

EXECUTIVE MEETING called to order, Mayor Vaccaro in the chair, at the Municipal Building on Thursday March 11, 2021 7:05 P.M.

(Via Teleconference and in person)

Mayor called for Pledge of Allegiance to the Flag.

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

Borough Clerk stated that notice of the meeting was announced in accordance with the Open Public Meeting Act and published in the Record on January 13, 2021 and transmitted to the Star Ledger on January 25, 2021 about this teleconference Meeting, to join the meeting, please dial 1-800-615-1516 and enter access code **0707400**.

Motion by C/Bauer and second by C/Wende to approve Minutes of Executive Meeting of February 11, 2021.

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

All ayes. So ordered.

COMMUNICATIONS:

Bergen County Board of Commissioner- recognition of Women's History Month and International Women's day Month.

Bergen County Board of Commissioner- recognition of Social Workers Month.

Bohler Engineering- notification of submission of an application for a flood hazard area individual permit and Flood Hazard Area Verification to NJDEP for Block 65, Lots 6 & 10, in the Borough of Moonachie.

AECOM- notification that Request for NJPDES BGR permit for authorization Teterboro Airport Air Traffic Control Tower Construction.

Borough of Leonia and Borough of Harrington Park- declaring Solidarity with the Asian and Asian-American Community.

Pete Meyers, 17 Frederick Street- notice of Moonachie Planning Board hearing on an application for variance to rebuild a old mud room/covered porch.

REPORTS: See Discussion items

FORMAL ACTION:

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

RESOLUTION#21-93

WHEREAS, the Bergen County's Road Resurfacing Project require cooperation and coordination between the County and the seventy municipalities in which the County roads are located; and

WHEREAS, the County of Bergen and the municipalities within Bergen County are "local units" under N.J.S.A. 40:65-4(a)(1), authorized to enter into shared services agreements pursuant to the Uniform Shared Services and Consolidation Act. N.J.S.A. 40A:65-1 et. seq.; and

WHEREAS, it is in the best interest of Borough of Moonachie to enter a Shared Services agreement with the County of Bergen for the County's Road Resurfacing Program; and

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Moonachie that the Mayor is hereby authorized to sign the Shared Services Agreement with the County of Bergen for the County's Road Resurfacing Program.

RESOLUTION#21-94

WHEREAS the Uniform Shared Services and Consolidation Act (N.J.S.A. 40A:65-1 et seq.) promotes the broad use of shared service to reduce local expenses funded by property tax payers; and

WHEREAS, the County of Bergen seeks to assist municipalities with their obligation to comply with New Jersey Department of Transportation and Federal ADA regulations on County roadways by dedicating a portion of the County's New Jersey Department of Transportation, Bureau of Local Aid funds for the installation of ADA improvements as designated by the County Engineer or his designee on County roads; and

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Moonachie that the Mayor is hereby authorized to sign the agreement for the ADA Cooperative Curb Ramp Construction Grant Program with the County of Bergen for construction of ADA improvements at crosswalk locations on County roads to comply with NJDOT and Federal ADA regulations.

Mayor asked Mr. Dobiszewski to look into why the Borough needs to sign another agreement with the County.

RESOLUTION#21-95

WHEREAS, the owner of Block 55 Lot 14 (1 Jefferson Place), Victor Manuel Garcia has applied to the Borough of a 100% Disabled Veteran Tax Exemption pursuant to N.J.S.A.54:4-3.30; and

WHEREAS, the taxpayer has qualified for the said property tax exemption based upon a review of the application and accompanying documents submitted to the Tax Assessor of the Borough of Moonachie; and

WHEREAS, the taxpayer has previously paid to the Borough of Moonachie the taxes for the 1st Quarter 2021 in the amount of \$1,487.81; and

WHEREAS, it has been determined as hereinabove set forth that the said taxpayer is entitled to a full tax exemption for the subject premises, Block 55 Lot 14, commonly known as 1 Jefferson Place, Moonachie, NJ.

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

1. The Tax Collector and/or any other appropriate Borough Official are hereby authorized to refund to Victor Manuel Garcia a tax refund in the amount of \$1,487.81 representing the taxes paid for 1st quarter 2021.
2. The Tax Assessor and /or any other appropriate Borough Official contact the appropriate State Officials in order to seek any reimbursements which may be due to the municipality given the payment of the within refund to the said taxpayer.

RESOLUTION#21-96

WHEREAS, Lisa J. Ciannanea, Tax Collector, has advised that credit balances exist on the accounts detailed below, said balances being the result of duplicate payments by property owners, attorneys or mortgage holders; and

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

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

Blk	Lot	Owner Name	Refund Amt	Payable to & Mail to
50	8	Bergantinos, Steven	\$1,954.61	Corelogic Centralized Refunds PO Box 9202 Coppell TX 75019-9760
60	3	ATM Studios Inc.	\$2,878.56	Corelogic Centralized Refunds PO Box 9202 Coppell TX 75019-9760

74 14 Nakashima, Masumi \$1,320.18 Corelogic Centralized Refunds
PO Box 9202
Coppell TX 75019-9760

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Moonachie that the Borough Administrator is hereby directed to issue checks in the amounts listed above and to refund the amounts to the above recipients.

RESOLUTION#21-97

WHEREAS, N.J.S. A. 40A:65 -1 et seq. authorizes local units of government to enter into an agreement with any other local unit or units to provide or receive any service that each local unit participating in the agreement is empowered to provide or receive within its own jurisdiction; and

WHEREAS, N.J.S.A. 40A:65-1 et seq. promotes the broad use of shared services as a method to reduce local expenses funded by property taxpayers; and

WHEREAS, the Borough of Teterboro is seeking the services of Court Administrator and Deputy Municipal Court Administrator; and

WHEREAS, it is in the best interest of the Borough of Moonachie and the Borough of Teterboro to enter into a Shared Service Agreement to provide the services of Court Administrator and Deputy Municipal Court Administrator to the Borough of Teterboro; and

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

1. That it does hereby authorize and approve Shared Service Agreement between the Borough of Moonachie and the Borough of Teterboro, to provide services of Court Administrator and Deputy Municipal Court Administrator, which shall be effective December 1, 2020 until December 31, 2024.
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.

RESOLUTION#21-98

BE IT RESOLVED by the Mayor and Council that following be and are hereby appointed as Part-time Police Communication Clerks, at the hourly rate of \$20.27:

Odayls Alarcon
Michael Perez

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

All ayes. So ordered.

NEW BUSINESS:

The followings will be acted upon at Regular Meeting on March 25, 2021:

1. Appointment of Mayor as the Appointing Authority (Civil Service Commission's requirement).
2. Approval of payment in the amount of \$1,050.00 to Millennium Strategies for month of February, 2021 for FEMA Grant Administration.
3. Appointment of Police Chief Richard Behrens as Emergency Management Coordinator for a 3 years term.
4. Authorizing a refund of overpayment of taxes in the amount \$2,832.16 due to the Judgments of Tax Court of New Jersey for Anro Partners LTD, Block 72, Lot 5 for the year 2011 & 2012.
5. Approval of Change Order No. 11 of Tricon Enterprises, Inc. in the amount of \$3,436.78 for DPW building.

Mayor asked the committee to meet as well as the Borough Attorney on making progress with the DPW building.

ORDINANCE: None

Mayor mentioned ordinance regarding cat feeding, and Animal Control will be discussed with the County on the phone.

Mark Byrnes, Bergen County Animal Control- spoke about the County prefers to have a TNR Ordinance that will allow to trap neuter and return the feral cats, there are limitations that can be set for a colony such as the number of cats. Spoke about the TNR program, which focuses on fixing the cats. He mentioned that a resident would call for a trap, the County would give one and Animal Control show the resident how to set the traps, when there is a cat in the trap the resident will call the County and they will come pick up the trap. Mentioned that they do this without the Borough entering into a TNR program, the cats that are trapped are not returned back to the area.

Mayor Vaccaro asked about when traps are left open.

Mr. Byrnes mentioned that the traps are usually left open in the morning and closed by 3:30, leaving the trap open overnight will catch wild animals, during those hours there is medical staff at the animal shelter.

C/Martinez entered the meeting at 7:16 P.M.

Mayor Vaccaro mentioned about his concern that people are afraid of cats and setting the traps, the Borough would rather do something that would affect the individuals that are feeding the cats.

Mr. Byrnes mentioned that residents that are complaining to call Animal Control. He gave the phone number for Animal Control, and mentioned that there is always someone working there to pick-up the phone any time of day. If residents call, they can get traps, but the resident needs to set the trap themselves or get help from someone they know how to set the trap.

Attorney Migliorino asked if the traps have bait in them.

Mr. Byrnes mentioned that bait has to be put into the traps and the trigger plate will close the cage behind the animal.

Mayor Vaccaro mentioned that other kinds of animals may go into the trap like a squirrel. Asked how long it would take for Animal Control to come get the trap if a cat was inside.

Mr. Byrnes mentioned that it would be within an hour after a resident call.

Mayor Vaccaro mentioned that the Board of Health Attorney Moran was on the phone. Mentioned that there should be in the Ordinance a deterrent for people that are feeding cats such as a warning, people have trapped a few cats, but there are residents that are too afraid to use the traps and do not want traps on their lawn.

Mr. Byrnes mentioned that all residents have to set the trap with food and watch to notify animal control when an animal is inside it. Spoke about experiences working with people that are feeding cats and running a colony.

Mayor Vaccaro mentioned that they are looking to have someone knock on doors and ask where they providing a litter box and deter people from feeding cats.

Mr. Byrnes mentioned that he is willing to discuss with the attorney or other personnel to see what can be done through an Ordinance.

Mayor Vaccaro asked Mr. Byrnes to speak to the Board of Health Attorney.

Attorney Migliorino asked if they have to return the cats after it is neutered.

Mr. Byrnes mentioned that cats do not have to be return unless they are neutered.

Mayor Vaccaro mentioned that there are residents who have dogs that will go after the cats.

C/Surak asked about the TNR program and having the person who is feeding the cats being the caretaker.

Mr. Byrnes mentioned that by feeding a cat a person becomes the owner of the cat, the way to handle the cat population is to have a TNR program and have the people that are feeding the cats get them neutered and they are returned.

Mayor Vaccaro asked how the Borough would be able to enforce something that would make the person feeding the cats to make sure the cat is trapped.

Attorney Juan Moran spoke about researching ordinances in other towns for TNR programs.

Mayor Vaccaro asked Mr. Byrnes to speak to the Board of Health Attorney and Borough Attorney regarding an ordinance.

Attorney Migliorino asked if cats would go through garbage cans.

Mr. Byrnes mentioned that cats could get into garbage, if cats are being fed improperly it will attract other types of animals such as raccoons, skunks and opossums.

DISCUSSION:

1. New DPW Building Construction.

Mayor Vaccaro mentioned that he with the committee and the Borough Attorney will meet to discuss this item.

2. Sampling Testing at Hain Celestial Group, Inc.

Mr. Dobiszewski mentioned that he will have a proposal by next week for the testing at Hain Celestial.

Mayor Vaccaro mentioned that it is not needed, since the company is moving out of town.

3. Traffic Light between Moonachie Road and Moonachie Avenue.

Mr. Dobiszewski said there was not been any update on the traffic light at Moonachie Avenue and Moonachie Road.

Mayor Vaccaro spoke about the light being taken down this morning in an accident, and the County will be putting the light back up. Mentioned that it is an opportunity to being up the left turn light.

Mr. Dobiszewski mentioned that the data from the study needs to be analyzed and it is not a priority for the County, he will reach out to the County about the light.

4. Moonachie Ave. Generator.

Mr. Dobiszewski- spoke about on-site meeting with Suez about the Moonachie Avenue Pump Station. Suez is willing to move their water line, and it will get started in 3-4 months. Mentioned that they are working on a new design.

Mayor Vaccaro spoke about generator at the Moonachie Avenue Pump Station and Suez's water line is under the pad, and it will take 3-4 months to relocate the line.

Boswell is looking into if the current pad can be used to raise the generator.

Mr. Dobiszewski spoke about the generator needs to be raised, and Boswell is looking to see what can be done to continue the project.

Mayor Vaccaro mentioned that he wants the project to be bid out as soon as possible since the Borough is paying monthly for the rental generator that is there.

5. Energy efficiency for Municipal Building.

Administrator Ciannanea mentioned that the financial consultant recommended getting multiple prices, and there are names of other firms.

Mayor Vaccaro asked if the Borough could post an RFP.

Administrator Ciannanea mentioned he will speak to the financial consultant.

6. Payment in the total amount of \$191,628.75 (due to defective work of the Contractor) to L+C Design Consultants PA for New Municipal Building.

Mayor Vaccaro mentioned that he is speaking to L+C and will need to discuss later with Committee.

7. New hire for DPW.

Mayor Vaccaro asked if the ad was placed.

Borough Clerk mentioned about the cost of the ad in the newspaper and the part time dispatchers was posted on the website, and on the Police and Borough Facebook page, got good response.

Mayor Vaccaro asked to put it on the website and on Facebook.

8. Moving Court to Municipal Building.

Mayor Vaccaro mentioned that this is still in process and Court is still being held virtually.

9. Request from Mr. Figueroa for Residential Handicapped Parking at 38 Henry Street.

Mayor Vaccaro mentioned that C/Bauer and C/Wende spoke to the resident.

C/Bauer mentioned about making the sidewalk smaller.

C/Wende spoke about the location of the handicap spot.

10. 2020 equalized valuation of Moonachie.

Administrator Ciannanea mentioned that the Mayor spoke to tax attorney & Appraisal Systems and he reached out to the Tax Assessor but did not hear anything back.

11. Proposal from Boswell Engineering for NJDEP Stormwater Regulatory Compliance for \$4,500.00.

Mayor Vaccaro asked for the item to be put on the agenda for the Regular meeting.

12. 2020 unused sick- days payment to employees.

Administrator Ciannamea mentioned that he will have the list at the Regular meeting.

13. Professional Agreements of Boswell Eng. (with 2% increase), Auditor, Paul Lerch and Helene Herbert, Special Tax Counsel (with hourly rate increase 2%).

Mayor Vaccaro asked the finance committee to look at the contracts before the Regular meeting.

C/Bauer mentioned that the DPW Superintendent spoke to Suez to fix the dip in the road on Henry Street, and the pole for the radar sign on Henry Street was reordered so it could be placed.

C/Surak asked about the new marijuana law regarding underage use parental notification by Police.

Mayor Vaccaro asked about the Ordinance for medical marijuana, and if it disallowed recreational. Mentioned that he was not sure if the new law would void any ordinance the Borough had done previously.

Borough Clerk mentioned that the Ordinance was adopted and will look into what was in that particular ordinance.

Mayor Vaccaro asked the Council to read through the law on what is included in it.

Asked the Borough Attorney to look into what type of ordinance the Borough can put into place.

Attorney Migliorino asked what kind of information would be in the ordinance.

Mayor Vaccaro mentioned that it would be more about regulation of business.

PUBLIC HEARING:

Sal DeAlessandro, 1 Frederick Street- spoke about the drop on Henry Street.

Mayor Vaccaro mentioned that Suez is sending an engineer to look at the road, and the pole for the radar sign was ordered and will be install it next week.

Mr. DeAlessandro mentioned that it is hard to hear on the conference call. Mentioned that there is a hole at the triangle park on Henry Street, and the problem with people picking up after their dog, has gotten a little better. Asked about Hain Celestial moving. Spoke about the traffic light on Moonachie Avenue and Moonachie Road and the accident.

Mayor Vaccaro mentioned about submitting concepts to the County regarding the light, but did not want to take away property to widen the road.

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

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

All ayes. So ordered.

Mayor Vaccaro mentioned that it has been one year since COVID has affected Bergen County, was proud of what everyone has accomplished in the year.

Attorney Migliorino mentioned that the agreement with the Municipal Building is going well, and there is one lien outstanding.

Mayor Vaccaro mentioned that there is still the item of the landscaping.

Motion by C/Cirillo and second by C/Bauer to adjourn the meeting at 8:29 P.M.

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

All ayes. So ordered.

ATTEST:

Supriya Sanyal
Borough Clerk