the Borough know what is going on rather than just the monthly reports. Asked emails to be sent to the entire governing body rather than just the committees for available grants. Spoke about school grants for safety, such as opening Teresa Court only during school hours as a one way to help reduce traffic.

RESOLUTION#23-77

RESOLUTION EMPLOYING GRANT CONSULTANT WITHOUT COMPETITIVE BIDDING

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

WHEREAS, the provisions of said contract shall be in accordance with the dictates of N.J.S.A. 19:44A-20.5; and

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

WHEREAS, the anticipated term of this contract is one (1) year; and

WHEREAS, the consultant fee shall be in the amount of \$1,500 for each month for research and \$90.00 per hour will be for collection data and writing of each grant as set forth in the agreement. The funds are subject to an appropriation by the Mayor and Council of the Borough of Moonachie and will be provided by the local finance officer when appropriated; and

WHEREAS, Millennium Strategies, LLC completed and submitted a Business Entity Disclosure Certification which certifies that Millennium Strategies, LLC has not made any reportable contributions to a political or candidate committee in the Borough of Moonachie in the previous one year, and that the contract will prohibit Millennium

Strategies, LLC from making any reportable contributions through the term of the contract; and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A:111 et seq.) requires that the Resolution authorizing the award of contracts for "Professional Services" without competitive bids and the Contract itself must be available for public inspection;

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

1. The Mayor and Borough Clerk are hereby authorized and directed to execute the attached Contract with Millennium Strategies, LLC.

2. This Contract is awarded without competitive bidding as a "Professional Service" in accordance with N.J.S.A. 40A:11-5(1)(a) of the Local Public Contracts Law because the services are to be performed by a person authorized by law to practice a recognized profession.

3. The Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution.

4. A Notice of this action shall be printed once in the official newspaper of the Borough.

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

NEW BUSINESS:

The following will be acted upon on at the Regular Meeting on February 23, 2023.

1. Approval of Payment Application No. 3 of T.M. Brennan Contractors, Inc. in the amount of \$72,713.00 for installation of Senior center HVAC.

Mayor Vaccaro spoke about a meeting last week at the Civic Center. He spoke to the contractor and they should be done by the middle of next week, weather permitting. Mentioned that the Senior side is not open, so the Senior Meeting will be held on the Civic side of the building, the Borough is getting quotes to redo the floors and the carpet. He asked the DPW Superintendent to replace the lights on the Senior side with LEDs and should have the quotes by the next meeting.

2. Approval of payment to Arcari +Iovino Architects P.C. in the amount of \$792.50 for installation of Senior Center HVAC.

3. Endorsing submission of the recycling Tonnage Grant application for 2022.

4. Approval of the Mobile Home Park License to Vanguard Associates, LLC for the year 2023.

5. Approval of the Mobile Home Park License to Metropolitan Associates for the year 2023.

Mayor Vaccaro spoke about discussion with the owners of Metropolitan about construction and no deck construction will be allowed, any work has to be approved by the park before applying for a permit.

C/Bauer asked about the work being done without permits.

Mayor Vaccaro mentioned that when the mobile home is sold, they would have to apply for a C.O. and an inspection.

6. Authorize Mayor to sign a contract with Bergen County for Bergen County Open Space grant for Joseph St. Park- Tennis Court in the amount of \$80,191.00.

Mayor Vaccaro asked if the grant was approved.

Borough Clerk mentioned it was approved and she received the contract. Mayor Vaccaro mentioned applying for both the tennis court and basketball court. He will reach out to the County and then look into getting prices for the project.

7. Authorize Mayor to sign the Solid Waste Service Agreement with BCUA to participate Solid Waste Cooperative Marketing Program.

8. Authorize Mayor to sign an agreement with Paul Lerch (Lerch, Vinci & Bliss, LLP) for the Services of Auditor.

Administrator Ciannamea mentioned that he will look at the contract.

Borough Clerk mentioned that the finance committee received the contract to review.

Mayor Vaccaro mentioned the Financial Consultant contract, and that the requested increase from last year was 3.4%

Motion by C/Bauer and second by C/Wende to rescind Resolution #23-75.

Resolution #23-78

WHEREAS, Resolution #23-75 approved \$89.61 / hour (3% increase form 2022) for DKL Consulting to provide service of Financial Consultant; and

WHEREAS, the Mayor and Council agreed to rescind the Resolution#23-75 for DKL Consulting to provide service of Financial Consultant; and

NOW THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Moonachie that Resolution#23-75 be and is hereby rescinded.

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

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

RESOLUTION#23-79

RESOLUTION EMPLOYING A FINANCIAL CONSULTANT

WITHOUT COMPETITIVE BIDDING

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

WHEREAS, the provisions of said contract shall be in accordance with the dictates of N.J.S.A. 19:44A-20.5; and

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

WHEREAS, the anticipated term of this contract is seven months from January 1st, 2023 to December 31st, 2023; and

WHEREAS, the compensation for the service of the Financial Consultant will be \$90.00/hour with a minimum of 20 hours a week. The total maximum yearly hours will be 1,300 hours (equivalent of 25 hours per week). The additional hours can be utilized as workload requires and funds are subject to an appropriation by the Mayor and Council of the Borough of Moonachie and will be provided by the local finance office when appropriated. The Borough will compensate the Financial Consultant for the President of the Firm's attendance at 40 hours per year of Continuing Professional Education classes. DKL Consulting shall be responsible for paying for the actual classes. These 40 hours are not included in either the 20 hours a week minimum or the 1300 hour yearly maximum; and

WHEREAS, DKL Consulting has completed and submitted a Business Entity Disclosure Certification which certifies that DKL Consulting has not made any reportable contributions to a political or candidate committee in the Borough of Moonachie in the previous one year, and that the contract will prohibit DKL Consulting from making any reportable contributions through the term of the contract; and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A:111 et seq.) requires that the Resolution authorizing the award of contracts for "Professional Services" without competitive bids and the Contract itself must be available for public inspection;

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

5. The Mayor and the Borough Clerk of the Borough of Moonachie are hereby authorized and directed to execute the attached Contract with DKL Consultant.
6. This Contract is awarded without competitive bidding as a "Professional Service" in accordance with N.J.S.A. 40A:11-5(1)(a) of the Local Public Contracts Law because the services are to be performed by a person authorized by law to practice a recognized profession.
7. The Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution.
8. A Notice of this action shall be printed once in the official newspaper of the Borough.

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

DISCUSSION:

1. New DPW Building Construction.

Mayor Vaccaro mentioned that it is not closed out yet. Asked Attorney Migliorino to contact the bond company.

C/Bauer asked about putting fencing around the building.

Mayor Vaccaro mentioned that they received prices but they were high, and it would need to go out to bid, some were over \$20,000.00, he will speak to Dennis Williams about the fencing quotes.

2. Traffic Light between Moonachie Road and Moonachie Avenue.

Mayor Vaccaro mentioned he will speak with the County about the status of the project. Mentioned letter to the NJSEA about the 7-Eleven property, and they received a letter back. Mentioned discussing the property on Grand Street and Romeo, a letter is going to be sent to the property owner to ask to have money put in escrow for the Borough floodplain manager to review any drawings that affects flooding in that area, if they are going to pave and park cars, they have to have a plan for the runoff. Spoke about the Mayor's meeting with the NJSEA, and the NJSEA had approved their zoning and asked for the towns governing bodies to approve the NJSEA zoning. Mentioned that they kept everything the same, and have not updated their zoning ordinance in regards to updates such as marijuana use, the Mayor's Committee will not approve, and there is a 30-day review period. Mentioned that he asked the Construction Official to review. Spoke about the planner that was used when the Borough updated their last Master Plan, and he can contact them but they may not have enough time to review.

3. Energy efficiency for Municipal Building.

Administrator Ciannanea asked Attorney Migliorino about the RFP. Mayor Vaccaro mentioned to put the RFP out again.

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

RESOLUTION #23- 80

WHEREAS, the Mayor and Council of the Borough of Moonachie is desirous of receiving proposals for a Utility Bill Audit to include the Borough's Water, Electric and Gas bills for the prior 14 months.

WHEREAS, after due deliberation and discussion with the Borough Administrator and members of the Governing Body of the Borough of Moonachie it has been determined that it is appropriate to authorize the advertisement of the Request for Proposals for the Utility Bill Audit Services for the Borough's Water, Electric and Gas bills.

NOW THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Moonachie authorize the Borough Clerk to advertise and receive Requests for Proposals for the Utility Bill Audit Services.

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

4. Moving Court to Municipal building.

Mayor Vaccaro mentioned that when the Court Administrator is back from maternity leave they can start on moving again.
C/Bauer asked about the walls and the sound in the room.

5. Backflow Preventor Site Access Agreements.

Mayor Vaccaro asked to take item off the Agenda.

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

Attorney Migliorino mentioned that he spoke to the Police Chief.
Mayor Vaccaro asked Attorney Migliorino to look into this and to give a legal opinion.

C/Surak spoke about the Police Chief’s report and recommendation for a new officer.
Mayor Vaccaro mentioned that they are in talks with the PBA, and the committee can meet with the Chief about his recommendation, last year the Chief had sent a letter about having sufficient officers.

C/Wende suggested getting funds from Teterboro for Police Services for Teterboro.
Mayor Vaccaro mentioned that they are currently in a contract with Teterboro, but it can be look into it when the contract is up for negotiation. Spoke about last negotiation they asked the Chief about staff, and the additional officers were hired.

C/Bauer spoke about the number of officers are working on a shift, and when officers are in Teterboro. Asked to get information from the Chief about how many shifts during 2022 had two officers.

Mayor Vaccaro mentioned that he will speak to the Police Chief about staffing and patrols in Moonachie.

Mayor and Council discussed the Police Chief’s report about the age of handguns.

C/Bauer asked if there is any response from the DPW union.

Mayor Vaccaro mentioned that he did not heard back.

C/Cirillo asked about the Senior Meeting will be on February 15th and it will be held on the Civic side of the building.

Administrator Ciannamea asked if the Finance Committee and Attorney could stay after the meeting for a committee meeting.

PUBLIC HEARING: No one wished to be heard.

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

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

Motion by C/Surak and second by C/Martinez to adjourn meeting at 8:15 P.M.

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

ATTEST:

Supriya sanyal
Borough Clerk