

Regular Meeting called to order, Mayor Vaccaro in the chair, at the Municipal Building on Thursday January 28, 2021 at 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

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 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/Martinez and second by C/Wende to approve Minutes of Regular Meeting of December 17, 2020.

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

COMMUNICATIONS:

Dumont, South Hackensack, Emerson, Elmwood Park, Bogota, Fort Lee, Old Tappan, Maywood, Park Ridge, Wallington, Alpine, Saddler River, Upper Saddle River, Wood-Ridge., Rochelle Park, Franklin Lakes, New Milford and Northvale- supporting inter-local agreement for Mutual and Rapid Deployment Force.

New Jersey Sports & Exposition Authority- notice of an application for bulk variance in connection with the construction of a building addition, in Carlstadt, Block 105 Lot 9 and in South Hackensack, Block 131.01, Lot 9.

Public Service Electric and Gas Company- notice of submission of an application to NJDEP for an extension of a Fresh Water Wetlands General Permit.

Public Service Electric and Gas Company- notice of filing and public hearing on the petition of PSE&G for approval of changes to its Electric and Gas Tax Adjustments.

Borough of Rutherford- supporting Rutherford's Municipal Election Results, New Jersey Electors Representing the will of Borough of Rutherford and in support of the Borough in upholding the United States Constitution.

Christopher H. DeGrazia, Esq.- notice of public hearing on a minor site plan and variance applications submitted to Moonachie Planning Board for Block 57, Lot 10 in the Borough of Moonachie.

Borough of Little Ferry- notice of public hearing on an Ordinance entitled "Certificate of Occupancy".

New Jersey Department of Environmental Protection- notice of Ground Water Remedial Action Permit-Termination for Former AE&A Service Station, 270 Moonachie Avenue.

New Jersey Department of Environmental Protection- approval of Flood Hazard Verification and Flood Hazard Area Individual Permit for Jet Aviation.

Bergen County Commissioner- recognition of the Fair and Free Election of November 3, 2020.

Bergen County Commissioner- recognition of Martin Luther King Jr. Day.

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

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

The following Resolutions were approved at the EXECUTIVE MEETING ON JANUARY 14, 2021, they are in Minutes of Executive Meeting of January 14, 2021:

RESOLUTION#21-56

Approval of awarding a contract to Pump Express for Annual Clean Out Maintenance for the Concord Street Pump Station in the amount of \$5,495.00.

RESOLUTION#21-57

Appointment of Kathleen Riker as a part-time Deputy Court Administrator at an hourly rate of \$24.85, effective January 21, 2021 and appointment of Kathleen Riker as full-time Deputy Court administrator at an annual salary of \$42,000.00 effective February 1, 2021.

RESOLUTION#21-58

Authorize Mayor to sign an agreement with Associated appraisal Group, Inc. for the service of Appraiser in connection with Tax Appeals for the year 2019.

RESOLUTION#21-59

Authorize Mayor to sign an agreement with Associated appraisal Group, Inc. for the service of Appraiser in connection with Tax Appeals for the year 2020.

RESOLUTION #21-60

Accepting proposal for Professional Architectural and Engineering services from Arcari + Iovino for the replacement of HVAC System Bathroom addition at the Senior Center, not to exceed \$16,800.00.

REGULAR MEETING
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/Cirillo and second by C/Surak to approve the following Resolutions:

RESOLUTION #21-61

BE IT RESOLVED by the Mayor and Council that any Senior Citizen, Disable person or surviving spouse/surviving Civil Union who receives a property tax deduction under N.J.S.A. 54:4-8.40 et seq., L. 1963 C. 172 , shall be entitled to a \$75.00 credit on the sewer utility bill per year; and

BE IT RESOLVED that this amendment is retroactive to January 1, 2021.

RESOLUTION #21-62

BE IT RESOLVED, by the Mayor and Council of the Borough of Moonachie that the payment in the amount of \$6,000.00 to Russell Beideman according to the Settlement dated June 22, 2006 be and is hereby approved.

RESOLUTION #21-63

WHEREAS, the Borough of Moonachie has a policy of reimbursing mileage to all officials and employees while on official Borough business who do not receive a monthly car allowance;

NOW THEREFORE, BE IT RESOLVED that the Borough Council of the Borough of Moonachie does hereby set the mileage allowance to 56 cents per mile, effective immediately.

RESOLUTION #21-64

BE IT RESOLVED by the Mayor and Council of the Borough of Moonachie that the Borough Administrator is hereby authorized to solicit quotes for curbside collection of grass, yard waste, and tree trimmings.

RESOLUTION #21-65

WHEREAS, Nicholas A. Maurin, has submitted an application for membership to Fire Department, Friendship Engine & Hose Co. 1; and

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

NOW THEREFORE, BE IT RESOLVED that the membership of Nicholas A. Maurin be and is hereby approved.

RESOLUTION #21-66

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 overpayment of taxes in the amount of \$16, 763.99 due to Judgment of Tax Court of New Jersey for EWA Moonachie 77 LLC C., Block 70, lot 5.02, for the years 2018, 2019 and 2020; and

BE IT FURTHER RESOLVED, that the tax overpayment in the amount of \$16,763.99 shall be made payable to "McCarter.& English, LLP" and mailed to Frank E. Ferruggia, Esq. McCarter.& English, LLP, Four Gateway Center, 100 Mulberry Street. P.O. Box 652, Newark, NJ 07101-0652.

RESOLUTION #21-67
RESOLUTION EMPLOYING APPRAISER
WITHOUT COMPETITIVE BIDDING

WHEREAS, there exists a need for the services of Appraiser 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 for calendar year 2021; and

WHEREAS, the maximum amount of the Contract is \$15,000.00 at the hourly rate of \$125.00 for time spent in consultation and attendance at any and all required Tax Board/Court proceedings inclusive of any ancillary matters relating thereto, the fee for preparation and copying of required appraisal reports for property is at \$3,500, not to exceed \$35,000 for expert reports 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; and

WHEREAS, ASSOCIATED APPRAISAL GROUP, INC. has completed and submitted a Business Entity Disclosure Certification which certifies that ASSOCIATED APPRAISAL GROUP, INC. 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 ASSOCIATED APPRAISAL GROUP, INC. 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 ASSOCIATED APPRAISAL GROUP, INC.

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.

RESOLUTION #21-68

Community Development Project Endorsement Resolution

WHEREAS, a Bergen County Community Development grant of \$19,130.00 has been proposed by the Borough of Moonachie for safe and accessible epoxy flooring at the Senior Center, and

WHEREAS, pursuant to the State Interlocal Services Act, Community Development funds may not be spent in a municipality without authorization by the governing Body, and

WHEREAS, the aforesaid project is in the best interest of the residents of the Borough of Moonachie, and

WHEREAS, this resolution does not obligate the financial resources of the municipality and is intended solely to expedite expenditure of the aforesaid CD funds.

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the Borough of Moonachie hereby confirms endorsement of the aforesaid project, and

BE IT FURTHER RESOLVED, that a copy of this resolution shall be sent to the Director of the Bergen County Community Development Program so that implementation of the aforesaid project may be expedited.

RESOLUTION #21-69

WHEREAS, Edmunds Govtech was requested and has submitted the following proposal for AR & Business Licensing I and WIPP – AR:

AR& Business Licensing I One-time Fees:	\$1,800.00
WIPP-AR One-time Fees:	\$600
Total	\$2,400.00

AR& Business Licensing I Maintenance:	\$877.00
WIPP-AR Maintenance Fee	\$620.00
Total	\$1,497.00

NOW THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Moonachie has accepted the proposal and authorizes the purchase & payment of the for AR & Business Licensing I and WIPP – AR software from Edmunds GovTech at the total cost of \$2,400.00; and

BE IT FURTHER RESOLVED that the purchase & payment of maintenance fees of \$1,497.00 be and is hereby approved; and

BE IT FURTHER RESOLVED, that the Mayor is and hereby authorized to sign the appropriate agreement.

RESOLUTION #21-70

WHEREAS, Edmunds GovTech was requested and has submitted the following proposal for Permitting and Code Enforcement I and Permitting Self-Service I:

One-time Charge	\$5,625.00
Implementation	\$5,087.00
Data Conversion	\$7,500.00
Total	\$18,212.00

Annual Maintenance Fee	\$3,265.00
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NOW THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Moonachie has accepted the proposal and authorizes the purchase & payment of the for Permitting and Code Enforcement I and Permitting Self-Service I software from Edmunds GovTech at the total cost of \$18,212.00; and

BE IT FURTHER RESOLVED that the purchase & payment of maintenance fee of \$3,265.00 be and is hereby approved; and

BE IT FURTHER RESOLVED, that the Mayor is and hereby authorized to sign the appropriate agreement.

RESOLUTION #21-71

WHEREAS, Edmunds GovTech was requested and has submitted a proposal for Animal Licensing I software, in the one-time charge of \$2,500.00 and

WHEREAS, there is also an annual maintenance fee at the cost of \$543.00 for the first year; and

NOW THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Moonachie has accepted the proposal and authorizes the purchase & payment of for the Animal Licensing I software from Edmunds GovTech at the cost of \$2,500.00; and

BE IT FURTHER RESOLVED, the purchase & payment of annual maintenance fee of \$543.00 be and is hereby approved; and

BE IT FURTHER RESOLVED, that the Mayor be and is hereby authorized to sign the appropriate agreement.

RESOLUTION # 21-72

WHEREAS, the Director of Local Government Services has formally directed all Municipalities to adopt a Corrective Action Plan as part of their annual audit process, and

WHEREAS, this Corrective Action Plan shall be submitted to the Director of Local Government Services upon adoption by the Governing Body and it shall be kept on file with the Borough Clerk, and

WHEREAS, the Plan shall cover all audit findings and recommendations and be prepared in accordance with the Single Audit Act OMB Circular 12A and Local Finance Notice 92-15, and

NOW, THEREFORE, BE IT RESOLVED, that the Mayor & Council hereby approves the attached Corrective Action Plan for the 2019 Annual Audit, and

BE IT FURTHER RESOLVED, that the Borough Clerk is hereby directed to maintain said Plan in the Municipal files, and make the Plan available to the public, and

BE IT FURTHER RESOLVED, that a certified copy of this Resolution, including the Corrective Action Plan, be forwarded to the Director of Local Government Services.

CORRECTIVE ACTION PLAN

BOROUGH OF MOONACHIE

BERGEN COUNTY, NJ

AUDIT YEAR ENDED DECEMBER 31, 2019

RESOLVED FINDINGS FROM PRIOR YEAR AUDIT

Corrective action was taken on the following prior year's recommendations:

1. The Borough institute measures to ensure in future periods that the actuarial calculation on the other postemployment benefits would be available for audit.
2. The fixed asset report be updated on an annual basis for all fixed asset additions and disposals.

CURRENT YEAR FINDINGS

1. The Borough enroll the eligible employees into the Defined Contribution Retirement Plan (DCRP).

Corrective Action: The Borough is attempting to enroll eligible employees into the Defined Contribution Retirement Plan (DCRP).

Implementation Date: Immediate

2. The outstanding checks should be investigated to determine validity.

Corrective Action: The outstanding checks were reviewed and were either reissued or voided.

Implementation Date: Immediate

3. The LOSAP contributions are paid timely once the certified list has been approved by the governing body.

Analysis: One LOSAP contribution was paid timely but was not received by the LOSAP custodian and never cleared the Borough's bank (see current year finding #2). The other LOSAP contribution which was approved in December 2019 was delayed when the Borough Administrator/CFO had a medical emergency and then Borough operations were adversely affected by COVID-19.

Corrective Action: Both payments have been made and have cleared the Borough's bank account.

Implementation Date: Immediate

4. Continued efforts be maintained to ensure the sewer utility rents are billed on a timely basis.

Analysis: Due to unplanned personnel changes in the department which bills sewer utility rents there was no one in place who knew how to gather the data necessary to accurately bill sewer utility rents. Therefore, the Borough was unable to bill the sewer utility rents on a timely basis.

Corrective Action: The Borough now has competent personnel in the Tax Collector's office who are able to gather the data necessary to accurately bill sewer utility rents. The billing for the sewer utility rents are now current.

Implementation Date: Immediate

RESOLUTION #21-73

BE IT FURTHER RESOLVED by the Mayor and Council that the payment in the amount of \$5,100.00 for month of May, 2020 and 1,800.00 for month of December 2020 to Millennium Strategies, LLC for professional services for the FEMA grants Management and Administration be and is hereby approved.

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

BILLS:

Motion by C/Wende and second by C/Bauer to approve the payment of bills.

CHECK	CURRENT ACCOUNT	AMOUNT
6204	NORTH JERSEY MEDIA GROUP	81.83
6205	NORTH JERSEY MEDIA GROUP	114.91
6206	J & A MOWER	2,299.95
6207	TERMINEX	71.00
6208	NORTH JERSEY MEDIA GROUP	77.25
6209	ASSOCIATED APPRAISAL GROUP	810.00
6210	ASSOCIATED APPRAISAL GROUP	315.00
TOTAL		3,769.94

CHECK	CURRENT ACCOUNT	AMOUNT
6203	INTER.ASSOC.OF CHIEFS OF POLIC	VOID

NON-CHECK PAYMENT	CURRENT ACCOUNT	AMOUNT
NON-CHECK PAYMENT	BOROUGH OF MOONACHIE	160,323.78
NON-CHECK PAYMENT	PAYROLL A	
NON-CHECK PAYMENT	PRIMEFLEX	449.50
NON-CHECK PAYMENT	BOROUGH OF MOONACHIE	93,423.45
NON-CHECK PAYMENT	PAYROLL A	
TOTAL		254,196.73

NON-CHECK PAYMENT	SEWER OPERATING ACCOUNT	AMOUNT
NON-CHECK PAYMENT	BOROUGH OF MOONACHIE	17,446.40
NON-CHECK PAYMENT	PAYROLL A	
NON-CHECK PAYMENT	BOROUGH OF MOONACHIE	9,270.26
NON-CHECK PAYMENT	PAYROLL A	
TOTAL		26,716.66

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

Mayor Vaccaro spoke about closing out the Municipal Building project with the contractor, and there is an agreement being considered for Final Payment with certain conditions that the Borough is asking for.

Attorney Migliorino mentioned that the claim from Two Brothers was originally \$850,000.00. Spoke about amount the Borough is willing to pay which is \$500,000.00, half of that amount is regarding liens to four claimants, they will all be satisfied and the Borough will have notification of discharges of the liens before Two Brothers is paid, of the remaining money there are closing documents that the Borough Clerk has to receive as per the satisfaction of the Mayor & Council and Architect, an allowance of \$10,000.00 for the steps, the landscaping is guaranteed by Two Brothers that their subcontractor will replace of the spruce tree, and the other trees and shrubs. Mentioned that the amount to replace the landscaping bond is also still under consideration. Mayor Vaccaro spoke about wanting to move forward and finish the project, he wanted to be firm on the number for the landscaping at \$25,000.00. Mentioned that the money for Two Brothers will be in escrow and upon presenting the discharge of the liens to the Borough it will be released.

OUT OF CONSENT:

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

RESOLUTION #21-74

BE IT RESOLVED, by the Mayor and Council of the Borough of Moonachie that Mayor Dennis Vaccaro be and is hereby authorized to sign a Settlement Agreement with Two Brothers Contracting, Inc. for New Municipal Building.

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

All ayes. So ordered.

ORDINANCE: None

C/Cirillo thanked from the Seniors for the Borough helping to get the seniors registered for the COVID-19 vaccine. Recognized work of Mr. K, Mr. Facendola, Meadowlands Family Success Center for their help, and Veronica from the Riverside Medical Group.

Mayor Vaccaro spoke about signing the Seniors up for getting vaccinations. Mentioned that Mr. Facendola and Mr. K help and call people, Riverside Medical Group reached out to help register and to vaccinate seniors, over 100 Moonachie seniors signed up with them. Mentioned that it is still open, and to call Mr. Facendola to register for vaccination. C/Bauer asked about the bond for the DPW Building.

Mayor Vaccaro mentioned that they were on the phone yesterday with the bond company about the outstanding items at the building.

C/Bauer thanked the Council for the basket for the passing of his mother-in-law.

Mayor Vaccaro expressed condolence for the passing of C/Bauer's mother-in-law.

PUBLIC HEARING:

Sal DeAlessandro, 1 Frederick Street- asked about what the time period is for the grass pickup.

Mayor Vaccaro mentioned that this year they will advertise to pick up until December 1st.

Mr. DeAlessandro asked about the liens on the Municipal Building, and asked about the landscaping.

Attorney Migliorino explained that liens were because the subcontractors not being paid. Also spoke about the replacement of landscaping and the amount to replace the maintenance bond.

Mayor Vaccaro explained that in lieu of the bond it would be better for the Borough to hire a landscaper, and quotes were received.

Mr. DeAlessandro asked about the trench dip on Henry Street, wanted to know if a temporary patch could be put there, and the speed sign.

Mayor Vaccaro mentioned that he will speak to the Department of Public Works, and will work on getting the speed sign put up on Henry Street.

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

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

All ayes. So ordered.

Motion by C/Bauer and second by C/Wende to adjourn the meeting at 7:49 P.M.

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

All ayes. So ordered.

ATTEST:

Supriya Sanyal

Borough Clerk