

BOROUGH OF MOONACHIE
BERGEN COUNTY, NEW JERSEY

RESOLUTION #22-

BE IT RESOLVED, by the Mayor and Council that the Mayor Dennis Vaccaro be and is hereby appointed as the appointing authority for matters pertaining to personnel actions in the Borough of Moonachie.

DENNIS VACCARO
MAYOR

ATTEST:

Supriya Sanyal
Borough Clerk

DATED: March 24, 2022

BOROUGH OF MOONACHIE
BERGEN COUNTY, NEW JERSEY

RESOLUTION #22-

WHEREAS, USPCI/Overnite had applied for variance application to the Zoning Board; and

WHEREAS, the applications have been completed and remaining escrow money was not used for professional services; and

NOW THEREFORE, BE IT RESOLVED, by the Mayor and Council that that refund of \$250.00 refunded from the escrow account to USPCI/Overnite for variance application be and is hereby authorized.

DENNIS VACCARO
MAYOR

ATTEST:

Supriya Sanyal
Borough Clerk

DATED: March 24, 2022

BOROUGH OF MOONACHIE
BERGEN COUNTY, NEW JERSEY

RESOLUTION #22-

**RESOLUTION EMPLOYING BOROUGH ATTORNEY
WITHOUT COMPETITIVE BIDDING**

WHEREAS, there exists a need for the services of Borough Attorney 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 Chief Financial Officer 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 Contract is \$50,000.00 which shall be paid as an annual salary and all other legal services are not to exceed \$5,000.00 at a rate of one hundred (\$100) dollars per hour. The Contract is subject to an appropriation by the Mayor and Council of the Borough of Moonachie and will be provided by the local finance officer when appropriated; and

WHEREAS, Frank L. Migliorino, Esq. has completed and submitted a Business Entity Disclosure Certification which certifies that FRANK L. MIGLIORINO, 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 FRANK MIGLIORINO, 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 FRANK L. MIGLIORINO, 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.

DENNIS VACCARO
MAYOR

ATTEST:

Supriya Sanyal
Borough Clerk

DATED: March 24, 2022

BOROUGH OF MOONACHIE
BERGEN COUNTY, NEW JERSEY

RESOLUTION #22-

A RESOLUTION AUTHORIZING CANCELLATION OF TWO MOONACHIE BOROUGH COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROJECTS (FY 2020-2021 CDBG Handicapped Accessible Restroom at Senior Center @ \$29,646 and FY 2021-2022 CDBG New Floors at Senior Center @ \$19,130 Totaling \$48,766) WITH REQUEST TO REPROGRAM CANCELLED FUNDING GRAND TOTAL @ \$48,776 AND ADD TO FY 2019-2020 Installation of HVAC at Senior Center @ \$47,500 FOR REVISED FY 2019-2020 Installation of HVAC at Senior Center Project GRAND TOTAL @ \$96,276

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:65-1 et seq. and Title 1 of the Housing and Community Development Act of 1974; and

WHEREAS the Borough of Moonachie applies annually to the Bergen County Division of Community Development (BCDCD) for Community Development Block Grant (CDBG) funding for various eligible projects; and

WHEREAS the Borough of Moonachie has been hampered by project implementation delays and project cost increases resulting from the COVID-19 pandemic in recent years;

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Moonachie wish to reprogram FY 2020-2021 and FY 2021-2022 CDBG funding awards totaling \$48,776 to add to the FY 2019-2020 Installation of HVAC at Moonachie Senior Center project currently funded at \$47,500 for a revised Grand Total of said Moonachie Senior Center HVAC project at \$96,276.

BE IT FURTHER RESOLVED that an original, certified copy of this resolution be immediately emailed and sent via postage to Robert G. Esposito, Director; Bergen County Division of Community Development; One Bergen County Plaza, Fourth Floor; Hackensack, New Jersey 07601 | resposito@co.bergen.nj.us **as soon as possible**.

DENNIS VACCARO
MAYOR

ATTEST:

Supriya Sanyal
Borough Clerk

DATED: March 24, 2022

I hereby certify that this is a true copy of the resolution passed at the Meeting of the Mayor and Council on March 24, 2022.

Supriya Sanyal, Borough Clerk

BOROUGH OF MOONACHIE
BERGEN COUNTY OF NEW JERSEY
RESOLUTION #22-

WHEREAS, the Mayor and Council of the Borough of Moonachie has been advised of the proposed settlements of a Tax Appeal on behalf of Flight Safety International, Inc. under Docket No.'s: 008074-2016, 000372-2017, 000884-2018, 008389-2019, 006574-2020 & 008748-2021

WHEREAS, the said Governing body has been advised as to the merits of the subject Tax Appeal by legal counsel, expert appraisal personnel hired by the Borough as well as the Borough Tax Assessor; and

WHEREAS, the proposed Tax Appeal settlement components are as set forth in Schedule "A" attached hereto and made a part hereof; and

WHEREAS, it is in the best interest of the Borough of Moonachie to settle the subject Tax Appeal in accordance with the settlement proposal set forth hereinabove.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Moonachie that settlement of the said Tax Appeal be finalized in accordance with Schedule "A" attached and with respect to same, the Mayor, Borough Administrator and/or any other appropriate official is hereby authorized to perform any act in order to effectuate the purposes set forth in this Resolution.

BE IT FURTHER RESOLVED that the Certificate of Availability of Funds pursuant to N.J.S.A.40A:4-57 has been certified to by the Chief Finance Officer and is attached hereto and made a part hereof.

DENNIS VACCARO
MAYOR

ATTEST:

Supriya Sanyal, Borough Clerk
DATED: March 24, 2022

I hereby certify that this is a true copy of the resolution passed at the Meeting of the Mayor and Council held on March 24, 2022.

Supriya Sanyal, Borough Clerk

Daniel J. Pollak
Attorney ID Number 039711988
Brach Eichler L.L.C.
 101 Eisenhower Parkway
 Roseland, New Jersey 07068-1067
 (973) 364-5226
 Attorneys for Plaintiff

FLIGHTSAFETY INTERNATIONAL INC, INC.,
 Plaintiff,

vs.

MOONACHIE BOROUGH,
 Defendant.

TAX COURT OF NEW JERSEY
 Docket Numbers: 008074-2016, 000372-2017,
 000884-2018, 008389-2019,
 006574-2020 & 008748-2021

Civil Action

STIPULATION OF SETTLEMENT
 (Without Affidavit)

1. It is hereby stipulated and agreed that the assessment of the following property be adjusted and a judgment be entered as follows:

Block: 65	Lot: 7	Qual:	
Street Address: 100 Moonachie Ave HM			Year: 2016
	Original Assessment	County Tax Board Assessment	Requested Tax Court Judgment
Land	\$ 980,000	N/A	\$ 980,000
Improvements	\$ 8,455,500	DIRECT	\$ 8,455,500
Total	\$ 9,435,500	APPEAL	\$ 9,435,500

Block: 65	Lot: 8	Qual:	
Street Address: 51 Romeo St HM			Year: 2016
	Original Assessment	County Tax Board Assessment	Requested Tax Court Judgment
Land	\$ 264,000	N/A	\$ 264,000
Improvements	\$ 506,300	DIRECT	\$ 506,300
Total	\$ 770,300	APPEAL	\$ 770,300

Block: 65	Lot: 7	Qual:	
Street Address: 100 Moonachie Ave HM			Year: 2017
	Original Assessment	County Tax Board Assessment	Requested Tax Court Judgment
Land	\$ 980,000	N/A	\$ 980,000
Improvements	\$ 8,813,700	DIRECT	\$ 8,813,700
Total	\$ 9,793,700	APPEAL	\$ 9,793,700

Block: 65	Lot: 8	Qual:	
Street Address: 51 Romeo St HM			Year: 2017
	Original Assessment	County Tax Board Assessment	Requested Tax Court Judgment
Land	\$ 264,000	N/A	\$ 264,000
Improvements	\$ 527,700	DIRECT	\$ 527,700
Total	\$ 791,700	APPEAL	\$ 791,700

Block: 65	Lot: 7	Qual:	
Street Address: 100 Moonachie Ave HM			Year: 2018
	Original Assessment	County Tax Board Assessment	Requested Tax Court Judgment
Land	\$ 980,000	N/A	\$ 980,000
Improvements	\$ 8,851,500	DIRECT	\$ 8,225,900
Total	\$ 9,831,500	APPEAL	\$ 9,205,900

Block: 65	Lot: 8	Qual:	
Street Address: 51 Romeo St HM			Year: 2018
	Original Assessment	County Tax Board Assessment	Requested Tax Court Judgment
Land	\$ 264,000	N/A	\$ 264,000
Improvements	\$ 530,100	DIRECT	\$ 530,100
Total	\$ 794,100	APPEAL	\$ 794,100

Block: 65	Lot: 7	Qual:	
Street Address: 100 Moonachie Ave HM			Year: 2019
	Original Assessment	County Tax Board Assessment	Requested Tax Court Judgment
Land	\$ 980,000	N/A	\$ 980,000
Improvements	\$ 9,146,500	DIRECT	\$ 8,208,200
Total	\$ 10,126,500	APPEAL	\$ 9,188,200

Block: 65	Lot: 8	Qual:	
Street Address: 51 Romeo St HM			Year: 2019
	Original Assessment	County Tax Board Assessment	Requested Tax Court Judgment
Land	\$ 264,000	N/A	\$ 264,000
Improvements	\$ 547,800	DIRECT	\$ 547,800
Total	\$ 811,800	APPEAL	\$ 811,800

Block: 65	Lot: 7	Qual:	
Street Address: 100 Moonachie Ave HM			Year: 2020
	Original Assessment	County Tax Board Assessment	Requested Tax Court Judgment
Land	\$ 980,000	N/A	\$ 980,000
Improvements	\$ 9,200,000	DIRECT	\$ 7,879,000
Total	\$ 10,180,000	APPEAL	\$ 8,859,000

Block: 65	Lot: 8	Qual:	
Street Address: 51 Romeo St HM			Year: 2020
	Original Assessment	County Tax Board Assessment	Requested Tax Court Judgment
Land	\$ 264,000	N/A	\$ 264,000
Improvements	\$ 577,000	DIRECT	\$ 577,000
Total	\$ 841,000	APPEAL	\$ 841,000

Block: 65	Lot: 7	Qual:	
Street Address: 100 Moonachie Ave HM			Year: 2021
	Original Assessment	County Tax Board Assessment	Requested Tax Court Judgment
Land	\$ 980,000	N/A	\$ 980,000
Improvements	\$ 9,220,100	DIRECT	\$ 7,478,700
Total	\$ 10,200,100	APPEAL	\$ 8,458,700

Block: 65	Lot: 8	Qual:	
Street Address: 51 Romeo St HM			Year: 2021
	Original Assessment	County Tax Board Assessment	Requested Tax Court Judgment
Land	\$ 264,000	N/A	\$ 264,000
Improvements	\$ 577,300	DIRECT	\$ 577,300
Total	\$ 841,300	APPEAL	\$ 841,300


The provisions of N.J.S.A. 54:51A-8 (Freeze Act) shall not apply.

2. The undersigned have made such examination of the value and proper assessment of the property(ies) and have obtained such appraisals, analysis and information with respect to the valuation and assessment of the property(ies) they deem necessary and appropriate for the purpose of enabling them to enter into the Stipulation. The assessor to the taxing district has been consulted by the attorney for the taxing district with respect to this settlement and has concurred.
3. Based upon the foregoing, the undersigned represent to the Court that the above settlement will result in an assessment at the fair assessable value of the property(ies) consistent with the assessing practices generally applicable in the taxing district as required by law.

4. Statutory interest, pursuant to N.J.S.A. 54:3-27.2, having been waived by taxpayer, shall not be paid provided refunds are issued via check(s) within sixty (60) days of judgments.
5. The parties further agree that the aggregate 2022 assessment shall not exceed \$9,300,000 and that Plaintiff may file an appeal to confirm or effectuate this agreement.

Brach Eichler, LLC
Attorneys for Plaintiff

DATED: December 21, 2021

BY: 

Daniel J. Pollak

Herbert & Weiss, LLP
Attorneys for Defendant

DATED:

BY: _____
Helene C. Herbert

BOROUGH OF MOONACHIE
BERGEN COUNTY, NEW JERSEY

RESOLUTION #22-

WHEREAS, Sykhwinder Ghotra had applied for Site Plan/variance applications to the Planning Board; and

WHEREAS, the applications have been completed and remaining escrow money not used for any professional services; and

NOW THEREFORE, BE IT RESOLVED, by the Mayor and Council that that refund of \$445.35 refunded from the escrow account to Sykhwinder Ghotra for site plan/variance applications be and is hereby authorized.

DENNIS VACCARO
MAYOR

ATTEST:

Supriya Sanyal
Borough Clerk

DATED: March 24, 2022

BOROUGH OF MOONACHIE
BERGEN COUNTY, NEW JERSEY

RESOLUTION #22-

WHEREAS, Valley National Bank had applied for Site Plan/variance applications to the Planning Board; and

WHEREAS, the applications have been completed and remaining escrow money not used for any professional services; and

NOW THEREFORE, BE IT RESOLVED, by the Mayor and Council that that refund of \$3,422.71 refunded from the escrow account to Valley National Bank for site plan/variance applications be and is hereby authorized.

DENNIS VACCARO
MAYOR

ATTEST:

Supriya Sanyal
Borough Clerk

DATED: March 24, 2022

BOROUGH OF MOONACHIE
BERGEN COUNTY, NEW JERSEY

RESOLUTION #22-

WHEREAS, in order to have sufficient balances in the 2021 Budget appropriations to meet current charges, it is necessary to make transfers between appropriations in accordance with NJSA 40A:4-59

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

<u>CURRENT FUND</u>	
<u>FROM</u>	
Finance- Consulting Services	\$12,000.00
Building Inspector- Salary & Wages	\$500,00
Total	\$12,500.00
<u>TO</u>	
	\$5,000.00
Annual Audit Services	\$12,000.00
Fire Inspector- Salary & Wages	\$500.00
Total	\$12,500.00
<u>SEWER UTILITY OPERATING FUND</u>	
<u>FROM</u>	
SBJIF- Liability & WC	\$3,000.00
<u>TO</u>	
Annual Audit Services	\$3,000.00

DENNIS VACCARO
MAYOR

ATTEST:

Supriya Sanyal
Borough Clerk

DATED: March 24, 2022

BOROUGH OF MOONACHIE
BERGEN COUNTY, NEW JERSEY

RESOLUTION #22-

BE IT RESOLVED, by the Mayor and Council that the Mayor is hereby authorized to sign Deed of Easement (agreement for "Sidewalk Easement") with LBA OR Development- Company I, LLC for 100 Anderson Avenue.

DENNIS VACCARO
MAYOR

ATTEST:

Supriya Sanyal
Borough Clerk

DATED: March 24, 2022

BOROUGH OF MOONACHIE
BERGEN COUNTY, NEW JERSEY

RESOLUTION #22-

BE IT RESOLVED, by the Mayor and Council of the Borough of Moonachie that the Borough Administrator is hereby authorized to sign a lease agreement with Pitney Bowes for a postage meter – SendPro C Auto – for sixty months at a cost of \$187.48 per month (billed quarterly at \$562.44) effective August 3rd, 2022.

DENNIS VACCARO
MAYOR

ATTEST:

Supriya Sanyal
Borough Clerk

DATED: March 24, 2022

BOROUGH OF MOONACHIE
BERGEN COUNTY, NEW JERSEY

RESOLUTION #22-

WHEREAS, N.J.S.A. 40A:65-1 et. seq. authorizes and encourages public bodies to enter into agreements with each other to contract for provision or receipt of any service which the parties to such agreement are empowered to render under and within their own individual jurisdiction, whether administrative, educational, instructional, or otherwise; and

WHEREAS, there exists need for the Borough of Moonachie Health Department to provide state mandated health services of a technical and professional nature for service of a Bloodborne Pathogen Compliance Coordinator and trainer for the Bloodborne Pathogen Compliance Programs; and

WHEREAS, the Bergen County Department of Health Services can assure compliance in accordance with P.E.O.S.H.A. as follows: service of a Bloodborne Pathogen Compliance Coordinator and Trainer for the Bloodborne Pathogen Compliance Programs; and

WHEREAS, the Bergen County Health Services has agreed to perform technical and professional nature for the service of Bloodborne pathogen Coordinator and Trainer for the Blood Borne Pathogens Program for the period of January 1, 2022 through December 31, 2023 through an agreement with the Borough of Moonachie; and

WHEREAS, the cost is as follows:

- a. \$15.00 per each trained employee for Bloodborne Pathogen Training Services and \$10.00 00 per each trained employee for Bloodborne Pathogen Administrative Services.

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

1. That Dennis Vaccaro, Mayor, is hereby authorized and directed to execute an agreement with the Bergen County Department of Health Services to perform technical and professional nature for the service of Bloodborne pathogen Coordinator and Trainer for the Bloodborne Pathogens Program for the period of January 1, 2020 through December 31, 2021 as follows:
 - b. \$15.00 per each trained employee for Bloodborne Pathogen Training Services and \$10.00 00 per each trained employee for Bloodborne Pathogen Administrative Services.
2. This contract is awarded pursuant to appropriate Law of the State of New Jersey specifically but not by way of limitation N.J.S.A. 40A:65-1 et seq. as well as any other pertinent statues appertaining thereto.
3. If applicable a Certificate of Availability of Funds pursuant to N.J.S.A. 40A:4-57 has been certified to by the Chief Finance Officer.

DENNIS VACCARO
MAYOR

ATTEST:

Supriya Sanyal
Borough Clerk

DATED: March 24, 2022

Certified to be a true copy of the Resolution passed at the Regular Meeting of the Mayor and Council held on March 24, 2022.

Supriya Sanyal, Borough Clerk