

**REGULAR MEETING
OCTOBER 15, 2019**

In compliance with Chapter 231, OPEN PUBLIC MEETINGS ACT of the State of New Jersey, adequate notice has been given to all members of the Governing Body, the "Local Source" and the "Westfield Leader" the two newspapers designated to receive such notice. The notice is posted on the Borough Hall bulletin board.

Mayor Paul N. Mirabelli called the meeting to order at 7:29 P.M.

INVOCATION: Councilman Mortimer
SALUTE TO THE FLAG
ROLL CALL

PRESENT: Mayor Mirabelli, Councilwoman Andre, Councilman Dierkes, Councilman Mortimer, Councilwoman Pater, Council President Turner, Administrator Atkins and Attorney Post. Also present were Police Chief Joseph Giannuzzi, Recreation Director Frank Masella and Public Works Director Matthew DeAnna. Councilman Messler was absent.

APPROVAL OF MINUTES:

Upon motion by Councilman Turner a second by Councilman Mortimer, the minutes of the Regular Session Meeting held on September 17, 2019 were approved. Roll Call: Ayes: Andre, Dierkes, Mortimer, Pater, Turner. Nays: 0.

Upon motion by Councilman Turner a second by Councilman Mortimer, the minutes of the Work & Executive Session Meetings held on October 1, 2019 were approved. Roll Call: Ayes: Andre, Dierkes, Mortimer, Pater, Turner. Nays: 0.

PROCLAMATIONS:

RED RIBBON WEEK

WHEREAS, October 23 through October 31, 2019 has been designated Red Ribbon Week, and

WHEREAS, Red Ribbon Week started in 1985 with a group of parents wearing red satin badges as a memorial to Enrique Camarena, a Federal Drug Enforcement Administration Agent who was killed while on duty, and

WHEREAS, as a result, in 1989 the red ribbon became a united symbol of commitment to create a drug-free America, showing a nation's intolerance to alcohol and drug abuse, and

WHEREAS, the Municipal Alliance of the Borough of Mountainside, whose mandate includes spreading the message of drug and alcohol abuse prevention, has coordinated borough and county participation by sponsoring Red Ribbon Week; and

THEREFORE, I, Paul N. Mirabelli, Mayor of the Borough of Mountainside do hereby proclaim October 23 through October 31, 2019 as

RED RIBBON WEEK

in the Borough of Mountainside and ask all residents to join in a personal commitment to a drug-free America by wearing and displaying red ribbons during Red Ribbon Week.

**BAND APPRECIATION WEEK
GOVERNOR LIVINGSTON HIGHLANDER BAND**

WHEREAS, on behalf of the Governor Livingston Band Parents Organization, we wish to acknowledge the musical accomplishments of the Governor Livingston Highlander Band; and

WHEREAS, these musical accomplishments have been a great asset to the students of Governor Livingston High School and all others who have supported the Highlander Band; and

WHEREAS, all citizens are urged to take interest in and give full support to the Governor Livingston Highlander Band in their annual programs.

NOW, THEREFORE, BE IT RESOLVED, that I, Paul N. Mirabelli, Mayor of the Borough of Mountainside, hereby proclaim the week of November 10, 2019 as Band Appreciation Week.

RESOLUTIONS:

The following resolution was introduced by Councilman Turner and seconded by Councilwoman Pater.

RESOLUTION 111-2019

WHEREAS, it is the desire of the Governing Body of the Borough of Mountainside to appoint a Probationary Police Officer to the Borough of Mountainside Police Department; and

WHEREAS, the Police Committee interviewed several qualified candidates for the position of Probationary Police Officer for the Borough of Mountainside Police Department; and

WHEREAS, the Police Committee has recommended the appointment of Alexandra Harris as Police Officer; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Mountainside that Alexandra Harris be appointed as a Probationary Police Officer for the Borough of Mountainside Police Department.

BE IT FURTHER RESOLVED, that said appointment shall be effective October 14, 2019 with the probationary period ending one-year from the appointment date at a probationary period salary of \$44,161.20.

Roll Call: Andre, Dierkes, Mortimer, Pater, Turner. Nays: 0.

The following resolution was introduced by Councilman Dierkes and seconded by Councilman Pater.

RESOLUTION 112-2019

WHEREAS, the State of New Jersey Department of Military and Veterans Affairs, by letter dated September 3, 2019 has confirmed that Mr. Kevin Murphy, a resident of Mountainside was granted a determination of 100% total disability by the United States Department of Veterans Affairs, effective September 30, 2018; and

WHEREAS, Mr. Murphy has made an application to the Tax Assessor for an exemption from property taxes based on his disabled veteran's status under N.J.S.A. 54:4-3.30; and

WHEREAS, it is recommended by the tax office that Mr. Murphy be granted complete exemption from property taxes from the application date of September 3, 2019, and any overpayment of taxes paid by Mr. Murphy be refunded.

NOW, THEREFORE, BE IT RESOLVED, by the Governing Body of the Borough of Mountainside, County of Union, State of New Jersey that Mr. Kevin Murphy be granted complete exemption from the application date of September 3, 2019 and Mr. Murphy be issued a refund of \$954.01 which is the overpayment of taxes paid in 2019.

<u>Property Owner</u>	<u>Address</u>	<u>Block and Lot</u>
Kevin Murphy	381 Creek Bed Road	Block 16.13, Lot 5

Roll Call: Andre, Dierkes, Mortimer, Pater, Turner. Nays: 0.

The following resolution was introduced by Councilwoman Andre and seconded by Councilman Mortimer.

RESOLUTION 113-2019

WHEREAS, the Recreation Director Frank Masella requested the following refunds; and

NOW, THEREFORE, BE IT RESOLVED that the Treasurer be authorized to issue the following refunds:

<u>Applicant</u>	<u>Program</u>	<u>Amount</u>
Christina Chrysanthopoulos 1112 Miami Court Mountainside, NJ 07092	Lacrosse	\$150.00
Daniela D'Aprano 1637 Nottingham Way Mountainside, NJ 07092	Lacrosse	\$150.00
Darby Road Public House 450 Park Avenue Scotch Plains, NJ 07076	Pool Concession Equipment Deposit	\$500.00

Roll Call: Andre, Dierkes, Mortimer, Pater, Turner. Nays: 0.

The following resolution was introduced by Councilwoman Pater and seconded by Councilman Turner.

RESOLUTION 114-2019

SUPPORTING THE SUBMISSION OF APPLICATIONS TO THE COUNTY OF UNION FOR THE YEAR 46 COMMUNITY DEVELOPMENT BLOCK GRANT ("CDBG") PROGRAM

WHEREAS, the Borough of Mountainside advertised a public notice for and will conduct a public hearing on, October 15, 2019, to consider proposals for the Union County Year 46 Community Block Development Grant Program (“CDBG”) ; and

NOW, THEREFORE BE IT RESOLVED by the Borough Council of the Borough of Mountainside hereby expresses its support of the Union County Year 46 CDBG Program submissions presented to the Borough Council as set forth in the grant applications received, for the following programs:

1. Senior Citizens Social Services Program

BE IT FURTHER RESOLVED that a copy of this Resolution be furnished to the County of Union along with all applications required for CDBG program submission; and

BE IT FURTHER RESOLVED that this resolution shall take effect immediately.

Roll Call: Andre, Dierkes, Mortimer, Pater, Turner. Nays: 0.

The following resolution was introduced by Councilman Turner and seconded by Councilman Mortimer.

RESOLUTION 115-2019

WHEREAS, there exists a need for a Crossing Guard; and

WHEREAS, Police Chief Joseph Giannuzzi has recommended that the Borough Council take action to hire Janice Sileo, to fill this position.

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Mountainside that Janice Sileo be and hereby is hired as a Crossing Guard at a rate of \$18.49 per hour, effective September 30, 2019.

Roll Call: Andre, Dierkes, Mortimer, Pater, Turner. Nays: 0.

The following resolution was introduced by Councilman Dierkes and seconded by Councilman Turner.

RESOLUTION 116-2019

WHEREAS, there is a vacancy in the position of Municipal Housing Liaison; and

WHEREAS, pursuant to N.J.A.C. 5:94-7 and N.J.A.C. 5:80-26.1 et. seq., the Borough of Mountainside is required to appoint a Municipal Housing Liaison for the administration of affordable housing program to enforce the requirements of N.J.A.C. 5:94-7 and N.J.A.C. 5:80-26.1 et. seq.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Mountainside, that Thomas Atkins is appointed Municipal Housing Liaison.

Roll Call: Andre, Dierkes, Mortimer, Pater, Turner. Nays: 0.

The following resolution was introduced by Councilman Mortimer and seconded by Councilman Turner.

RESOLUTION 117-2019

WHEREAS, the Borough of Mountainside is a member of the Suburban Municipal Joint Insurance Fund; and

WHEREAS, said renewed membership terminates as of December 31, 2019 unless earlier renewed by agreement between the Municipality and the Fund; and

WHEREAS, the Municipality desires to renew said membership;

NOW THEREFORE, be it resolved as follows:

1. The Borough of Mountainside agrees to renew its membership in the Suburban Municipal Joint Insurance Fund and to be subject to the Bylaws, Rules and Regulations, coverages, and operating procedures thereof as presently existing or as modified from time to time by lawful act of the Fund.

2. The Mayor and Clerk shall be and hereby are authorized to execute the agreement to renew membership annexed hereto and made a part hereof and to deliver same to the Suburban Municipal Joint Insurance Fund evidencing the Municipality's intention to renew its membership.

**AGREEMENT TO RENEW MEMBERSHIP IN THE
SUBURBAN MUNICIPAL JOINT INSURANCE FUND**

WHEREAS, the Suburban Municipal Joint Insurance Fund (hereinafter the Fund), is a duly chartered Municipal Insurance Fund as authorized by NJSA 40A:10-36 et seq., and;

WHEREAS, the Borough of Mountainside is currently a member of the said Fund, and:

WHEREAS, effective December 31, 2019, said membership will expire unless earlier renewed, and;

WHEREAS, the Mayor and Council of the Borough of Mountainside has resolved to renew said membership;

NOW THEREFORE, it is agreed as follows:

1. The Borough of Mountainside hereby renews its membership in the Suburban Municipal Joint Insurance Fund for a three (3) year period, beginning January 1, 2020 and ending January 1, 2023*.
2. The Borough of Mountainside hereby ratifies and reaffirms the Indemnity and Trust Agreement Bylaws and other organizational and operational documents of the Suburban Municipal Joint Insurance Fund as from time to time amended and altered by the
3. Department of Insurance in accordance with the Applicable Statutes and administrative regulations as if each and every one of said documents were re-executed contemporaneously herewith.

4. The Borough of Mountainside agrees to be a participating member of the Fund for the period herein provided for and to comply with all of the rules and regulations and obligations associated with said membership.
5. In consideration of the continuing membership of the Borough of Mountainside in the Suburban Municipal Joint Insurance Fund, the Fund agrees, subject to the continuing approval of the Commissioner of Insurance, to accept the renewal application of the Borough of Mountainside.
6. Executed the 15th day of October, 2019 as the lawful and binding act and deed of the Borough of Mountainside, which execution has been duly authorized by public vote of the governing body.

Roll Call: Andre, Dierkes, Mortimer, Pater, Turner. Nays: 0.

The following resolution was introduced by Councilwoman Andre and seconded by Councilwoman Pater.

RESOLUTION 118-2019

WHEREAS, the Mountainside Volunteer Fire Department has recommended the establishment of a Junior Firemen’s Auxiliary Program, and

WHEREAS, the program has been endorsed by the Council Fire Committee,

NOW, THEREFORE BE IT RESOLVED by the Borough Council of the Borough of Mountainside that the program submitted by the Volunteer Fire Department including the input of the Interim Borough Administrator is hereby approved effective October 16, 2019.

Roll Call: Andre, Dierkes, Mortimer, Pater, Turner. Nays: 0.

ORDINANCE: First Reading (Introduction)

**ORDINANCE 1277-2019
AN ORDINANCE TO AMEND ORDINANCE 1270-2018 FIXING SALARY RANGES
FOR CERTAIN MUNICIPAL EMPLOYEES**

BE IT RESOLVED by the Mayor and Council of the Borough of Mountainside that Ordinance 1270-2018 is hereby amended to read as follows:

A&E

Borough Administrator	\$ 25,000 - \$125,000
Administrator Assistant	15,000 - 40,000
Borough Clerk/Registrar of Vital Statistics	40,000 - 110,000
Deputy Borough Clerk/Deputy Registrar	30,000 - 60,000
Mayor	2,500 - 8,000
Council Member	1,200 - 6,000

Finance

Chief Finance Officer	40,000 - 110,000
Finance Assistant	30,000 - 60,000
Tax Collector	10,000 - 40,000
Finance Assistant	10.00 - 30.00 Hourly

Police

Chief of Police	100,000 -	175,000
Administrative Assistant	30,000 -	60,000
Records Clerk	12.00 -	25.00
Communications Officers	29,000 -	65,000
Crossing Guard	15.00 -	30.00 Hourly
Class II Special Officer	25.00 -	50.00 Hourly

Building

Construction Official/Building Subcode Official/ Building Inspector	10,000 -	60,000
Construction/Fire Prevention Secretary	20,000 -	65,000
Secretary: Engineer/DPW/Shade Tree/Recycling	20,000 -	50,000
Administrative Secretary: Construction/Planning Board	10.00 -	30.00 Hourly
Inspectors: (Plumbing/Building/Electrical)	25.00 -	50.00 Hourly
Fire Prevention/Fire Subcode Official	25.00 -	50.00 Hourly
Zoning Officer	10,000-	65,000
Public Works Director	40,000 -	100,000
Public Works Employees	25,000 -	70,000
Public Works Foreman	25,000 -	60,000
Engineer	35,000 -	100,000
Tax Assessor	15,000 -	40,000
Assistant to Assessor	3,000 -	10,000
Certified Wastewater & Treatment Operator	2,000 -	5,000

Court

Court Administrator	40,000 -	80,000
Deputy Court Administrator	30,000 -	60,000
Violations Clerk	5,000 -	50,000
Municipal Judge	15,000 -	40,000
Municipal Prosecutor	15,000 -	40,000
Public Defender	3,600 -	5,000

Miscellaneous

Handyman	12.00 -	30.00 Hourly
Drug Alliance Coordinator	3,000 -	5,000
Cable TV Coordinator	13.00 -	30.00 Hourly
Cable TV	10.00 -	25.00 Hourly
Website Coordinator	1,000 -	5,000
Board of Health Secretary	3,000 -	6,000
Senior Citizen Coordinator	15,000 -	30,000
Senior Van Driver	15.00 -	40.00 Hourly
OEM Director	5,000 -	15,000
OEM Deputy Director	2,500 -	10,000
Temporary Staffing	15.00 -	75.00 Hourly

Recreation

Recreation Director/Pool Administrator	40,000 -	100,000
Recreation Dept Secretary/Pool Bookkeeper	20,000 -	50,000
Assistant Recreation Director	30,000 -	70,000
Pool Manager	6,000 -	15,000
Assistant Pool Manager	4,000 -	10,000
Pool Secretary (P/T)	10.00 -	20.00
Swim Instructors	10.00 -	20.00
Life Guards	10.00 -	20.00

Main Gate Control	10.00 -	20.00
Maintenance Foreman	10.00 -	20.00
Maintenance Personnel	10.00 -	20.00
Swim Coach	1,750 -	4,000
Assistant Swim Coach	200 -	1,800
Diving Coach	1,400 -	3,000
Pool Technician	2,000 -	12,000
Assistant Pool Tech	2,000 -	5,000
Fitness/Sports Instructor (per person, per class)	2.00 -	15.00
Tennis Lesson Instructor (per person, per session)	35.00 -	150.00
Art/Crafts Instructor (per person, per class)	2.00 -	20.00
Sports Supervisor (per session)	25.00 -	75.00
Youth Tennis Team Coach (per season)	350.00 -	1,500
Men's Softball Supervisor (per season)		250.00
Activity Supervisor (per session)	10.00 -	75.00
Sports Official (per session)	10.00 -	120.00
Assignor (per game)	2.00 -	6.00
Summer Playground Supervisor (per season)	1,750 -	4,200
Summer Playground Assistant Supervisor (per season)	1,200 -	3,150
Sports Coach	1,500 -	3,500
Middle School Team Coach (per season)	350 -	3,000

This ordinance shall be effective upon final passage and publication in accordance with the law.

It was moved by Councilman Mortimer and seconded by Councilman Turner that this ordinance be passed on first reading and advertised in full for a public hearing on November 26, 2019.

Roll Call: Andre, Dierkes, Mortimer, Pater, Turner. Nays: 0.

MOTION:

The following motion was unanimously approved:

1. Approve raffle application from Mountainside Education Foundation for a 50/50 on premise draw raffle.

BILLS & CLAIMS:

The following resolution was introduced by Councilman Mortimer and seconded by Councilwoman Pater:

BE IT RESOLVED by the Mayor and Council of the Borough of Mountainside that the following bills of the persons named and for the amounts stated below, having been duly audited and found to be correct this 15th day of October 2019, the same be paid after Council's review, if and when funds are available and that the Mayor, Council President, Administrator and Treasurer are hereby authorized and directed to sign and deliver warrants for same in the amount of \$310,204.66 (Copy of bill list attached).

Roll Call: Andre, Dierkes, Mortimer, Pater, Turner. Nays: 0

COUNCIL COMMENTS:

Councilwoman Andre announced upcoming events.

Councilwoman Pater announced upcoming programs and events.

Mayor Mirabelli invited residents to the PAL Cop Trop.

AUDIENCE PARTICIPATION:

Hearing no one wishing to speak, Mayor Mirabelli closed the meeting to the public.

The following resolution was introduced by Councilman Turner and seconded by Councilman Mortimer.

WHEREAS, the Open Public Meetings Act of the State of New Jersey permits the public to be excluded from certain matters to be discussed by the Governing Body; and

WHEREAS, the Mayor and Council desire to discuss personnel and litigation which are matters where the exclusion of the public is permitted; and

WHEREAS, public disclosure of the results of this discussion will be made as soon as the matters discussed have been resolved by the Governing Body of the Borough of Mountainside;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Mountainside that the aforesaid matters shall be discussed in closed session upon adoption of this resolution.

Meeting adjourned to closed session at 7:59 P.M.

The meeting was recalled to public session.

Upon a motion by Councilwoman Andre and a second by Councilman Mortimer, the meeting was unanimously adjourned at 8:51 P.M.

Martha Lopez, RMC
Borough Clerk