

Regular meeting called to order, Mayor Dennis Vaccaro in the chair, at Kathryn E. Flynn Civic Center on Tuesday December 18th, 2018 at 8:00 P.M.

Mayor called for Pledge of Allegiance to the Flag.

ROLL CALL: Bauer, Cirillo, Kinsella-present, Martinez, Surak- not present,
Wende-present.
Administrator- T. Ciannamea-not 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/Wende to approve the Minutes of Regular Meeting of November 29, 2018.

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

COMMUNICATIONS:

Bergen County Open Space Trust Fund Public Advisory Committee- notice of Open Space Trust Fund Public Hearing on proposed 2018 funding allocations.

Anthony R. Suarez, Mayor of Borough of Ridgefield – letter to Governor Murphy opposing the construction of the North Bergen Liberty Generating Power Plant.

New Jersey Department of Environmental Protection- notification of issuance of a Soil Remedial Action Permit Transfer Change of Ownership for 131 W. Commercial Avenue, Block 61, Lot 8 in the Borough of Moonachie.

Bergen County Utilities Authority- notice of public hearing on Bergen County Utilities Authority's 2019 proposed rates.

South Bergen Municipal Joint Insurance Fund- submission of 2019 budgets for the South Bergen Municipal Joint Insurance Fund, the Municipal Excess Liability Joint Insurance Fund, the New Jersey Municipal Environmental Risk Management Fund and the Residual Claims Fund.

Whitman- information on environmental investigation at 120 Asia Place, Block 126, Lot 78, in the Borough of Carlstadt.

Bergen County Utilities Authority- notice of public hearing on BCUA's 2019 proposed budget.

Public Service Electric and Gas Company- notice of filing with BPU and notice of public hearing on the matter of the petition of PSE&G for approval of the second Energy Strong Program.

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

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

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/Kinsella and second by C/Wende to approve following Resolutions:

RESOLUTION #18-321

BE IT FURTHER RESOLVED by the Mayor and Council that the payments in the amount of \$6,150.00 for month of November, 2018 to Millennium Strategies, LLC for professional services for the FEMA grants Management and Administration be and is hereby approved.

RESOLUTION #18-322

WHEREAS, L +C Design Consultant, PA submitted the following invoices:

Telecommunications/Security for Municipal building (Additional Services)	\$2,615.00
Telecommunication/Security Police Department (Additional Services)	\$293.00
Various Additional Services for new Municipal building (Additional Services)	\$7,755.20
AT&T Antenna (Additional Services)	\$560.00

Professional Services Oct. 1 through Oct. 31 2018	\$10,956.00
Professional Services No. 1 through Nov. 30, 2018	\$15,096.00
TOTAL	\$37,275.20

BE IT RESOLVED, by the Mayor and Council of the Borough of Moonachie that the payment in the total amount of \$37,275.20 for various professional services for of New Municipal building to L+C Design Consultant, PA be and is hereby approved.

Mayor Vaccaro- mentioned that the Agreement will have the language of “ AT& T will pay not to exceed \$25,000 for all fees for the cell tower”.

RESOLUTION#18-323

BE IT RESOLVED, by the Mayor and Council of the Borough of Moonachie that the Mayor is hereby authorized to sign a lease agreement with New Cingular Wireless PCS, LLC (by AT & T Mobility Corporation) to allow for the installation of antennas, associated cable and other communications equipment for a communication facility at the new Borough Hall, 70 Moonachie Road.

RESOLUTION #18-324

WHEREAS, ABL Softball(Jim Pilla) paid \$400.00 for the Ballfield permit fees in September, 2018 to use the Tucci field; and

WHEREAS, ABL Softball did not use the Ballfield and requested for refund of \$400.00; and

BE IT FURTHER RESOLVED by the Mayor and Council that the refund of ballfield permit fees in the amount of \$400.00 to ABL Softball (Jim Pilla) be and is hereby authorized.

RESOLUTION #18-325

BE IT RESOLVED that a 2019 license be and is hereby granted to Metropolitan Associates, LTD to operate a mobile home park at the premises situated at 103 Moonachie Avenue, Moonachie; said premises also known as Block 65, Lot 1 as shown on the Assessment Map; and

BE IT FURTHER RESOLVED that said premises shall consist of said area as heretofore designated on the Zoning Map as a Mobile Home Park.

RESOLUTION #18-326

BE IT RESOLVED that a 2019 license be and is hereby granted to Vanguard Associates, to operate a mobile home park at the premises situated at 113 Moonachie Avenue, Moonachie; said premises also known as Block 62, Lot 2 as shown on the Assessment Map; and

BE IT FURTHER RESOLVED that said premises shall consist of said area as heretofore designated on the Zoning Map as a Mobile Home park.

RESOLUTION #18-327

WHEREAS, Two Brothers Contracting, Inc. submitted an invoice for Payment No. 27 for work performed and material furnished in the construction of Moonachie Municipal Building in the amount of \$266,471.80 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 of \$266,471.80 to Two Brothers Contracting, Inc.be and is hereby approved.

RESOLUTION #18-328

BE IT RESOLVED, by the Mayor and Council of the Borough of Moonachie that the purchase FTR Gold Touch 6.1 Digital Audio Recording System in the amount of \$7,279.00 from Office Business Systems, Inc. be and is hereby authorized; and

BE IT FURTHER RESOLVED, the payment in the amount of \$7,279.00 to Office Business Systems, Inc. for the purchase of FTR Gold Touch 6.1 Digital Audio Recording System be and is approved.

RESOLUTION #18-329

WHEREAS, Bergen County Department of Health Services is offering three Options for the Animal Cruelty Services to municipalities; and

WHEREAS, it is best interest for Borough of Moonachie to take Option 2 for the Animal Cruelty Services; and

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Moonachie that an addendum to Bergen County Public Health Shared Services Agreement to add on Animal Cruelty Services (Option 2) be and is hereby approved.

RESOLUTION #18-330

BE IT RESOLVED by the Mayor and Council of the Borough of Moonachie that the request of Dennis Williams to receive 2018 stipend of \$300.00 for his License of C1 Collection in accordance with Section 10.01 of the agreement with the International Brotherhood of Teamsters Local Union No. 11 be and is hereby approved.

RESOLUTION #18-331

BE IT RESOLVED by the Mayor and Council of the Borough of Moonachie that the purchase of Kay Charge Station with Pole-Fiber umbrella-with 4 Charging Plugs & Battery, 1.66 OD Coated Pipe Frame with 48" Round Vinyl Top & Curved Seats and Beige Concrete Umbrella Base for 7 ½ & 9' UMB for Joseph Street Park under NJ State Contract #16 FLEET-00135 from Ben Shaffer Recreation Inc. is hereby authorized for the total amount \$5, 805.40; and

BE IT FURTHER RESOLVED, the payment in amount of \$5,805.40 to Ben Schaffer Recreation, Inc. for the purchase of Kay Charge Station with Pole-Fiber umbrella-with 4 Charging Plugs & Battery, 1.66 OD Coated Pipe Frame with 48" Round Vinyl Top & Curved Seats and Beige Concrete Umbrella Base for 7 ½ & 9' UMB for Joseph Street Park be and is hereby approved.

RESOLUTION #18-332

BE IT RESOLVED by the Mayor and Council of the Borough of Moonachie that the purchase of equipment for the Joseph Street Park Pavilion from Ben Schaffer Recreation, Inc. and installation of a Pavilion at Joseph Street Park by Ben Schaffer Recreation, Inc. in the total amount of \$52,541.98 under #ESC NJ 17/18-20; Co-Op#65MCESCCPS is hereby authorized; and

BE IT FURTHER RESOLVED, by the Mayor and Council that the payment in the amount of \$52,541.98 to Ben Schaffer Recreation, Inc. for the purchase of equipment for Joseph Street Park Pavilion and installation of a Pavilion at Joseph Street Park be and is hereby approved.

RESOLUTION #18-333

WHEREAS, Two Brothers Contracting, Inc. submitted an invoice for Payment No. 28 for work performed and material furnished in the construction of Moonachie Municipal Building in the amount not to exceed \$700,000.00 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 not to exceed \$700,000.00 to Two Brothers Contracting, Inc. be and is hereby approved.

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

BILLS: None

FINAL PASSAGE OF ORDINANCES:

ORDINANCE#2018-9

AN ORDINANCE OF THE BOROUGH OF MOONACHIE IN THE COUNTY OF BERGEN, NEW JERSEY, PROVIDING A SUPPLEMENTAL APPROPRIATION OF \$500,000 FOR CONSTRUCTION OF A NEW MUNICIPAL BUILDING IN AND FOR THE BOROUGH OF MOONACHIE AND APPROPRIATING \$500,000 THEREFOR, AND PROVIDING FOR THE ISSUANCE OF \$475,000 IN BONDS OR NOTES OF THE BOROUGH OF MOONACHIE TO FINANCE THE SAME

NOW THEREFORE, 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. The improvement or purpose described in Section 3 of this bond ordinance is hereby authorized to be undertaken by the Borough of Moonachie, in the County of Bergen, New Jersey (the "Borough") as a general improvement. For the improvement or purpose described in Section 3 hereof, there is hereby appropriated the supplemental amount of \$500,000, such sum being in addition to the \$4,000,000 appropriated therefor by bond ordinance number 2015-10 of the Borough finally adopted October 22, 2015 and the \$4,993,160 appropriated therefor by Section 3(e) of bond ordinance number 2013-5 of the Borough finally adopted August 22, 2013, and including the \$25,000 as the down payment required by the Local Bond Law. The down payment has been made available by virtue of provision for down payment or for capital improvement purposes in one or more previously adopted budgets.

Section 2. In order to finance the additional cost of the improvement or purpose not otherwise provided for hereunder, negotiable bonds or notes are hereby authorized to be issued in the principal amount of \$475,000 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. (a) The improvement hereby authorized and the purpose for which the bonds or notes are to be issued is for the construction of a new Municipal Building, and including all work and materials necessary therefor or incidental thereto.

(b) The estimated maximum amount of bonds or notes to be issued for the improvement or purpose is \$9,468,160, including the \$4,000,000 of bonds or notes authorized by Ordinance No. 2015-10 of the Borough finally adopted October 22, 2018, the \$4,993,160 of bonds or notes authorized by Section 3(e) of Ordinance No. 2013-5 of the Borough finally adopted August 22, 2013 and the \$475,000 of bonds or notes authorized herein.

(c) The estimated cost of the improvement or purpose is \$9,468,160, including the \$4,000,000 of bonds or notes authorized by Section 3(c) of Ordinance No. 2015-10 of the Borough finally adopted October 22, 2015, the \$4,993,160 of bonds or notes authorized by Section 3(e) of Ordinance No. 2013-5 of the Borough finally adopted August 22, 2013 and the \$500,000 of bonds or notes authorized herein.

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer; provided that no note shall mature later than one year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer. The notes shall be executed by the chief financial officer and the Mayor of the Borough and shall be under the seal of the Borough and attested by the Clerk of the Borough. The chief financial officer shall determine all matters in connection with notes issued pursuant to this bond ordinance, and the chief financial officer's signature upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time subject to the provisions of the Local Bond Law. The chief financial officer is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this bond ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the notes sold, the price obtained and the name of the purchaser.

Section 5. The capital budget or temporary capital budget (as applicable) of the Borough is hereby amended to conform with the provisions of this bond 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 amended 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 Clerk and is available there for public inspection.

Section 6. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvement or purpose described in Section 3 of this bond ordinance is not a current expense. No part of the costs thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The period of usefulness of the improvement or purpose, within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the bonds authorized by this bond ordinance, is 30 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the Borough as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$475,000, and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$1,049,240 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the improvement or purpose. Of this amount, \$493,160 was estimated for these items of expense in Ordinance No. 2013-5 of the Borough finally adopted August 22, 2013 and \$506,080 was estimated for the items of expense in Ordinance 2015-10 finally adopted on October 22, 2015, and an additional \$50,000 is estimated therefor herein.

(e) The Borough reasonably expects to commence acquisition of the projects described in Section 3 hereof, and to advance all or a portion of the costs in respect thereof, prior to the issuance of bonds or notes hereunder. To the extent such costs are advanced, the Borough further reasonably expects to reimburse such expenditures from the proceeds of the bonds or notes authorized by this bond ordinance, in an aggregate not to exceed the amount of bonds or notes authorized in Section 2 hereof.

Section 7. Any grant moneys received for the purposes described in Section 3 hereof shall be applied either to direct payment of the cost of the improvement or to payment of the obligations issued pursuant to this bond ordinance. The amount of obligations authorized hereunder shall be reduced to the extent that such funds are so used.

Section 8. The full faith and credit of the Borough is hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Borough, and the Borough shall be obligated to levy ad valorem taxes upon all the taxable real property within the Borough for the payment of the obligations and the interest thereon without limitation of rate or amount.

Section 9. The Borough hereby covenants to take any action necessary or refrain from taking such action in order to preserve the tax-exempt status of the bonds and notes authorized hereunder as is or may be required under the Internal Revenue Code of 1986, as amended, and the regulations promulgated thereunder (the "Code"), including compliance with the Code with regard to the use, expenditure, investment, timely reporting and rebate of investment earnings as may be required thereunder.

Section 10. The chief financial officer of the Borough is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Borough and to execute such disclosure document on behalf of the Borough. The chief financial officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Borough pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of obligations of the Borough and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Borough fails to comply with its undertaking, the Borough shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

Section 11. To the extent that any previous ordinance or resolution is inconsistent herewith or contradictory hereto, said ordinance or resolution is hereby repealed or amended to the extent necessary to make it consistent herewith.

Section 12. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

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

Mayor Vaccaro- mentioned that this Ordinance is for putting more money for furniture and file cabinets for the new Municipal Building.

PUBLIC HEARING ON ORDINANCE#2018-9:

No one wished to be heard.

Motion by C/Wende and second by C/Kinsella to close Public hearing.

ROLL CALL: Bauer, Cirillo, Kinsella, Wende

All ayes. So ordered.

Motion by C/Cirillo and second by C/Kinsella to adopt Ordinance#2018-9.

ROLL CALL: Bauer, Cirillo, Kinsella, Wende

All ayes. So ordered.

ORDINANCE#2018-10

AN ORDINANCE OF THE BOROUGH OF MOONACHIE, IN THE COUNTY OF BERGEN, NEW JERSEY, PROVIDING FOR PHASE III OF THE MOONACHIE ROAD STREETScape PROJECT LOCATED IN THE BOROUGH AND APPROPRIATING \$300,000 THEREFOR, AND PROVIDING FOR THE ISSUANCE OF \$300,000 IN BONDS OR NOTES OF THE BOROUGH OF MOONACHIE TO FINANCE THE SAME

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), DO ORDAIN, AS FOLLOWS:

Section 1. The improvement or purpose described in Section 3 of this bond ordinance is hereby authorized to be undertaken by the Borough of Moonachie, in the County of Bergen, New Jersey (the "Borough"), as a general improvement. For the improvement or purpose described in Section 3 hereof, there is hereby appropriated the sum of \$300,000 including a grant in the amount of \$220,000 expected to be received through the State of New Jersey Department of Transportation's Fiscal Year 2018 Municipal Aid Program. No down payment is required in connection with the authorization of bonds and notes pursuant to N.J.S.A. 40A:2-11(c) as this bond ordinance involves a project to be funded by a State grant.

Section 2. In order to finance the cost of the improvement or purpose not otherwise provided for hereunder, negotiable bonds or notes are hereby authorized to be issued in the principal amount of \$300,000 pursuant to the Local Bond Law. In

anticipation of the issuance of the bonds or notes, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. (a) The improvement hereby authorized and the purpose for which the bonds or notes are to be issued is Phase III of the Moonachie Road Streetscape Project, and all equipment, work and materials necessary therefor or incidental thereto.

(b) The estimated maximum amount of bonds or notes to be issued for the improvement or purpose is as stated in Section 2 hereof.

(c) The estimated cost of the improvement or purpose is equal to the amount of the appropriation herein made therefor.

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer; provided that no note shall mature later than one year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer. The chief financial officer shall determine all matters in connection with notes issued pursuant to this bond ordinance, and the chief financial officer's signature upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time subject to the provisions of the Local Bond Law. The chief financial officer is hereby authorized to sell part or all of the notes from time to time, at not less than 99% of par and accrued interest, at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this bond ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the notes sold, the price obtained and the name of the purchaser.

Section 5. The capital budget or temporary capital budget (as applicable) of the Borough is hereby amended to conform with the provisions of this bond 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 amended 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 Clerk and is available there for public inspection.

Section 6. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvement or purpose described in Section 3 of this bond ordinance is not a current expense. No part of the costs thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The period of usefulness of the improvement or purpose, within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the bonds authorized by this bond ordinance, is 10 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the Borough as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$300,000, and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An amount not exceeding \$60,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the improvement or purpose.

Section 7. Any grant moneys received for the purposes described in Section 3 hereof shall be applied either to direct payment of the cost of the improvement or to payment of the obligations issued pursuant to this bond ordinance. The amount of obligations authorized hereunder shall be reduced to the extent that such funds are so used.

Section 8. The full faith and credit of the Borough is hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Borough, and the Borough shall be obligated to levy ad valorem taxes upon all the taxable real property within the Borough for the payment of the obligations and the interest thereon without limitation of rate or amount.

Section 9. The Borough hereby covenants to take any action necessary or refrain from taking such action in order to preserve the tax-exempt status of the bonds and notes authorized hereunder as is or may be required under the Internal Revenue Code of 1986, as amended, and the regulations promulgated thereunder (the "Code"), including

compliance with the Code with regard to the use, expenditure, investment, timely reporting and rebate of investment earnings as may be required thereunder

Section 10. The chief financial officer of the Borough is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Borough and to execute such disclosure document on behalf of the Borough. The chief financial officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Borough pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of obligations of the Borough and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Borough fails to comply with its undertaking, the Township shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

Section 11. To the extent that any previous ordinance or resolution is inconsistent herewith or contradictory hereto, said ordinance or resolution is hereby repealed or amended to the extent necessary to make it consistent herewith.

Section 12. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

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

Mayor Vaccaro- mentioned that this Ordinance is for Streetscape project and the design of Streetscape should be ready in January, the Borough will wait until the County does the paving.

PUBLIC HEARING ON ORDINANCE#2018-10:

Sal DeAlessandro, 1 Frederick Street-asked if the streetscape project will be extend past what is there currently.

Mayor Vaccaro- mentioned that it will go up to the border of Little Ferry.

Mr. DeAlessandro- asked about Rebuild By Design Project.

Mayor Vaccaro -mentioned that Rebuild By Design is putting some of swales and the Borough would work in different areas than Rebuild By Design so there is no conflict.

Mr. DeAlessandro-asked about the crosswalk project after the Municipal Building is finished.

Mayor Vaccaro- mentioned that the crosswalks, the sidewalks and street signs are included in the streetscape project.

Mr. DeAlessandro- asked about walkway of North Garden.

Mayor Vaccaro- mentioned that North Garden has its own walkway as part of that project and crosswalk going to the park will be part of the park project.

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

ROLL CALL: Bauer, Cirillo, Kinsella, Wende

All ayes. So ordered.

Motion by C/Kinsella and second by C/Cirillo to adopt Ordinance#2018-10.

ROLL CALL: Bauer, Cirillo, Kinsella, Wende

All ayes. So ordered.

ORDINANCE#2018-11

AN ORDINANCE OF THE BOROUGH OF MOONACHIE IN THE COUNTY OF BERGEN, NEW JERSEY, PROVIDING FOR PRELIMINARY EXPENSES IN CONNECTION WITH INTERSECTION IMPROVEMENTS IN AND FOR THE BOROUGH OF MOONACHIE AND APPROPRIATING \$75,000 THEREFOR AND PROVIDING FOR THE ISSUANCE OF \$71,250 IN BONDS OR NOTES OF THE BOROUGH OF MOONACHIE TO FINANCE THE SAME

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. The improvement or purpose described in Section 3 of this bond ordinance is hereby authorized to be undertaken by the Borough of Moonachie, in the County of Bergen, New Jersey (the "Borough"), as a general improvement. For the improvement or purpose described in Section 3 hereof, there is hereby appropriated

\$75,000, including the sum of \$3,750 as the down payment for the improvement or purpose required by the Local Bond Law. The down payment has been made available by virtue of provision for down payment or for capital improvement purposes in one or more previously adopted budgets.

Section 2. In order to finance the cost of the improvement or purpose not covered by application of the down payment or otherwise provided for hereunder, negotiable bonds or notes are hereby authorized to be issued in the principal amount of \$71,250 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds or notes, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. (a) The improvement hereby authorized and the purpose for which the bonds or notes are to be issued is for preliminary expenses in connection with improvements to the intersection at Moonachie Avenue, Moonachie Road and Empire Boulevard, and including all work and materials necessary therefor or incidental thereto.

(b) The estimated maximum amount of bonds or notes to be issued for the improvement or purpose is as stated in Section 2 hereof.

(c) The estimated cost of the improvement or purpose is equal to the amount of the appropriation herein made therefor.

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer; provided that no note shall mature later than one year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer. The chief financial officer shall determine all matters in connection with notes issued pursuant to this bond ordinance, and the chief financial officer's signature upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time subject to the provisions of the Local Bond Law. The chief financial officer is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this bond ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the notes sold, the price obtained and the name of the purchaser.

Section 5. The capital budget or temporary capital budget (as applicable) of the Borough is hereby amended to conform with the provisions of this bond 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 amended 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 Clerk and is available there for public inspection.

Section 6. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvement or purpose described in Section 3 of this bond ordinance is not a current expense. It is an improvement or purpose the Borough may lawfully undertake as a general improvement, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The period of usefulness of the improvement or purpose, within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the bonds authorized by this bond ordinance, is 10 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the Borough as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$71,250 and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An amount not exceeding \$71,250 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the improvement or purpose.

(e) The Borough reasonably expects to commence acquisition and/or construction of the improvement or purpose described in Section 3 hereof, and to advance all or a portion of the costs in respect thereof, prior to the issuance of bonds or notes hereunder. To the extent such costs are advanced, the Borough further reasonably expects to reimburse such expenditures from the proceeds of the bonds or notes authorized by this

bond ordinance, in an aggregate amount not to exceed the amount of bonds or notes authorized in Section 2 hereof.

Section 7. Any grant moneys received for the purposes described in Section 3 hereof shall be applied either to direct payment of the cost of the improvement or to payment of the obligations issued pursuant to this bond ordinance. The amount of obligations authorized hereunder shall be reduced to the extent that such funds are so used.

Section 8. The full faith and credit of the Borough is hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Borough, and the Borough shall be obligated to levy ad valorem taxes upon all the taxable real property within the Borough for the payment of the obligations and the interest thereon without limitation of rate or amount.

Section 9. The Borough hereby covenants to take any action necessary or refrain from taking such action in order to preserve the tax-exempt status of the bonds and notes authorized hereunder as is or may be required under the Internal Revenue Code of 1986, as amended, and the regulations promulgated thereunder (the "Code"), including compliance with the Code with regard to the use, expenditure, investment, timely reporting and rebate of investment earnings as may be required thereunder.

Section 10. The chief financial officer of the Borough is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Borough and to execute such disclosure document on behalf of the Borough. The chief financial officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Borough pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of obligations of the Borough and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Borough fails to comply with its undertaking, the Borough shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

Section 11. To the extent that any previous ordinance or resolution is inconsistent herewith or contradictory hereto, said ordinance or resolution is hereby repealed or amended to the extent necessary to make it consistent herewith.

Section 12. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law. The Borough Clerk has presented an affidavit showing that advertisement had been made according to law.

Mayor Vaccaro mentioned that this bond ordinance is for the Moonachie Avenue and Moonachie Road Traffic Light plans and engineering costs, the County is willing to pay for the project. Mentioned that he spoke to the Mayor of Carlstadt and Carlstadt is willing to discuss the project.

PUBLIC HEARING ON ORDINANCE#2018-11:

Sal DeAlessandro, 1 Frederick Street- thanked the Mayor and Council for making progress on this project.

Mayor Vaccaro –mentioned that the Borough wanted to County to include in the project and once the County committed to the project, the Borough is going forward.

Mr. DeAlessandro-asked about coordinating this project with Rebuild by Design.

Mayor Vaccaro -mentioned that they are not working on Washington Avenue, but they have plans for the corner by the Graycliff, on Moonachie Avenue and on Moonachie Road by the Church.

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

ROLL CALL: Bauer, Cirillo, Kinsella, Wende

All ayes. So ordered.

Motion by C/Kinsella and second by C/Cirillo to adopt Ordinance#2018-11.

ROLL CALL: Bauer, Cirillo, Kinsella, Wende.

All ayes. So ordered.

Mayor Vaccaro asked C/Kinsella to conduct the meeting and he left the meeting.

ORDINANCE #2018-12

AN ORDINANCE TO AMEND ORDINANCE# 2018-8 TO FIX THE SALARY, WAGES AND COMPENSATION OF THE OFFICERS AND EMPLOYEES OF THE BOROUGH OF MOONACHIE IN THE COUNTY OF BERGEN AND THE STATE OF NEW JERSEY.

BE IT ORDAINED, by the Mayor and Council of the Borough of Moonachie as Follows:

SECTION 1.

The range of compensation of the following job title of the Borough of Moonachie whose compensation shall be on an annual basis shall be as follows and shall be paid bi-weekly:

<u>ANNUM</u>	<u>SALARY RANGE PER</u>
Borough Clerk	20,000 to 70,270
Account Clerk	14,000 to 64,720
Clerk, Full Time	10,000 to 43,170
Chief Financial Officer	5,000 to 18,910
Inspection Control Clerk	6,000 to 32,540
Municipal Court Administrator	15,000 to 48,920
Municipal Superintendent DPW	30,000 to 68,700
Recycling Coordinator	15,000 to 34,100

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

SECTION 3. This Ordinance shall take effect upon publication in the manner prescribed by law and shall be retroactive to January 1, 2018.

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

PUBLIC HEARING ON ORDINANCE#2018-12:

No one wished to be heard.

Motion by C/Cirillo and second by C/Wende to close Public hearing.

ROLL CALL: Bauer, Cirillo, Kinsella, Wende

All ayes. So ordered.

Mayor Vaccaro returned to the meeting.

Motion by C/Wende and second by C/Bauer to adopt Ordinance#2018-12

ROLL CALL: Bauer, Cirillo, Kinsella, Wende

All ayes. So ordered.

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

RESOLUTION#18-334

BE IT RESOLVED, by the Mayor and Council of the Borough of Moonachie, that the below specified positions will be compensated at the following annual rate, retroactive to January 1, 2018 except as noted:

Borough Clerk	Supriya Sanyal	\$ 69,787.00
Account Clerk	Lynn Van Sadlers	\$ 64,240.00
Full-time Clerk	Lisa Ciannamea	\$ 42,693.00
Chief Financial Officer	Anthony Ciannamea	\$ 18,422.00
Inspection Control Clerk	Lynn Rose	\$ 32,060.00
Municipal Court Administrator	Brittany Demarest	\$ 48,450.00
Municipal Superintendent DPW	MaryEllen Lyons	\$ 68,648.00
Recycling Coordinator	MaryEllen Lyons	\$ 34,065.00

ROLL CALL: Bauer, Cirillo, Kinsella, Wende

All ayes. So ordered.

PUBLIC HEARING:

Sal DeAlessandro, 1 Frederick Street- spoke about Rebuild by Design Project that include parks on Moonachie Road and Moonachie Avenue and asked about the purchase of the land for the parks.

Mayor Vaccaro- mentioned that the money for Rebuild by Design project will provide for the purchase of land.

Mr. DeAlessandro -asked about the money for the maintenance of the work that Rebuild by Design is doing.

Mayor Vaccaro- mentioned that the each town will maintain what is done in the town, and they may put together a committee with representatives from the towns for the maintenance.

Mr. DeAlessandro- wished the Mayor and Council a Merry Christmas and Happy New Year.

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

ROLL CALL: Bauer, Cirillo, Kinsella, Wende

All ayes. So ordered.

CLOSED SESSION:

Motion by C/Kinsella and second by C/Cirillo to approve Resolution #18-335 to go into closed session:

RESOLUTION #18-335

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 collective bargaining agreement.

ROLL CALL: Bauer, Cirillo, Kinsella, Wende

All ayes. So ordered.

Motion by C/Cirillo and second by C/Kinsella to close closed session at 8:49 P.M.

ROLL CALL: Bauer, Cirillo, Kinsella, Wende

All ayes. So ordered.

Mayor Vaccaro- mentioned that in closed there were discussion about three contracts, the Memorandum of Understanding will be send to PBA for signatures, there will be meeting with the DPW and will send the Dispatchers what has been discussed about the contract.

C/Kinsella - thanked Bulb-Rite and the Rotary for getting gloves, hats, toys and clothing for about the 30 neediest students at the school. She mentioned that Flomo also donated gift bags.

Mayor Vaccaro- mentioned that at the Reorganization meeting of January 6 Officers John Bussanich and Frank Tamargo will be recognized for saving a baby in Teterboro.

C/Cirillo mentioned that there will luncheon for the Seniors tomorrow.

Mayor Vaccaro wished everyone a Merry Christmas and Happy New Year and he wished C/Bauer happy birthday.

Motion by C/Kinsella and second by C/Bauer to adjourn the meeting at 8:59 P.M.

ROLL CALL: Bauer, Cirillo, Kinsella, Wende

All ayes. So ordered.

ATTEST:

Supriya Sanyal
Borough Clerk