

EXECUTIVE MEETING called to order, Mayor Vaccaro in the chair, at the Municipal Building on Thursday February 13, 2020 7:02 P.M.

Mayor called for Pledge of Allegiance to the Flag.

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

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/Wende to approve Minutes of Executive Meeting of January 9, 2020.

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

PRESENTATION: Plaques and RECOGNITION: STEAM TEAM (At Regular Meeting of February 27, 2020)

Mayor Vaccaro- mentioned that at the Regular Meeting the Plaques will be given to Retire Sergeant Schmidt and one retire employee at the Administration and the Steam Team will be recognize, they won 4th place in State at Atlantic City.

COMMUNICATIONS:

Kenneth Porro, Planning Board Attorney of Township of South Hackensack-notice of public hearing on the adoption of Master Plan Re-Examination Report.

ARCADIS- notice of submission of amended Response Action Outcome for UPS Freight Moonachie Terminal, 280 Moonachie Avenue.

Borough of Teterboro- notice of adoption of an ordinance to amend, supplement and revised the code of the Borough of Teterboro, Land Use, Chapter 185 entitled "Zoning".

Borough of Hasbrouck Heights- notice of public hearing on an Ordinance to supplement subsection E Entitled "signs" Section 275-21 entitled "Regulations governing certain accessory structures and uses of Chapter 275 entitled "Zoning to include a new provision to therein providing a further exception to allow lights and strings of illuminated devices and graphics between Thanksgiving and the following January 10th to celebrate Holiday Season and to supplement the present limitation on lights.

New Jersey Department of Environmental Protection- notice of issuance of FHA Individual Permit for Teterboro Airport.

Bergen County Board of Chosen Freeholders- notice of public hearing on a bond ordinance providing for various Dept. of Planning and Engineering capital improvements, appropriating the agreement amount of \$4,464,340 and authorizing the issuance of \$4,251,500 bonds or notes.

Bergen County Board of Chosen Freeholders- notice of public hearing on a bond ordinance providing for various County Prosecutor's office capital improvements, appropriating the aggregate amount of \$29,166 and authorizing the issuance of \$27,500 bonds or notes.

Bergen County Board of Chosen Freeholders- notice of public hearing on a bond ordinance providing for various Health Dept. capital improvements, appropriating aggregate amount of \$609,389 and authorizing issuance of \$579,000 bonds or notes.

Bergen County Board of Chosen Freeholders- notice of public hearing on a bond ordinance providing for various Dept. of Human Services capital improvements, appropriating the aggregate amount of \$174,139 and authorizing the issuance of \$165,000 bonds or notes.

Bergen County Board of Chosen Freeholders- notice of public hearing on a bond ordinance providing for various Parks and Golf Dept. capital improvements, appropriating the aggregate amount of \$559,200 and authorizing the issuance of \$532,500 bonds or notes.

Bergen County Board of Chosen Freeholders-notice of public hearing on an ordinance authorizing the County of Bergen to charge a fine for tempering with County Road Signage.

Bergen County Board of Chosen Freeholders-notice of adopting on a bond ordinance

providing for various capital improvements County of Bergen's 133 River Street Project in Hackensack, appropriating the aggregate amount of \$2,000,000 and authorizing the issuance of \$1,904,500 bonds or notes.

Mayor Vaccaro -mentioned that the NJSEA updated their Master Plan although all 14 Mayors of Mayor's Committee were opposed, as there was information missing from the plan. Also, he mentioned that NJSEA will try to abolish the Mayor's Committee and Mike Gonnelli is the new chairperson. He mentioned because of Mayor's Committee, the Borough does not have to pay Tax Sharing payment.

REPORTS:

Mr. Sachs- spoke about the ADA Ramp Program, that Borough sent a Purchase Order but Reggio notified Boswell that the contract with the County has to be amended. He mentioned that the curbs have to be done first before the road can be paved.

Mayor Vaccaro -mentioned that the Borough is going out to bid on February 19 for the streetscape project for the intersection by the Municipal Building.

Mr. Sachs -spoke about the MS4 Mapping, Boswell was advice that there are more outfalls and another \$4,200 will be needed for the other 29 outfalls, which was sent in a proposal to the Borough. He mentioned that the mapping needs to be done before the brush starts growing.

He mentioned that West Commercial Avenue project plans and specifications were sent to NJDOT and already received comments. He mentioned that the plans have to be sent to Trenton due to rail road tracks.

Mayor Vaccaro- mentioned about seeing emails regarding easements.

Mr. Sachs- mentioned that the temporary easement will be four properties. He explained that the right-of-way width 40ft, outside of the pavement is on private property, curb need to be replaced, a DOT requirement to put a guard rail, where there is a boulder there, which is an obstruction and two existing "A-Inlet" need to be clean.

Mayor Vaccaro- asked the Borough Attorney to send a letter to owners about the temporary easement.

Mayor Vaccaro- asked that the property owners have to sign off on the temporary easement.

Mr. Sachs-mentioned that Boswell Engineering was authorized for the replacement of the Comminutor and this project will be ready to advertise for bid by March 13.

Mr. Sachs- spoke about proposal of \$5,000 for Tier A Municipality Stormwater Permitting Assistance. He mentioned that Boswell can no longer sign the reports due to a change in the regulations, and the Borough was deficient in certain areas upon review.

FORMAL ACTION:

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

RESOLUTION #20-80

BE IT RESOLVED by the Mayor and Council of the Borough of Moonachie that the purchase of one Evolis Solar Radar Speed signs from Elan City Inc. 10-34 44th Drive, Long Island City, NY 11101 is hereby authorized for the amount not to exceed \$3,444.00.

RESOLUTION #20-81

WHEREAS, Resolution#19-251 authorized to issue the purchase order (contract) in the amount of \$67,000.00 to Reggio Construction, Inc. for the ADA compliant curbs cuts and ramp for the County Road repaving; and

WHEREAS, the Borough Engineer's estimate for this work changed from \$67,000.00 to \$65,000.00; and

NOW THEREFOR, BE IT RESOLVED, by the Mayor and Council that the Resolution#19-251 be and is hereby amended to authorize the Borough Administrator to authorize to issue the Purchase Order (Contract) in the amount of \$65,000.00 to Reggio Construction, Inc.

RESOLUTION #20-82

WHEREAS, the Borough of Moonachie and the tax payer of the property located at 12 Empire Blvd. have mutually considered the issues related to sewer charges due to the Borough from the Tax Payer; and

WHEREAS, the amount due and owing the Borough cannot be determine in the exact amount; and

WHEREAS, it is the best interest of the Borough and the Tax Payer to resolved the matter amicable; and

BE IT RESOLVED by the by the Mayor and Council that the amount of \$8,569.67 for the sewer charges for the period of April, 2018 thru December, 2018 for 12 Empire Blvd be and is hereby accepted; and

BE IT FURTHER RESOLVED, that the Tax Collector be and is hereby authorized to credit the necessary amount for the sewer charges and interest for the period of April, 2018 thru December, 2018 for 12 Empire Blvd; and

BE IT FURTHER RESOLVED, that the Tax Payer will pay remaining sewer charges for 2019 including any interest.

RESOLUTION #20-83

WHEREAS, in order to have sufficient balances in the 2019 Sewer Utility Operating Budget appropriations to meet current charges it is necessary to make the following retro-active to 12/31/2019 transfers between sub-account appropriations,

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:

Sewer Unity Operating Sub-Account

From Account:

Storm Water- Maintenance Contracts	\$4,000.00
Salary & Wages-Regular	\$2,000.00
New Equipment-Other Expenses	\$2,000.00
Auto Expense- Other Expenses	\$5,000.00
Utilities- Other Expenses	\$4,000.00
Electric- Other Expenses	\$500.00
TOTAL	\$17,500.00

To Account:

Strom Water- Hardware & Supply	\$4,000.00
Paid Sick& Vacation- Salary & Wages	\$2,000.00
Postage & Printing- Other Expenses	\$2,000.00
Maintenance Contracts- Other Expenses	\$9,000.00
BCUA	\$500.00

TOTAL **\$17,500.00**

RESOLUTION#20-84

WHEREAS, Resolution#20-65 approved the proposal for completed work in the amount of \$4,840.00 from Johnston Communications under Union County Coop Bid#42-2017 for installation of UPS (undisrupted Power Supply) at Administration Tech. Closet and at the Police Department Tech. Closet at the new Municipal Building; and

WHEREAS, Resolution#20-65 approved the payment in the amount of \$4,840.00 to Johnston Communications for installation of UPS (undisrupted Power Supply) at Administration Tech. Closet and at the Police Department Tech. Closet at the new Municipal Building; and

BE IT RESOLVED, by the Mayor and Council that the Resolution#20-65 be and is hereby amended to correct the proposal dollar amount to \$7,115.00 of Johnston Communications under Union County Coop Bid#42-2017 for installation of UPS (undisrupted Power Supply) at Administration Tech. Closet and at the Police Department Tech. Closet at the new Municipal Building; and

BE IT FURTHER RESOLVED, by the Mayor and Council that the Resolution#20-65 be and is hereby amended to correct the payment amount to \$7,115.00 to Johnston Communications under Union County Coop Bid#42-2017 for installation of UPS (undisrupted Power Supply) at Administration Tech. Closet and at the Police Department Tech. Closet at the new Municipal Building.

RESOLUTION #20-85

WHEREAS, Johnston Communications submitted Payment Application No. 02 for installation of building telecommunication cabling & system equipment, additional work to provide coring and service conduits and additional outlets at Courtroom dais and equipment rack inside the Court Clerk's Office at the new Municipal building in the amount of \$52,852.07 and

WHEREAS, L+C Design Consultants PA reviewed and approve the payment as presented; and

NOW THEREFORE, BE IT RESOLVED by the Mayor and Council that the payment in the amount of \$52,852.07 to Johnston Communications be and is hereby approved.

RESOLUTION#20-86

BE IT RESOLVED, by the Mayor and Council that the payment in the amount of \$3,000.00 to Johnston Communications for additional Primary Rate Interface & associated equipment/material/and labor to keep Telephone System for the Police Dept. separate from Admin/Court be and is hereby approved.

RESOLUTION#20-87

BE IT RESOLVED, by the Mayor and Council that the payment in the amount of \$5,205.85 to Johnston Communications for purchase, installation and maintenance services for additional Card Reader and Cable TV connections at the Police Department be and is hereby approved.

RESOLUTION#20-88

WHEREAS, Moonachie Fire Department Assn. submitted applications for Raffles Licenses (RA 462 and RA 463); and

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council that waive of any fees for Raffles Licenses (RL 462 and RL 463) for Moonachie Fire Department Assn. be and is hereby approved.

RESOLUTION#20-89

BE IT RESOLVED by the Mayor and Council of the Borough of Moonachie that the purchase of four Swing Sets and necessary accessories for the Swing Set for East Joseph Street Park (TOT Park) under Bergen County Bid #18-40 (Co-Op#11-BECCP) including installation of the Swing Sets from Ben Shaffer Recreation, Inc., P.O. Box 844, Lake Hopatcong is hereby authorized for the amount \$13, 193.77.

BE IT FURTHER RESOLVED, by the Mayor and Council of the Borough of Moonachie that the payment in the amount of \$13,193.77 to Ben Shaffer Recreation, Inc. the purchase of four Swing Sets and necessary accessories for the Swing Set for East Joseph Street Park (TOT Park) under Bergen County Bid #18-40 (Co-Op#11-BECCP) including installation of the Swing Sets.

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

NEW BUSINESS:

1. Approval of payment in the amount of \$4,405.00 to Arcari + Iovino for professional services for new DPW building. -will be acted upon at Regular Meeting on February 27, 2020.
2. Approval of payment in the amount of \$8,400.00 to Millennium Strategies for month of January, 2020 for FEMA Grant Administration. -will be acted upon at Regular Meeting on February 27, 2020.
3. Approval of payment in the amount of \$6,600.00 to L+C Design Consultant, PA for various professional services for new Municipal Building. -will be acted upon at Regular Meeting on February 27, 2020.

4. Approval of Devon A. Christie as a member of the Moonachie Fire Department.
- will be acted upon at Regular Meeting on February 27, 2020.
5. Approval of Daniel M. Wixon as a member of the Moonachie Fire Department.
-will be acted upon at Regular Meeting on February 27, 2020.
6. Authorize Mayor to sign an agreement of Lerch, Vinci & Higgins, LLP for the service of the Auditor. -will be acted upon at Regular Meeting on February 27, 2020.
7. Authorize Mayor to sign a Bergen County Open Space Grant agreement for East Joseph Street Park Improvement Project Phase II. -will be acted upon at Regular Meeting on February 27, 2020.
8. Endorsing submission of the recycling Tonnage Grant application for 2019.
-will be acted upon at Regular Meeting on February 27, 2020.
9. Approval of payment application no.8 in the amount of \$290,636.06 to Tricon Enterprises, Inc. for DPW building.
- will be acted upon at Regular Meeting on February 27, 2020.

ORDINANCE:

- See the discussion item 10.

DISCUSSION:

1. New DPW Building Construction.

Mr. Sachs- spoke about the DPW Meetings, change order for completion date of June 30th and he mentioned the anticipated completion date is June 19, Contractor said that even through there was a delay of 2 weeks, they will still be able to reach that completion date.

Mayor Vaccaro- asked Mr. Sachs to note that PSE&G will do paving work on Industrial Avenue in the spring.

Mayor Vaccaro- mentioned that the building is getting put up

2. New Municipal Building.

Mayor Vaccaro-mentioned that only items left are in the punch list.

3. Sampling Testing at Hain Celestial Group, Inc.

Mr. Sachs –mentioned that there is no report on Hain Celestial.

4. Traffic Light between Moonachie Road and Moonachie Avenue.

Mr. Sachs- mentioned that Boswell Engineering did not hear about the intersection project.

Mayor Vaccaro- mentioned that there are strips on the road so it could be for the traffic study.

Mr. Sachs- mentioned that he will contact with the County.

Mayor Vaccaro-mentioned that the County is doing a traffic study to see how much traffic are there and the Borough wants to keep two lanes for left turn at the intersection.

5. Personnel (Police and Borough's Office).

Mayor Vaccaro mentioned that the Police Chief wanted to hire a part time dispatcher as soon as possible.

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

RESOLUTION #20-90

BE IT RESOLVED by the Mayor and Council that Andrew Muniz-Ponce be and is hereby appointed as Part-time Police Communication Clerks, at the hourly rate of \$19.87.

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

6. Application of Time Warner Cable New York City LLC for renewal of Municipal Consent.

No Discussion

7. Energy efficiency for Municipal Building.

Mayor Vaccaro- mentioned that the company wants one year of bills, but the Borough does not have one year of bills and there was an understanding that it would be a percentage for payment to the Company, now the company send a contract with the dollar amount. He mentioned that also, they wanted bills for every municipal owned building.

8. Payment in the total amount of \$188,603.75 (due to defective work of the Contractor) to L+C Design Consultants PA for New Municipal Building.

C/Surak – asked about the payment to L+C Design for defective work.

Mayor Vaccaro- mentioned that L+C did work for the defective work of the contractor and this payment was not made. He explained that L+C Design has a contract with the Borough not Two Brothers.

9. Estimate from Future Link Communications in the amount of \$8,000 for installation of Lights at the Pavilion at Joseph Street Park.- no discussion took place.

10. Union City's Ordinance regarding responsibility of Utilities Companies for Streets & Sidewalks (Excavations and Openings).

Mayor Vaccaro -spoke about fees and a bond for Streets Opening. He suggested having the DPW Superintendent and Construction Official to review application, requirement of repaving curb to curb on a new paved road.

The Mayor and Council discussed about permit fees for \$100.00 and the bond will be a percentage of the street opening cost.

Mayor Vaccaro- suggested that the bond could be \$2,500.

11. Payment application No. 34 in the amount of \$128,666.16 of Two Brothers Contracting Inc.

Mayor Vaccaro- mentioned that there was discussion last month what percentages the subcontractors were paid, they met that requirement and the architect has signed off on the payment. He suggested approving the payment to Two Brothers.

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

RESOLUTION #20-91

WHEREAS, Two Brothers Contracting, Inc. submitted an invoice for Payment Application No. 34 for work performed and material furnished in the construction of Moonachie Municipal Building in the amount \$128,666.16 and

WHEREAS, L+C Design Consultants PA and Borough Attorney reviewed and approve the payment as presented; and

NOW THEREFORE, BE IT RESOLVED by the Mayor and Council that the payment in the amount \$128,666.16 to Two Brothers Contracting, Inc.be and is hereby approved.

ROLL CALL: Bauer, Cirillo, Surak, Wende.

All ayes. So ordered.

12. Appointment of Councilman Bruce Surak as a **Class 3** member of the Planning Board term to expire 12/31/2020.

Motion by C/Bauer and second by C/Wende to appoint of Councilman Bruce Surak as a **Class 3** member of the Planning Board term to expire 12/31/2020.

ROLL CALL: Bauer, Cirillo- ayes, Surak-abstain, Wende- aye.

Three ayes, one abstain. Motion carried.

13. Immediate Requirements of State and County for Windows 10 for Election.

Mayor Vaccaro -mentioned that this is for one computer.

C/Surak- mentioned that this needs to be done.

Borough Clerk- mentioned that the computer is needed to check the petitions for the upcoming election and she has to give the certification to the County and State.

Mayor Vaccaro- asked to get quotes before next meeting.

14. New hire for DPW.

C/Wende -mentioned that the William Mulrooney is very qualified.

C/Bauer- mentioned that he passed the background check and will go for a physical once appointed.

C/Wende and C/Bauer – recommended to appoint William Mulrooney.

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

RESOLUTION #20-92

BE IT RESOLVED by the Mayor and Council that Andrew Muniz-Ponce be and is hereby appointed as William Timothy Mulrooney as Department of Public Works Laborer at the annual salary of \$30,000.00.

ROLL CALL: Bauer, Cirillo, Surak, Wende.

All ayes. So ordered.

PUBLIC HEARING:

Lan Coleman, SHO Labs-mentioned that his company deals with cannabis flowers, and has businesses in California, they service over 200 dispensaries in California, spoke about New Jersey needing more medical marijuana manufacturers. Spoke about process of making their products. He mentioned that his company will be a manufacturing company in New Jersey. Spoke about signing a contingency lease at 90 West Commercial Avenue, and the property meets all state requirements. He mentioned that they would like to use it as a manufacturing facility that would not be open to the public. He mentioned that SHO Labs would like the town's support and the NJSEA is aware, they are okay with the plans, but they did ask if they would get Borough's approval as well. Also, he mentioned that the building is about 4,000 sq. ft. He explained about medical license for New Jersey Attorney Migliorino – asked about the security and dumping of the product, delivery of the product.

Mr. Coleman- spoke about the required security of the building and delivery of materials will be by armor vehicle.

C/Wende- confirmed with Mr. Coleman that there will not be any retail.

Attorney Migliorino – asked about the number of employees at the facility and hours of operation.

Mr. Coleman – mentioned that there will be thirty employees and hours of operation will be 9 to 5.

Mayor Vaccaro- mentioned about the concerns for the future regarding recreational use in the state, security of the building and future expansion in town for recreational use.

Mr. Coleman- mentioned that they will have license for medical for manufacturing. He spoke about Secaucus facility.

Attorney Migliorino- mentioned that the Borough wants to help the businesses but want to keep the uniqueness of the town and self-images are very important.

Mr. Coleman- spoke about and enhance the community in Moonachie and how they could be contributing through taxes and exercise taxes. He mentioned about social justice policies and letters of support from Hackensack Meridian, his company helps educate others on the use of medical marijuana.

C/Surak- mentioned about the concern with the security.

Mayor Vaccaro- asked whether Mr. Coleman spoke with the Police Chief.

Sal DeAlessandro, 1 Frederick Street- spoke about the sound problem in the room. Asked if the speed sign will be going on Henry Street.

Mayor Vaccaro- answered yes. He mentioned that the sign will be place as per the Police Chief's recommendation.

Mr. DeAlessandro -spoke about the name of the triangle park on Google Maps is Kathmundo Park.

Mayor Vaccaro- mentioned that he does not know about the name of the park.

Mr. DeAlessandro-spoke about the problem with pot holes in Moonachie Road and Empire Blvd.

Mayor Vaccaro- mentioned that the County will pave Moonachie Road after the ADA ramps are done.

Mr. DeAlessandro-mentioned about installation of the drip pan at the Firehouse and there is an issue with the down spout on the side of Bazzarelli's property, waiting for an estimate.

Mayor Vaccaro- asked if the spout could be moved.

Mr. DeAlessandro- spoke about the direction of the pipe.

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

ROLL CALL: Bauer, Cirillo, Surak, Wende.

All ayes. So ordered.

CLOSED SESSION:

Motion by C/Bauer and second by C/Cirillo to approve Resolution #20-93 to go into closed session.

RESOLUTION #20-93

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 matter involving the employment, appointment, termination of employment, disciplinary action unless individual requests a public meeting.

ROLL CALL: Bauer, Cirillo, Surak, Wende.

All ayes. So ordered.

Motion by C/Surak and second by C/Bauer to close closed session.

ROLL CALL: Bauer, Cirillo, Surak, Wende.

All ayes. So ordered.

Mayor Vaccaro- mentioned that in closed session, there was a personnel matter discussed that involved a lawsuit years ago. Spoke about receiving the Sergeants list and there is a recommendation to appoint two Sergeants. He confirmed with the Council that the appointments would be at the March Regular Meeting.

C/Surak- mentioned that the property on Moonachie Avenue next to Prova is being bought by Dunkin Donuts Corporation.

Mayor Vaccaro-mentioned that this property would go before the NJSEA, he is not sure if they will approve that kind of retail in that area. He spoke about the amount of parking needed for the Carlstadt Dunkin Donuts. He mentioned that Rebuild by Design was looking at the DPW site; they have begun some testing and the clean-up needs to done, then may be a park with retention basin will be put on there to help the flooding in that area.

C/Cirillo -mentioned that the seniors would like install a sound system with speakers at the Senior Center when there are meetings, speakers and bingo, got a quote for \$500.

Mayor Vaccaro mentioned that the quote for a sound system is about \$700. Asked C/Cirillo to get two quotes.

Motion by C/Surak and second by C/Bauer to adjourn the meeting at 8:44 P.M.

ROLL CALL: Bauer, Cirillo, Surak, Wende.

All ayes. So ordered.

ATTEST:

Supriya Sanyal
Borough Clerk