

REGULAR MEETING called to order, Mayor Vaccaro in the chair, at the Municipal Building on Thursday January 26, 2023 at 7:03 P.M.

Mayor called for Pledge of Allegiance to the Flag.

ROLL CALL: Bauer, Cirillo, Kinsella, Martinez- present, Surak- not present,
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

Motion by C/Kinsella and second by C/Cirillo to approve Minutes of Regular Meeting of December 20th, 2022.

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

Borough of Little Ferry- notice of a public hearing on an ordinance authorizing amendment of Chapter 35- Land Use Regulation for Smoke Shops/Vape Shops prohibited Uses.

New Jersey Sport's Exposition Authority -Public notice for Variance (Building Addition) application for 110 &120 W. Commercial Ave.

New Jersey Department of Environmental Protection- notification of issuance of Soil Remediation Permit Modification for 100 Grand St.

New Jersey Department of Environmental Protection- notification of issuance of Ground Water Remediation Permit Modification for 100 Grand St.

New Jersey Department of Environmental Protection- Notification of Suspected Hazardous Substance Discharge at 140 State St.

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

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

THE FOLLOWING RESOLUTIONS WERE APPROVED AT THE EXECUTIVE MEETING OF JANUARY 12, 2023:

RESOLUTION#23-59

Authorize printing of 2023 Borough's Calendar by dynamic Printing, Inc. in the amount of \$5,595.00.

RESOLUTION#23-60

Confirming appointment of John Anastasio as Board of Health member.

RESOLUTION#23-61

Authorize Lerch, Vinci & Bliss LLP to perform a cost analysis/financial impact on the Borough's collective bargaining agreements in the amount not to exceed \$5,000.00 and approval of said proposal of Lerch, Vinci & Bliss LLP.

RESOLUTION#23-62

Appointment of Madilyn Williams as Part-time Police Communication Clerk.

RESOLUTION#23-63

Appointment of Borough Clerk as Redactor in compliance with Daniel's Law.

RESOLUTION#23-64

Entering into Closed Session regarding Personnel.

REGULAR MEETING OF JANUARY 26, 2023:

NEW BUSINESS:

CONSENT RESOLUTIONS:

All matters listed bellows are considered to be routine in nature and will be enacted by one motion and second.

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

RESOLUTION #23-65

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 \$78.75 credit on the sewer utility bill per year; and

BE IT RESOLVED that this amendment is retroactive to January 1, 2023.

RESOLUTION #23-66

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 65.5 cents per mile, effective immediately.

RESOLUTION #23-67

BE IT RESOLVED, by the Mayor and Council that the Borough Clerk is hereby authorized to advertise bids for Curbside Collection of Grass, Leaves, Yard Waste and Tree Trimmings; and

BE IT FURTHER RESOLVED, by the Mayor and Council of the Borough of Moonachie that the Borough Clerk is hereby authorized to receive bids for Curbside Collection of Grass, Leaves, Yard Waste and Tree Trimmings.

RESOLUTION #23-68
RESOLUTION EMPLOYING SPECIAL TAX COUNSEL
WITHOUT COMPETITIVE BIDDING

WHEREAS, there exists a need for the services of Special Tax Counsel 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 one (1) year; and

WHEREAS, the maximum amount of the Contract is \$45,000.00 at the hourly rate of \$122.00 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, HELENE C. HERBERT, ESQ. has completed and submitted a Business Entity Disclosure Certification which certifies that HELENE C. HERBERT ESQ. 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 HELENE C. HERBERT, ESQ. from making any reportable contributions through the term of the contract; and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A:11-1 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; and

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 HELENE C. HERBERT, ESQ.
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#23-69

BE IT RESOLVED by the Mayor and Council of the Borough of Moonachie that the Mayor is hereby authorized to sign Service Agreement with Bergen County Utilities Authority for a Certified Recycling Professional to prepare the Annual Recycling Tonnage Report.

Mayor Vaccaro mentioned that part of the change order included adding heat to the building while they were working in December.

RESOLUTION #23-70

WHEREAS, T. M. Brennan Contractors, Inc. submitted Change Order No. 1 in the amount of \$6,190.00 for Installation of Moonachie Senior Center HVAC; and

WHEREAS, Arcari+Iovino Architects, P.C. has approved Change Order No. 1 as presented; and

NOW THEREFORE, BE IT RESOLVED by the Mayor and Council that Change Order No. 1 be and is hereby approved.

RESOLUTION #23-71

WHEREAS, Arcari +Iovino Architect PC submitted invoice for professional architectural and engineering services for installation of HVAC at the Senior Center the amount of \$437.40; and

BE IT RESOLVED, by the Mayor and Council of the Borough of Moonachie that the payment in the amount of \$437.40 to Arcari +Iovino Architect PC for professional architectural and engineering services for installation of HVAC at the Senior Center be and is hereby approved.

RESOLUTION #23-72

WHEREAS, it is necessary to replace the tires on the Fire Department's Fire Truck Ladder #803; and

WHEREAS, the Fire Department has obtained three quotes and the lowest responsible quoter is Custom Bandag Inc in the amount of \$4,121.88; and

NOW THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Moonachie the purchase of replacement Tires for Fire Truck Ladder #803 from Custom Bandag, Inc. in the amount of \$4,121.88 be and is hereby approved.

RESOLUTION #23-73

WHEREAS, Panzera Invest, 141 Moonachie Road commercial sewer account #51-0 was billed for a total usage of 55cft for the 3rd quarter 2022 consumption period (7/1/2022-9/30/2022) provided by Veolia resulting is a total billed amount of \$602.53; and

WHEREAS, from actual waters bills provided by Panzera from Veolia for the 3rd quarter 2022 consumption period (7/1/2022-9/30/2022) total usage was actually 40cft which should have been a total billed amount of \$438.20; and

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council that the Tax Collector be and is hereby authorized to issue a credit of \$164.33 to the 3rd quarter 2022 consumption period (7/1/2022-9/30/2022).

RESOLUTION #23-74**BERGEN MUNICIPAL EMPLOYEE BENEFITS FUND****RESOLUTION to RENEW**

WHEREAS, a number of public entities in the State of New Jersey have joined together to form the **Bergen Municipal Employee Benefits Fund**, hereafter referred to as "FUND", as permitted by N.J.S.A. 11:15-3, 17:1-8.1, and 40A:10-36 et seq., and;

WHEREAS, the FUND was approved to become operational by the Departments of Insurance and Community Affairs and has been operational since that date, and;

WHEREAS, the statutes and regulations governing the creation and operation of a joint insurance fund, contain certain elaborate restrictions and safeguards concerning the safe and efficient administration of the public interest entrusted to such a FUND;

WHEREAS, the governing body of Borough of Moonachie hereinafter referred to as "LOCAL UNIT" has determined that membership in the FUND is in the best interest of the LOCAL UNIT.

NOW, THEREFORE, BE IT RESOLVED that the governing body of the LOCAL UNIT hereby agrees as follows:

- i. Become a member of the FUND for the period outlined in the LOCAL UNIT's Indemnity and Trust Agreements.
- ii. Will participate in the following type (s) of coverage (s):
 - a.) Health Insurance and/or Dental and/or Prescription as defined pursuant to N.J.S.A. 17B:17-4, the FUND's Bylaws, and Plan of Risk Management.
- iii. Adopts and approves the FUND's Bylaws.
- iv. Execute an application for membership and any accompanying certifications.

BE IT FURTHER RESOLVED that the governing body of the LOCAL UNIT is authorized and directed to execute the Indemnity and Trust Agreement and such other documents signifying membership in the FUND as required by the FUND's Bylaws, and to deliver these documents to the FUND's Executive Director with the express reservation that these documents shall become effective only upon:

- i. Approval of the LOCAL UNIT by the FUND.
- ii. Receipt from the LOCAL UNIT of a Resolution accepting assessment.
- iii. Approval by the New Jersey Department of Insurance and Department of Community Affairs.

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

BILLS:

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

CHECK	CURRENT ACCOUNT	AMOUNT
9900	BOARD OF EDUCATION	792,572.50
9901	VERIZON	97.18
9902	BOROUGH OF MOONACHIE TRUST ESC	694.33
9903	SCHINDLER ELEVATOR CORPORATION	547.30
9904	DELAGÉ LANDEN FINANCIAL SERVIC	260.00
9905	JOSEPH SMENTKOWSKI	9,170.91
9906	BOSWELL ENGINEERING	5,004.50
9907	VERIZON WIRELESS	421.28
9908	AQUA FRESCA AND JAVA LLC	150.00
9909	ALAR MCO SYSTEMS	276.00
9910	CHRISTMAS SPECTACULAR	2,805.00
9911	FIRST PRIORITY EMERGENCY VEHIC	301.22
9912	FIREFIGHTER ONE LLC.	4,019.18
9913	W.B.MASON'S COMPANY INC.	101.45
9914	DYNAMIC PRINTING & GRAPHICS	5,995.00
9915	TIMECLOCK PLUS, LLC	1,452.00
9916	1ST RESPONDER NEWSPAPER	145.00
9917	ASSOCIATED APPRAISAL GROUP	1,250.00
9918	JOHN ROSSILLO	4,082.40
9919	MICHAEL WOODS	4,082.40
9920	JOHN MULVANEY	4,082.40
9921	MARK TORSIELLO	2,041.20
9922	ROBERT BAUER	2,041.20
9923	REYNWOOD COMMUNICATIONS	728.35
9924	MANSFIELD OIL COMPANY	6,100.52
9925	INSTITUTE PROF DEV	50.00
9926	INSTITUTE PROF DEV	50.00
9927	INSTITUTE PROF DEV	50.00
9928	INSTITUTE PROF DEV	50.00
9929	NEW JERSEY FIRE EQUIPMENT	80.00
9930	REINER OVERHEAD DOORS, LLC.	195.00
9931	GENERAL CODE	1,195.00
9932	RACHLES/MICHELE'S OIL CO.	461.52
9933	EXECUTIVE LIQUIDATION	125.00
9934	BERGEN COUNTY MUN.COUR ADMIN	40.00
9935	REDICARE LLC	75.00
9936	REDICARE LLC	75.00
9937	CODY COMPUTER SERVICES, INC	8,484.53
9938	HARRIS UNIFORMS	151.50
9939	HARRIS UNIFORMS	112.00
9940	HARRIS UNIFORMS	36.00
9941	SAL'S EQUIPMENT SERVICE & REPA	2,017.60
9942	HARRIS UNIFORMS	136.00
9943	HARRIS UNIFORMS	296.00
9944	HOMETOWN AUTO PARTS	27.98
9945	JESCO	1,263.16
9946	DOMESTIC UNIFORM RENTAL	284.15
9947	DELAGÉ LANDEN FINANCIAL SERVIC	199.99
9948	NATURE'S CHOICE CORPORATION	317.30
9949	NATURE'S CHOICE CORPORATION	317.30
9950	HOMETOWN AUTO PARTS	463.83
9951	JOHNSTON, COMMUNICATIONS	589.23

9952	IRON MOUNTAIN	1,714.48
9953	METROPOLITAN MEDICAL CORP	500.00
9954	GLOBAL INTERACTIVE SOLUTION,LL	248.90
9955	PITNEY BOWES-RESERVE ACCT.	583.00
9956	GET A CAN INC.	3,150.33
9957	GAETA RECYCLING	91.30
9958	TRITEC OFFICE EQUIPMENT	275.32
9959	W.B.MASON'S COMPANY INC.	106.49
9960	ALL COVERED	1,273.00
9961	BERGEN COUNTY DEPT. OF HEALTH	550.00
9962	MGL PRINTING SOLUTIONS	273.00
9964	HOMETOWN AUTO PARTS	186.90
9965	EVANS CATERING SERVICE	8.93
9966	INTERNATIONAL ASSOC. OF CHIEFS	190.00
9967	BERGEN COUNTY POLICE CHIEF	600.00
9968	EAGLE POINT GUN/T J MORRIS & S	3,281.65
9969	NJMVC	150.00
9970	BERGEN COUNTY PROSECUTOR'S OFF	8,000.00
9971	N.J. STATE ASSOC. OF CHIEFS OF	350.00
9972	NEW JERSEY STATE ASSN. OF CHEI	600.00
9974	PENGUIN MANAGEMENT, INC.	1,560.00
9975	BOROUGH OF WOOD-RIDGE	4,000.00
9976	PSE&G COMPANY	6,837.72
9977	N.J. COURT ADMINISTRATORS ASSO	50.00
9978	MCAA OF NJ	50.00
9979	W.B.MASON'S COMPANY INC.	36.59
9980	W.B.MASON'S COMPANY INC.	167.63
9981	W.B.MASON'S COMPANY INC.	52.52
9982	W.B.MASON'S COMPANY INC.	258.28
TOTAL		900,710.45
CHECK	CURRENT ACCOUNT	AMOUNT
9963	TRAINING UNLIMITED LLC	VOID
9973	PENGUIN MANAGEMENT, INC.	VOID
NON-CHECK PAYMENT	CURRENT ACCOUNT	AMOUNT
NON-CHECK PAYMENT	PRIMEPAY, LLC	438.86
NON-CHECK PAYMENT	MOONACHIE FIRE DEPT.	16,000.00
NON-CHECK PAYMENT	BOROUGH OF MOONACHIE PAYROLL A	163,848.90
NON-CHECK PAYMENT	BOROUGH OF MOONACHIE PAYROLL A	164,645.60
TOTAL		344,933.36
NON-CHECK PAYMENT	CURRENT ACCOUNT	AMOUNT

NON-CHECK PAYMENT	BOROUGH OF MOONACHIE PAYROLL A	VOID
CHECK	GENERAL CAPITAL ACCOUNT	AMOUNT
437	BOSWELL ENGINEERING	530.75
438	ARCARI + IOVINO ARCHITECTS, PC	437.40
TOTAL		968.15
CHECK	SEWER OPERATING ACCOUNT	AMOUNT
1120	SCOTT ENVIRONMENTAL	600.00
1121	LOWE'S HOME CENTER INC.	90.45
1122	ZIP'S TRUCK EPT, INC/AW DIRECT	250.10
1123	LOWE'S HOME CENTER INC.	6.64
1124	PITNEY BOWES-RESERVE ACCT.	417.00
1125	PSE&G COMPANY	1,982.33
TOTAL		3,346.52
NON-CHECK PAYMENT	SEWER OPERATING ACCOUNT	AMOUNT
NON-CHECK PAYMENT	BOROUGH OF MOONACHIE PAYROLL A	11,306.24
NON-CHECK PAYMENT	BOROUGH OF MOONACHIE PAYROLL A	11,766.94
TOTAL		23,073.18
CHECK	DOG ACCOUNT	AMOUNT
80	EDMUNDS GOVTECH INC.	543.00
TOTAL		543.00
CHECK	COMPENSATED ABSENCE ACCOUNT	AMOUNT
6	BOROUGH OF MOONACHIE PAYROLL A	66,571.60
TOTAL		66,571.60

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

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**

BE IT ORDAINED by the Mayor and Council of the Borough of Moonachie, in the
County of Bergen, State of New Jersey as follows:

Chapter XIII, Section 13-14 SCHEDULE OF FEES AND CHARGES Ordinances of
the Borough of Moonachie is hereby amended to read as follows:

13-14.3 Commercial & Industrial Uses. Each connection for service to a commercial
business or industrial establishment shall be *charged One Hundred Twenty Dollars and
Fifty-One cents (\$120.51) per one thousand (1,000) cubic feet or less*, as determined
from the quarterly water meter reading. However, there shall be a minimum charge of
One Thousand Two Hundred Five Dollars and Four cents (\$1,205.04) per year.

This Section of the Ordinance shall take effect with the 1st Quarter, 2023 billings (October-December Usage) and shall be used to calculate that and all subsequent commercial and industrial billings.

The Borough Clerk has presented an affidavit showing that advertisement had been made according to law.

PUBLIC HEARING ON ORDINANCE #2023-1: No one wished to be heard.

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

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

All ayes. So ordered.

Motion by C/Bauer and second by C/Kinsella to adopt Ordinance#2023-1.

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

All ayes. So ordered.

Mayor Vaccaro mentioned that there is a meeting at the Civic Center on Monday about the HVAC project, two thirds of the equipment is completed, one unit needs to be replaced in the closet, and the condensers are being placed outside, but they cannot be tested until springtime. Also, mentioned that the Civic Center may be open after two weeks, mentioned speaking to the contractor about having one side open to hold the Senior Club meeting in February. He mentioned speaking to the mobile home park owners, and discussed concerns the Borough had with them and the Construction official was also there so that the construction in the park can be addressed. Asked to schedule a meeting with Police Committee for the contract, and did not hear back from the DPW regarding the contract.

PUBLIC HEARING: No one wished to be heard.

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

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

All ayes. So ordered.

Motion by C/Bauer and second by C/Kinsella to adjourn meeting at 7:07 P.M.

ATTEST:

Supriya Sanyal
Borough Clerk