

Regular Meeting called to order, Mayor Vaccaro in the chair, at the Municipal Building on Thursday May 25, 2023 7:30 P.M.

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

Deputy 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/Kinsella to approve Minutes of Regular Meeting of April 27, 2023.

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

All ayes. So ordered.

COMMUNICATIONS:

Verdantas, Inc. – Notice of Soil Remedial Action Protectiveness/ Biennial Certification Form for Terminal Construction Corp., 100 Anderson Avenue.

Boroughs of Old Tappan, Westwood, Hillsdale- Resolution in Support of S3739/A5402 Delaying the Implementation of the Fourth Round of Affordable Housing Obligations.

Bergen County Board of Commissioners – recognition of Older Americans Month, Historic Preservation Month, National Teacher’s Week, Asian American and Pacific Islander Heritage Month, Mental Health Awareness Month, Military Appreciation Month and Memorial Day, Jewish Heritage Month, Provider Appreciation Day, and Stigma-Free Month.

Bergen County Board of Commissioners – Notice of adoption of Ordinances to Discontinue Van Riper Avenue in Elmwood Park as a County Road and Transfer Control and Jurisdiction to the Borough of Elmwood Park, and Ordinance to Revise the Speed Limit on Grand Avenue, County Route 2 - Borough of Montvale.

NJDEP- Notice of Violation for LPS Industries, 10 Caesar Place, Block 63/Lot 5.

Bergen County Board of Commissioners- Resolution approving a Countywide Fire Mutual Aid Agreement.

TerraPhase Engineering- notice of Response Action Outcome submission to NJDEP for Electro-Miniatures, 68 West Commercial Avenue, Block 66/Lot 6.

TerraPhase Engineering- notice of Receptor Evaluation submission to NJDEP for Electro-Miniatures, 68 West Commercial Avenue, Block 66/Lot 6.

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

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

All ayes. So ordered.

REQUEST FOR PROPOSALS FOR UTILITY BILL AUDIT SERVICES- MARCH 7, 2023:

Two proposals were received on March 7, 2023:

Troy & Banks, Inc.

2216 Kensington Ave.

Buffalo, NY 14226 –Payment of 22% of the amount saved each month for 112 months

George A. Koteen Associates, Inc.

290 Queen Anne Rd.

Teaneck, NJ 07666 – Payment of 40% of each refund, credit or adjustment.

Mayor Vaccaro asked to hold the item until next month.

FORMAL ACTION TAKEN AT EXECUTIVE MEETING OF MAY 11, 2023:

RESOLUTION #23-125

Appointment of the following Part-time Recreation Summer Recreation Staff:

Hemansi Patel (1st Yr.)

RESOLUTION#23-126

Authorized purchase and installation of Radio Equipment for the Fire Department from ESS, in the amount of \$6,722.65.

RESOLUTION#23-127

Approval of Award of a contact to Viper-Jet LLC for the Moonachie Avenue Pump Station Clean Out in the amount of \$11,500.00.

RESOLUTION#23-128

Enter into Closed Session regarding DPW Personnel and Police Chief's Contract.

RESOLUTION#23-129

Authorize Mayor to request NJ Civil Services Commission for the Certification of Eligible for Appointment of Police Officer.

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

RESOLUTION #23-130

WHEREAS, the Borough has solicited two competitive quotes the purchase of Office Furniture and Filing Cabinets for the Municipal Court Room and Executive Liquidation was the lowest responsible quoter in the amount of \$7,840.00; and

NOW THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Moonachie that the purchase of Office Furniture and Filing Cabinets for the Municipal Court Room from Executive Liquidation in the amount of \$7,840.00 be and is hereby authorized.

RESOLUTION #23-131

WHEREAS, the Borough has solicited two competitive quotes and Daimon Soundproofing was the lowest responsible quoter; and

NOW THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Moonachie approve the purchase/installation of the Acoustic Panels in the Municipal Court Room from Daimon Soundproofing in the amount of \$6,600.00.

RESOLUTION #23-132

WHEREAS, Axon Enterprise is the only vendor that sells the required equipment and the necessary certifications in maintaining the Taser equipment for the Police Department; therefore competitive quotes were not obtained and the purchase is considered proprietary in nature in accordance with N.J.S.A. 40A:-11(39) and

NOW THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Moonachie that the purchase with Axon Enterprise for the Taser 7 Certification Bundle Payment and Taser 7 Certification Plan Add-On Payment in the amount of \$3,510.26 be and is hereby authorized.

RESOLUTION #23-133

BE IT RESOLVED, by the Mayor and Council of the Borough of Moonachie that the purchase of necessary equipment (computers) and the installation of two (2) computers to connect with the Municipal Court Room and Hallway TV by JCT Solutions, in the amount of \$5,385.66 be is hereby authorized and the purchase is being made through the Union County Purchasing Cooperative #23-2021 of which the Borough is a member.

RESOLUTION #23-134

**A RESOLUTION AUTHORIZING INCLUSION IN THE
BERGEN COUNTY COMMUNITY DEVELOPMENT PROGRAM**

WHEREAS certain Federal funds are potentially available to the County of Bergen under Title I of the Housing and Community Development Act of 1974, as amended; the HOME Investment Partnership Act of 1990, as amended; and the Emergency Solutions Grant of 2012; and

WHEREAS the current Interlocal Services Cooperative Agreement contains an automatic renewal clause to expedite the notification of the inclusion process; and

WHEREAS each Municipality must notify the Bergen County Division of Community Development of its intent to continue as a participant in the Urban County entitlement programs noted above; and

WHEREAS it is in the best interest of the Municipality of the Borough of Moonachie and its residents to participate in said Programs.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Municipality of the Borough of Moonachie hereby notifies the Bergen County Division of Community Development of its decision to be included as a participant Municipality in the Urban County entitlement programs being the Community Development Block Grant Program (CDBG), the HOME Investment Partnership Program (HOME), and the Emergency Solutions Grant Program (ESG) for the **Fiscal Years 2024, 2025, and 2026 covering the period July 1, 2024 – June 30, 2027**; and

BE IT FURTHER RESOLVED that an original copy of this resolution be made available to the Director of the Bergen County Division of Community Development as soon as possible and no later than **MONDAY, JUNE 26, 2023**.

RESOLUTION #23-135

**A RESOLUTION AUTHORIZING THE EXECUTION OF AN
AGREEMENT WITH THE COUNTY OF BERGEN TO SUPERSEDE THE
COOPERATIVE AGREEMENT DATED JULY 1, 2021, AND
AMENDMENTS THERETO ESTABLISHING THE BERGEN COUNTY
COMMUNITY DEVELOPMENT PROGRAM**

WHEREAS certain Federal funds are potentially available to the County of Bergen under Title I of the Housing and Community Development Act of 1974, as amended; the HOME Investment Partnership Act of 1990, as amended; and the Emergency Solutions Grant of 2012; and

WHEREAS it is necessary to supersede an existing Interlocal Services Cooperative Agreement for the County and its people to benefit from these Programs; and

WHEREAS, an Agreement has been proposed under which the Municipality of the Borough of Moonachie and the County of Bergen in cooperation with other Municipalities, will modify an Interlocal Services Program pursuant to N.J.S.A. 40A:65-1 et seq.; and

WHEREAS it is in the best interest of the Municipality of the Borough of Moonachie to enter into such an Agreement.

NOW, THEREFORE, BE IT RESOLVED by the Municipality of the Borough of Moonachie that the Agreement entitled “Three Year Cooperative Agreement” (an Agreement superseding the Cooperative Agreement dated July 1, 2021 – June 30, 2024) to clarify the planning and implementation procedures and to enable the Municipality to make a Three Year irrevocable commitment to participate in the Community Development Block Grant Program (CDBG), the Home Investment Partnership Program (HOME), and the Emergency Solutions Grant Program (ESG) for the **Fiscal Years 2024, 2025, and 2026 covering the period July 1, 2024 – June 30, 2027**, be executed by the Mayor and Municipal Clerk in accordance with the provisions of law; and

BE IT FURTHER RESOLVED that this resolution shall take effect immediately in accordance with law and that an original copy be made available to the Director of the Bergen County Division of Community Development as soon as possible and no later than **MONDAY, JUNE 26, 2023**.

RESOLUTION #23-136

WHEREAS, the Borough of Moonachie has entered into a Three-Year Cooperative Agreement with the County of Bergen as provided under the Interlocal Services Act N. J. S. A. 40A:8A-1 et seq. and Title 1 of the Housing and Community Development Act of 1974; and

WHEREAS, said Agreement requires that one Municipal Representative be appointed by the Governing Body of the Community to be part of the Community Development Regional Committee for the term of one year coinciding with the fiscal year July 1 through June 30;

NOW THEREFORE, BE IT RESOLVED that the Governing Body hereby appoints Councilman Robert Bauer, Sr. as its representative to participate on the Community Development Regional Committee; and

BE IT FURTHER RESOLVED that Administrator Anthony Ciannamea be appointed as the alternative representative.

RESOLUTION #23-137

BE IT RESOLVED, that the following applicants for Part-time Recreation Staff are hereby employed effective January 1st, 2023:

<u>NAME</u>	<u>POSITION</u>	<u>HOURLY RATE</u>
Brian Harasek	Counselor	\$13.00

RESOLUTION #23-138

BE IT RESOLVED by the Mayor and Council of the Borough of Moonachie that the Mayor is hereby authorized to sign an engagement letter with Paul Lerch of Lerch, Vinci, Bliss LLP for the service to provide LOSAP review for the years 2022 and 2023.

RESOLUTION #23-139

BE IT RESOLVED, by the Mayor and Council of the Borough of Moonachie that Matthew Vaccaro is hereby appointed as Recreation Co-Director at a rate of \$22.00 per hour.

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

OUT OF CONSENT:

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

RESOLUTION #23-140

WHEREAS, IL Cantina, LLC trading as Bistro 107, 107 Moonachie Road, Moonachie, New Jersey, has applied for a renewal of their PLENARY RETAIL CONSUMPTION LICENSE for 2023-2024; and

WHEREAS, no objections have been filed with the Borough Clerk to date and IL CANTINA, LLC has complied with all legal requirements; and

NOW THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Moonachie that the application for the renewal of Plenary Retail Consumption License 0237-33-002-007, be and is hereby approved.

RESOLUTION #23-141

WHEREAS, CASTREMAR, INC. trading as SEGOVIA RESTAURANT, 150 Moonachie Road, Moonachie, New Jersey has applied for a renewal of their PLENARY RETAIL CONSUMPTION LICENSE NO. 0237-33-006-004 for 2023-2024; and

WHEREAS, no objections have been filed with the Borough Clerk to date and CASTREMAR, INC. has complied with all legal requirements;

NOW THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Moonachie that the application for the renewal of Plenary Retail Consumption License No. 0237-33-006-004 be and is hereby approved.

RESOLUTION #23-142

WHEREAS, El Tango Argentina Grill LLC has applied for a renewal of their PLENARY RETAIL CONSUMPTION LICENSE for 2023-2024; and

WHEREAS, no objection have been filed with the Borough Clerk to date, and El Tango Argentina Grill LLC has complied with all legal requirements; and

NOW THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Moonachie, that the application for the renewal of Plenary Retail Consumption License 0237-33-008-010, be and is hereby approved.

RESOLUTION #23-143

WHEREAS, La Havana 59 Corp. trading as La Havana 59, 110 Moonachie Avenue, Moonachie, New Jersey has applied for renewal of their PLENARY RETAIL CONSUMPTION LICENSE for 2023-2024; and

WHEREAS, no objections have been filed with the Borough Clerk to date and La Havana 59 Corp. has complied with all legal requirements; and

NOW THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Moonachie that the application for the renewal of Plenary Retail Consumption License 0237-33-003-005, be and is hereby approved.

RESOLUTION #23-144

WHEREAS, In Thyme Food Service, LLC trading as 55 Thyme LLC, 55 Moonachie Avenue, Moonachie, New Jersey, has applied for a renewal of their PLENARY RETAIL CONSUMPTION LICENSE for 2023-2024; and

WHEREAS, no objections have been filed with the Borough Clerk to date and In Thyme Food Service, LLC has complied with all legal requirements; and

NOW THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Moonachie that the application for the renewal of Plenary Retail Consumption License 0237-33-004-003, be and is hereby approved.

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

BILLS:

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

CHECK	CURRENT ACCOUNT	AMOUNT
10448	AGE'S AUTO LLC.	512.00
10449	AGE'S AUTO LLC.	514.40
10450	AGE'S AUTO LLC.	58.00
10451	FUN TIME ENTERTAINMENT	325.00
10452	BERGEN BROOKSIDE AUTOMOTIVE	2,093.62
10453	STANDARD INSURANCE	1,562.46
10454	VERIZON	1,491.91
10455	VERIZON	259.99
10456	VEOLIA WATER NEW JERSEY	170.20
10457	VEOLIA WATER NEW JERSEY	301.33
10458	BOARD OF EDUCATION	792,572.50
10459	VERIZON	45.55
10460	WISS & BOUREGY P.C.	375.00

10461	REYNWOOD COMMUNICATIONS	728.64
10462	DELAGÉ LANDEN FINANCIAL SERVIC	260.00
10463	BERGEN MUNICIPAL EMPLOYEE BENE	134,713.00
10464	BERGEN MUNICIPAL EMPLOYEE BENE	134,713.00
10465	VERIZON	584.83
10466	VERIZON	694.42
10467	LEXIS NEXIS RISK SOLUTIONS	30.00
10468	RIO VISTA LANDSCAPING LLC	540.00
10469	JOSEPH SMENTKOWSKI	9,170.91
10470	JOSEPH SMENTKOWSKI	6,234.38
10471	KONICA MINOLTA BUSINESS SOL.	1,168.00
10472	PSE&G COMPANY	13,207.80
10473	FUN TIME ENTERTAINMENT	1,025.00
10474	HOMETOWN AUTO PARTS	13.98
10475	RACHLES/MICHELE'S OIL CO.	905.43
10476	TRITEC OFFICE EQUIPMENT	96.47
10477	SHRED IT USA	122.80
10478	SHRED IT USA	120.93
10479	VIP CAR WASH	153.00
10480	DRAEGER SAFETY DIAGNOSTICS INC	179.00
10481	LOWE'S HOME CENTER INC.	97.83
10482	ROBERTS & SON	1,627.74
10483	DANIEL LEONCINI	352.00
10484	IRON MOUNTAIN	1,749.54
10485	LINDE GAS & EQUIPMENT INC.	96.26
10486	ALL COVERED	1,555.80
10487	W.B.MASON'S COMPANY INC.	68.26
10488	PSE&G COMPANY	969.98
10489	MILLENIUM STRATEGIES	1,500.00
10490	BRITTANY DE OLIVEIRA	65.00
10491	SOL RIVERA-VILLON	200.00
10492	VERIZON	6.55
10493	MARLIN BUSINESS BANK	150.49
10494	DART COMPUTER SERVICES INC.	3,625.00
10495	W.B.MASON'S COMPANY INC.	123.28
10496	W.B.MASON'S COMPANY INC.	359.01
10497	HOMETOWN AUTO PARTS	161.90
10498	HERBERT & WEISS ATT. AT LAW	24.00
10499	HOMETOWN AUTO PARTS	24.04
10500	NEW JERSEY FIRE EQUIPMENT	412.00
10501	METRO FIRE & SAFETY EQUIPMENT	265.75
10502	W.B.MASON'S COMPANY INC.	33.48
10503	V.E. RALPH & SON INC.	21.00
10504	GET A CAN INC.	3,150.33
10505	HOMETOWN AUTO PARTS	231.89
10506	HOMETOWN AUTO PARTS	574.70
10507	REDICARE LLC	75.00
10508	REDICARE LLC	75.00
10509	ZIP'S TRUCK EPT, INC/AW DIRECT	489.92
10510	MANSFIELD OIL COMPANY	6,011.39
10511	COUNTY OF BERGEN	580,762.00
10512	LOWE'S HOME CENTER INC.	36.87
10513	ALTONA BLOWER & SHEET METAL	1,840.00
10514	BERGEN BROOKSIDE AUTOMOTIVE	1,184.37
10515	HOME DEPOT CREDIT SERVICES	947.00
10516	DKL CONSULTING	1,273.50
10517	CYNTHIA HOLMES	1,110.00

10518	N.J. COURT ADMINISTRATORS ASSO	50.00
10519	FREDERICK DRESSEL IV	227.24
10520	RAPID PEST CONTROL	95.00
10521	MILLENIUM STRATEGIES	1,500.00
10522	VIP CAR WASH	54.99
10523	LOWE'S HOME CENTER INC.	577.56
10524	W.B.MASON'S COMPANY INC.	49.88
10525	PHILIP A. FACENDOLA	333.60
10526	VERIZON	44.56
10527	VERIZON	694.42
10528	VEOLIA WATER NEW JERSEY	62.57
10529	JENNIFER COONEY	96.66
10530	HOME DEPOT CREDIT SERVICES	28.45
10531	NORTH JERSEY MEDIA GROUP	114.24
10532	TRACKER PRODUCTS LLC	2,066.67
10533	CIT-NJ CENTER IF EXCELLENCE PR	250.00
10534	JAMES O NEILL	101.35
10535	KONICA MINOLTA BUSINESS SOL.	1,238.00
10536	NORTH JERSEY MEDIA GROUP	62.84
10537	W.B.MASON'S COMPANY INC.	120.34
10538	HOMETOWN AUTO PARTS	968.31
10539	V.E. RALPH & SON INC.	544.00
10540	METROPOLITAN MEDICAL CORP	525.00
10541	LOWE'S HOME CENTER INC.	321.36
10542	LINDE GAS & EQUIPTMENT INC.	42.75
10543	DELAGÉ LANDEN FINANCIAL SERVIC	199.99
10544	HOMETOWN AUTO PARTS	512.98
10545	HOMETOWN AUTO PARTS	524.78
10546	AMSTERDAM PRINTING & LITHO	125.11
10547	VERIZON	594.65
10548	VEOLIA WATER NEW JERSEY	128.73
10549	COUNTY OPEN SPACE TRUST FUND	24,099.00
10550	VEOLIA WATER NEW JERSEY	5,091.97
10551	PABCO INDUSTRIES	1,158.03
10552	ULINE, INC.	1,262.54
10553	VICTOR MIGLIORINO (SON)	5.53
10554	FRANK CARDONE	1,600.00
10555	NATURE'S CHOICE CORPORATION	610.20
10556	THOMPSON RUETERS-WEST	157.92
10557	DRAEGER SAFETY DIAGNOSTICS INC	68.00
10558	ANTHONY CIANNAMEA	231.40
10559	VERIZON	6.55
10560	HARRIS UNIFORMS	58.00
10561	HARRIS UNIFORMS	312.00
10562	HARRIS UNIFORMS	314.00
10563	CERTIFIED SPEEDOMETER	308.00
10564	PITNEY BOWES-RESERVE ACCT.	1,000.00
10565	N.J. STATE ASSOC. OF CHIEFS OF	425.00
10566	BROWNELLS, INC.	280.43
10567	POSTMASTER	290.00
10568	STANDARD INSURANCE	1,814.66
10569	SWIFTREACH NETWORKS, LLC	870.00
10570	VEOLIA WATER NEW JERSEY	144.86
10571	VEOLIA WATER NEW JERSEY	139.25
10572	LERCH, VINCI & BLISS LLP	665.00
10573	MCI COMM SERVICE	286.43
10574	VERIZON WIRELESS	723.03

10575	VERIZON	608.07
10576	VERIZON	150.64
10577	DKL CONSULTING	931.50
10578	DKL CONSULTING	846.00
10579	V.E. RALPH & SON INC.	248.00
10580	SJZ PAINTING & HOME IMPROV,LLC	1,000.00
TOTAL		1,774,156.47
CHECK	CURRENT ACCOUNT	AMOUNT
9977	NJ COURT ADMINISTRATORS ASSOC.	VOID
NON-CHECK PAYMENT	CURRENT ACCOUNT	AMOUNT
NON-CHECK PAYMENT	BOROUGH OF MOONACHIE PAYROLL A	183,473.91
NON-CHECK PAYMENT	PRIMEPAY, LLC	126.16
NON-CHECK PAYMENT	BOROUGH OF MOONACHIE PAYROLL A	189,779.24
TOTAL		373,379.31
CHECK	TRUST ESCROW ACCOUNT	AMOUNT
1720	PRINTING ON MAIN STREET LLC	288.00
1721	BOSWELL ENGINEERING	1,708.50
TOTAL		1,996.50
CHECK	TRUST ESCROW ACCOUNT	AMOUNT
1709	BOSWELL ENGINEERING	VOID
CHECK	GENERAL CAPITAL ACCOUNT	AMOUNT
456	ESS INC.(ATTN: DANIEL MILLER)	293.21
457	ARCARI + IOVINO ARCHITECTS, PC	270.00
458	R & R RADAR INC.	1,246.00
459	NEW JERSEY FIRE EQUIPMENT	437.80
460	RIEDEL SIGN COMPANY IN.	1,112.00
461	BOSWELL ENGINEERING	394.50
462	BOSWELL ENGINEERING	42.50
463	TM BRENNAN SERVICE INC	16,859.50
464	CIRILLO ELECTRIC, INC	4,780.00
465	BOSWELL ENGINEERING	440.00
466	JOHNSTON, COMMUNICATIONS	67,951.76
TOTAL		93,827.27
CHECK	GENERAL CAPITAL ACCOUNT	AMOUNT
455	JOHNSTON, COMMUNICATIONS	VOID
CHECK	SEWER OPERATING ACCOUNT	AMOUNT
1180	VERIZON	44.56
1181	VERIZON	44.56
1182	VERIZON	58.68
1183	BERGEN MUNICIPAL EMPLOYEE BENE	8,747.00
1184	BERGEN MUNICIPAL EMPLOYEE BENE	8,747.00
1185	PSE&G COMPANY	2,474.99
1186	SCOTT ENVIRONMENTAL	250.00
1187	DKL CONSULTING	391.50
1188	VEOLIA WATER NEW JERSEY	87.04

1189	VERIZON	44.56
1190	EDWARD J.ALBERT & SON INC.	1,391.88
1191	VERIZON	58.68
1192	DKL CONSULTING	414.00
1193	VEOLIA WATER NEW JERSEY	201.94
1194	DKL CONSULTING	373.50
TOTAL		23,329.89
NON-CHECK PAYMENT	SEWER OPERATING ACCOUNT	AMOUNT
NON-CHECK PAYMENT	BOROUGH OF MOONACHIE PAYROLL A	11,669.48
NON-CHECK PAYMENT	BOROUGH OF MOONACHIE PAYROLL A	8,849.28
TOTAL		20,518.76
CHECK	SEWER CAPITAL ACCOUNT	AMOUNT
126	NORTH JERSEY MEDIA GROUP	64.60
TOTAL		64.60
CHECK	DOG ACCOUNT	AMOUNT
84	N.J. DEPT. OF HEALTH AND SENIO	19.80
TOTAL		19.80
CHECK	SUMMER RECREATION ACCOUNT	AMOUNT
178	FUN TIME ENTERTAINMENT	1,525.00
179	FUN TIME ENTERTAINMENT	225.00
TOTAL		1,750.00

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

INTRODUCTION OF ORDINANCE:
Motion by C/Kinsella and second by C/Cirillo

BE IT RESOLVED that the following ordinance:
BOROUGH OF MOONACHIE
ORDINANCE#2023-6
CALENDAR YEAR 2023
ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION
LIMITS AND TO ESTABLISH A CAP BANK
(N.J.S.A. 40A: 4-45.14)

heretofore introduced, do now pass on first reading, and that said ordinance be further considered for final passage at a meeting to be held on the 22nd day of June, 2023 at 7 :00 P.M. or as soon thereafter as the matter can be reached, at the regular meeting of the Mayor and Council and that at such time and place all persons interested be given an opportunity to be heard concerning said ordinance, and that the Borough Clerk be and hereby is, authorized and directed to publish said ordinance according to law with a notice of introduction and passage on first reading and of the time and place when and where said ordinance will be further considered for final passage.

Administrator Ciannamea mentioned that the Ordinance allows the Borough to put money into the cap bank to use in the future if needed.

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

FINAL PASSAGE OF ORDINANCES:
ORDINANCE #2023-3
AN ORDINANCE OF THE BOROUGH OF
MOONACHIE, IN THE COUNTY OF BERGEN, NEW
JERSEY, APPROPRIATING \$805,000 FOR THE

IMPROVEMENTS TO EMPIRE BOULEVARD AND
2023 ROAD IMPROVEMENT PROGRAM

BE IT ORDAINED BY THE BOROUGH COUNCIL OF THE BOROUGH OF MOONACHIE, IN THE COUNTY OF BERGEN, NEW JERSEY (NOT LESS THAN TWO-THIRDS OF all members thereof affirmatively concurring) AS FOLLOWS:

Section 1. \$805,000 is hereby appropriated including \$511,620 from the Capital Improvement Fund for the 2023 Road Improvement Program, as said streets are identified from time to time on a list on file in the Borough Clerk's office and \$293,380 from the New Jersey Department of Transportation FY 2023 Municipal Aid Program Grant for the Improvements to Empire Boulevard, and including all work and materials necessary therefor or incidental thereto.

Section 2. The capital budget or temporary capital budget, as applicable, of the Borough is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith. In the event of any such inconsistency and amendment, the resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget or temporary capital budget, as applicable, and capital program as approved by the Director of the Division of Local Government Services is on file with the Borough Clerk and is available there for public inspection.

Section 3. This ordinance shall take effect as provided by law.

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

PUBLIC HEARING ON ORDINANCE #2023-3: No one wished to be heard.
Motion by C/Cirillo and second by C/Bauer to close public hearing.
ROLL CALL: Bauer, Cirillo, Kinsella, Surak, Wende.
All ayes. So ordered.

Motion by C/Kinsella and second by C/Cirillo to adopt Ordinance#2023-3.
ROLL CALL: Bauer, Cirillo, Kinsella, Surak, Wende.
All ayes. So ordered.

ORDINANCE #2023-4
AN ORDINANCE OF THE BOROUGH OF
MOONACHIE, IN THE COUNTY OF BERGEN, NEW
JERSEY, APPROPRIATING \$187,263 FOR THE
JOSEPH STREET PARK TENNIS AND BASKETBALL
COURT IMPROVEMENTS

BE IT ORDAINED BY THE BOROUGH COUNCIL OF THE BOROUGH OF MOONACHIE, IN THE COUNTY OF BERGEN, NEW JERSEY (NOT LESS THAN TWO-THIRDS OF all members thereof affirmatively concurring) AS FOLLOWS:

Section 1. \$187,263 is hereby appropriated including \$107,072 from the Capital Improvement Fund and \$80,191 is available from the County of Bergen Open Space, Recreation, Floodplain Protection, Farmland & Historic Preservation Trust Fund for the Joseph Street Park Tennis and Basketball Court Improvements, and including all work and materials necessary therefor or incidental thereto.

Section 2. The capital budget or temporary capital budget, as applicable, of the Borough is hereby amended to conform with the provisions of this ordinance to the

extent of any inconsistency herewith. In the event of any such inconsistency and amendment, the resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget or temporary capital budget, as applicable, and capital program as approved by the Director of the Division of Local Government Services is on file with the Borough Clerk and is available there for public inspection.

Section 3. This ordinance shall take effect as provided by law.

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

Mayor Vaccaro mentioned that the Ordinance allows the Borough to spend the funds to redo the tennis and basketball courts at Veteran's Park.

PUBLIC HEARING ON ORDINANCE #2023-4: No one wished to be heard.

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

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

All ayes. So ordered.

Motion by C/Cirillo and second by C/Wende to adopt Ordinance#2023-4.

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

All ayes. So ordered.

ORDINANCE # 2023-5
AN ORDINANCE TO AMEND CHAPTER II
"ADMINISTRATION" SECTION 13 "POLICE
DEPARTMENT" 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, County of Bergen, State of New Jersey as follows:

SECTION 1: Section 2-13 entitled "POLICE DEPARTMENT" of the Ordinances of the Borough of Moonachie is hereby amended and that those portions of the aforesaid set forth below are hereby amended as follows and that those portions of the Ordinance not set forth below shall remain unchanged:

Addition of Section 2-13.16 'Special Class III Law Enforcement Officers' as follows:

2-13.16.1 Position Established

- a. The position of Special Class III Law Enforcement Officer is hereby established who shall be under the command of the Chief of Police and who shall report through the chain of command to enhance the service and protection provided by the Department's sworn police officers.
- b. The authority and operations appointment, training, deployment and performance of its Class III special law enforcement officers shall be governed by N.J.S.A. 40A:14-146.10, 40A:14-146.11, 40A:14-146.15 and 40A:14-146.16, as well as the provisions established in this chapter and the rules and regulations of the Moonachie Police Department.
- c. All Class III special law enforcement officers shall be appointed by the Mayor with the advice and consent of majority of the Council, to hold office as provided by law.

2-13.16.2 Appointment

- a. All qualified persons desiring to be appointed as Class III special law enforcement officers shall apply by sending a letter of interest and resume to the Chief of Police.
- b. All applicants will be subject to a background check, a motor vehicle driving record check and medical, physical, psychological, and/or drug screening examinations.

- c. All applicants will be evaluated based upon their resume, qualifications, education, service record, and interviews with, and recommendations of, the Chief of Police and the Borough Administrator, as well as any other sworn officers and/or Borough officials involved in the evaluation and hiring process.
- d. The Chief of Police and the Borough Administrator or their designee shall recommend the most qualified applicants to the Mayor for appointment with the advice and consent of the Council.
- e. After appointment by the Mayor and Council, all appointees shall swear or affirm an oath of office as a Class III special law enforcement officer of the Borough of Moonachie, shall be issued a badge and identification and shall report as ordered to the Chief of Police for training and deployment.
- f. The term of appointment shall match the beginning and ending dates of school days for faculty in an academic year. Appointments shall be made yearly and an appointment made for any given academic year shall not be construed nor implied to constitute an offer for, or guarantee of, employment for a subsequent academic year.
- g. Appointees who fail to successfully complete any training, continuing education, or weapons qualification, as mandated by state statute, the rules and regulations of the Moonachie Police Department or the Chief of Police, shall be immediately terminated.

2-13.16.3 Qualifications

- a. All Class III special law enforcement officers shall meet the qualifications pursuant to N.J.S.A. 40A:14-146.10, which require that they:
 - (1) Be a retired law enforcement officer who is less than 65 years of age and whose retirement date and length of separation comply with the rules and regulations for a bona fide retirement.
 - (2) Have served as a duly qualified, fully trained, full-time officer in any municipality or county of the State of New Jersey or as a member of the New Jersey State Police and was separated from that prior service in good standing within three years of appointment.
 - (3) Be physically capable of performing the functions of the position, as determined in accordance with the Police Training Commission guidelines.
 - (4) Possess a New Jersey Police Training Commission basic police officer certification or New Jersey State Police Academy certification.
 - (5) Have completed the training course for safe schools resource officers developed pursuant to Subsection a. of Section 2 of P.L. 2005, c. 276.
 - (6) Be hired in a part-time capacity.
- b. In addition to the qualifications required by N.J.S.A. 40A:14-146.10 as listed in this section, all Class III special law enforcement officers shall:
 - (1) Be under the age of 60 at the time of appointment.
 - (2) Be a resident of the State of New Jersey.
 - (3) Possess a valid New Jersey driver's license.
 - (4) Be of good moral character.
 - (5) Be physically and mentally fit.
 - (6) Be able to successfully complete all required pre-appointment and post appointment screening, evaluation and training processes.
 - (7) Be subject to annual appointment for a term that matches the beginning and ending dates of school days for faculty in an academic year.
 - (8) Be subject to any and all training and/or continuing education, including firearm qualification, as may be prescribed by the Chief of Police.

2-13.16.4 Responsibilities and Duties

- a. Class III special law enforcement officers shall be responsible for providing armed security at all public schools and facilities within the Borough and at all official school functions attended by students outside of school facilities, as may be directed by the Chief of Police, or his or her designee, subject to the provisions of N.J.S.A. 40A:14-146.11 and 40A:14-146.5.
- b. When on duty, all Class III special law enforcement officers shall exercise the full powers and duties, including the carrying and use of a firearm and other mechanical force devices as prescribed by the Chief of Police, as sworn police officers of the Police Department. Class III special law enforcement officers are authorized to respond to offenses and emergencies off school property if they occur in their presence.
- c. In times of disaster and/or emergency, the Chief of Police, or his or her designee, may activate, recall and/or otherwise assign any Class III special law enforcement officer to any duty in support of the operations of the Moonachie Police Department's response to said disaster and/or emergency.
- d. Class III special law enforcement officers shall be issued a firearm, mechanical force devices and any such other equipment or supplies necessary to perform their duties as determined by the Chief of Police, who shall also prescribe uniforms that the special officers are responsible for acquiring. Class III special law enforcement officers shall be responsible for the care and maintenance of their uniforms and equipment and shall wear the uniform of the day and carry a firearm and other mechanical force devices and equipment as prescribed by the Chief of Police at all times when on duty.

2-13.16.5 Personnel Policies

- a. The terms of employment for all Class III special law enforcement officers shall be governed by the provisions of this chapter, the Borough of Moonachie Personnel Manual and any other such ordinances or resolutions as may be adopted by the Mayor and Council.
- b. Notwithstanding any other provisions to the contrary, Class III special law enforcement officers shall not be eligible, as a result of their employment as a special officer, for the following benefits:
 - (1) Health, dental or prescription benefits.
 - (2) Enrollment in any state pension system.
 - (3) Paid vacation leave.
 - (4) Unemployment compensation.
 - (5) Any severance, terminal leave, retirement or separation benefits.
- c. The salary and wages of all Class III special law enforcement officers shall be established as an hourly wage pursuant to the Salary Ordinance adopted annually by the Mayor and Council. Wages will be paid only for hours worked, including hours attending mandated training, continuing education and weapon qualification, unless otherwise specified in this chapter.
- d. During each term of appointment, Class III special law enforcement officers shall be permitted paid sick days equal to five working days, shall receive a uniform allowance, the amount of which shall be determined by the Mayor and Council, and may be reimbursed for reasonable expenses, subject to the approval of the Chief of Police and the Borough Administrator or their designee.
- e. Class III special law enforcement officers shall be available for work on all official school days in the academic calendar when faculty is working in the school buildings. The work schedule and post for all Class III special law enforcement officers shall be established by the Chief of Police or his or her designee.
- f. Any and all policies and rules governing the hiring, employment, performance, conduct, deployment, scheduling, and/or duties of Class III special law enforcement officers, not otherwise provided for in this chapter, shall be governed by the Borough of Moonachie Employee Personnel Manual, the Salary Ordinance adopted

annually by the Mayor and Council, the rules and regulations of the Moonachie Police Department and the policies and decisions of the Chief of Police and the Borough Administrator or their designee.

SECTION 2: All Ordinances or parts of Ordinances inconsistent herewith are repealed as to such inconsistencies.

SECTION 3: If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

SECTION 4: This ordinance shall take effect upon passage and publication as provided by law.

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

PUBLIC HEARING ON ORDINANCE #2023-5:

James Knipper, 20 West Park Street- Thanked the Mayor and Council for working with the school to provide an officer at the school for safety and security.

Mayor Vaccaro thanked Mr. Knipper and the Board of Education for working with the Borough on this.

Greg Keelen, 20 West Park Street- Thanked the Mayor and Council on behalf of the teachers at the school for their help to provide safety to secure the school and have an officer at the school.

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

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

All ayes. So ordered.

Motion by C/Cirillo and second by C/Bauer to adopt Ordinance#2023-5.

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

All ayes. So ordered.

2023 BUDGET INTRODUCTION

Administrator Ciannamea spoke about the budget, the impact is \$55 per average household, a 1.5% increase. Mentioned prices overall have gone up due to inflation, and that the budget will be sent to the Department of Local Government Services in Trenton to review after introduction.

Mayor Vaccaro spoke about the budget process and the departments that worked to keep budget costs from going up significantly.

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

RESOLUTION#23-145

Re: Introduction of 2023 Budget

BE IT RESOLVED, that the following statement of revenues and appropriations attached hereto constitute the local Budget of the Borough of Moonachie, Bergen County, New Jersey for the year 2023.

BE IT FURTHER RESOLVED, that the said budget be published in the Record in the issue of June 6th, 2023 and that a hearing on the Budget will be held at the Municipal Building on June 22, 2023 at 7:00 PM or as soon thereafter as the matter may be reached.

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

All ayes. So ordered.

C/Kinsella spoke about retirement from the Council as of July 1st. Spoke about her experiences on the Council, with former Mayor Dressel, and former Council people John Schwartz and Maureen Flynn. Thanked Borough Clerk and Administrator Ciannamea.

Thanked Mayor Vaccaro for initially recruiting her to the Council and that it has been an honor to serve with him and being her first running mate. Thanked the residents for their support for being able to serve on the Council.

Mayor Vaccaro spoke about C/Kinsella, and thanked her for her service to the community. Mentioned that the Youth in Government Program was started due to C/Kinsella and she has been involved with various departments and committees, and she will be missed.

C/Bauer thanked C/Kinsella for her service to the Borough and the school.

C/Cirillo spoke about C/Kinsella and her service to the Borough and the school, and through interactions with her as a teacher when he was on the Board of Education.

C/Wende wished C/Kinsella well on her retirement and she will be missed.

C/Surak spoke about C/Kinsella and her dedication to the Borough and the school and she will be missed.

Administrator Ciannamea mentioned about getting involved in the community, and that C/Kinsella was dedicated to Moonachie.

Attorney Migliorino spoke about C/Kinsella and her work for the Borough and in the school as a teacher, and she will be missed.

PUBLIC HEARING (Regular):

James Knipper, 20 West Park Street- mentioned that C/Kinsella will be missed at the school and spoke about working with her on the Pre-K program. Thanked C/Kinsella for her leadership.

Greg Keelen, 20 West Park Street- spoke about C/Kinsella, and working and learning from her at the school.

Robert L. Craig Students- spoke about C/Kinsella and thanked her for her help and being available to work with students at the school, and on the student council.

Mrs. Ghotra 25 Bruno Street- spoke about C/Kinsella and she will be missed by the students and the Moonachie residents.

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

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

All ayes. So ordered.

CLOSED SESSION:

Motion by C/Bauer and second by C/Cirillo to go into Closed Session for Contracts (Police).

RESOLUTION #23-146

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 pending or anticipated litigation or contract negotiation.

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

All ayes. So ordered.

Motion by C/Kinsella and second by C/Bauer to close Closed Session at 8:07 P.M.

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

All ayes. So ordered.

Administrator Ciannamea mentioned that in Closed Session the status of the DPW and Police Chief's contracts were discussed.

Mayor Vaccaro spoke about attending the last Senior Club Meeting and there are close to 60 members.

C/Cirillo read thank you note from the Senior Club to the Mayor and Council.

Motion by C/Bauer and second by C/Cirillo to adjourn the meeting at 8:09 P.M.

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

All ayes. So ordered.

ATTEST:

Jennifer Cooney
Deputy Borough Clerk