

**REGULAR MEETING
JANUARY 17, 2017**

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 7:33 P.M.

**INVOCATION: Councilwoman Andre
SALUTE TO THE FLAG
ROLL CALL**

PRESENT: Mayor Mirabelli, Councilwoman Andre, Councilman Dierkes, Councilwoman Fech-Caccamo, Councilman Mortimer, Council President Turner, Administrator Debbie and Attorney Post. Also present Public Works Manager Ronald Romak and Recreation Director Frank Masella. Councilman Messler was absent.

APPROVAL OF MINUTES:

Upon motion by Councilman Turner and a second by Councilman Mortimer, the minutes of the Reorganization Meeting held on January 3, 2017 were approved. Roll Call: Ayes: Andre, Dierkes, Fech-Caccamo, Mortimer, Turner.

Upon motion by Councilman Turner a second by Councilman Mortimer, the minutes of the Work and Executive Session Meetings held on January 10, 2017 were approved. Roll Call: Ayes: Andre, Dierkes, Fech-Caccamo, Mortimer, Turner. Nays: 0.

RESOLUTIONS:

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

RESOLUTION 24-2017

WHEREAS, a quote was received by the Borough of Mountainside for the July 4th 2017 Fireworks Celebration; and

WHEREAS, the quote was in the amount of \$15,000.00; and

WHEREAS, the Governing body has determined that Garden State Fireworks, Millington, New Jersey is the preferred vendor; and

WHEREAS, the Borough of Mountainside provides \$7,500.00, the Mountainside Volunteer Fire Company and Mountainside PAL provide \$3,750.00 each for the payment of the July 4th fireworks;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Mountainside that the proper Borough Officials are hereby authorized to enter into an agreement with Garden State Fireworks in the amount of \$15,000.00 for the 2017 July 4th Fireworks Celebration.

Roll Call: Andre, Dierkes, Fech-Caccamo, Mortimer, Turner. Nays: 0

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

RESOLUTION 25-2017

WHEREAS, the Borough of Mountainside has escrow balances due to applicants and the Borough Engineer, Mike Disko, Jr., has requested the funds be returned, and

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

<u>Applicant</u>	<u>Amount</u>
Steven Diamond 1312 Stony Brook Lane Road Opening Permit	\$2,000.00

Roll Call: Andre, Dierkes, Fech-Caccamo, Mortimer, Turner. Nays: 0

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

RESOLUTION 26-2017

WHEREAS, it is necessary for the Borough of Mountainside to contract with a regional health board in order to provide basic health and inspection services as required under state law; and

WHEREAS, the Mountainside Board of Health is recommending a contract be signed for this purpose with the Westfield Regional Board of Health at a cost of \$38,514.00 for 2017; and

WHEREAS, funds have been provided in the annual budget; and

WHEREAS, the contract term shall remain in effect for a period of three (3) years; and

WHEREAS, in 2018 and 2019, the annual fee shall be increased each year by the sum of the lesser of: (A) two (2%) percent ; or (B) the percentage increase in the salaries of the Westfield Regional Board of Health department employees under the collective bargaining agreement over the prior year and the cost of additional requested services.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Mountainside that the appropriate Borough Officials be and they hereby are authorized to execute the contract with the Westfield Regional Board of Health for a three-year term.

Roll Call: Andre, Dierkes, Fech-Caccamo, Mortimer, Turner. Nays: 0

The following resolution was introduced by Councilwoman Fech-Caccamo and seconded by Councilman Turner.

RESOLUTION 27-2017

WHEREAS, the Governor’s Council on Alcoholism and Drug Abuse established the Municipal Alliances for the Prevention of Alcoholism and Drug Abuse in 1989 to educate and engage residents, local government and law enforcement officials, schools, nonprofit organizations, the faith community, parents, youth and other allies in efforts to prevent alcoholism and drug abuse in communities throughout New Jersey.

WHEREAS, The Mountainside Council of the Borough of Mountainside, County of Union, State of New Jersey recognizes that the abuse of alcohol and drugs is a serious problem in our society amongst persons of all ages; and therefore has an established Municipal Alliance Committee; and,

WHEREAS, the Mountainside Borough Council further recognizes that it is incumbent upon not only public officials but upon the entire community to take action to prevent such abuses in our community; and,

WHEREAS, the Mountainside Borough Council has applied for funding to the Governor’s Council on Alcoholism and Drug Abuse through the County of Union;

NOW, THEREFORE, BE IT RESOLVED by the Borough of Mountainside, County of Union, State of New Jersey hereby recognizes the following:

1. The Mountainside Borough Council does hereby authorize submission of a strategic plan for the Mountainside Municipal Alliance grant for fiscal year July 1, 2017 – June 30, 2018 in the amount of:

DEDR	\$ 15,743
Cash Match	\$ 3,936
In-Kind	\$ 11,807

2. The Mountainside Borough Council acknowledges the terms and conditions for administering the Municipal Alliance grant, including the administrative compliance and audit requirements.

Roll Call: Andre, Dierkes, Fech-Caccamo, Mortimer, Turner. Nays: 0

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

RESOLUTION 28-2017

WHEREAS, the New Jersey Transportation Trust Fund Authority Act has provided funds for the improvement of municipal roads through the New Jersey Department of Transportation; and

WHEREAS, the Borough of Mountainside desires to apply for a grant for local aid funds for improvements of a municipal road; and

WHEREAS, the Borough Engineer will prepare the application for the grant for local aid for a section of roadway known as:

MEETING HOUSE LANE

NOW, THEREFORE, BE IT RESOLVED that the Council of the Borough of Mountainside formally approves the grant application for the above stated project.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to sign the grant agreement on behalf of the Borough of Mountainside and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

Roll Call: Andre, Dierkes, Fech-Caccamo, Mortimer, Turner. Nays: 0

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

RESOLUTION 29-2017

WHEREAS, the Union County Transportation Advisory Board has requested that the Borough of Mountainside appoint a representative and an alternate to serve on the Board for a one year term; and

WHEREAS, the Governing Body is desirous of appointing a representative and alternate from the Borough of Mountainside;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Mountainside that Councilman Robert W. Messler be appointed as representative and Michael Disko, Jr. be appointed as an alternate for a term to expire December 31, 2017.

Roll Call: Andre, Dierkes, Fech-Caccamo, Mortimer, Turner. Nays: 0

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

RESOLUTION 30-2017

WHEREAS, the A&E Committee has recommended a compensation adjustment to the following employee:

Court Administrator	Cynthia West	\$ 5,000.00
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NOW, THEREFORE, BE IT RESOLVED, that this compensation becomes effective upon adoption of this resolution.

Roll Call: Andre, Dierkes, Fech-Caccamo, Mortimer, Turner. Nays: 0

ORDINANCE: First Reading (Introduction)

ORDINANCE 1253-2017
AN ORDINANCE AMENDING CHAPTER X, SECTION 1.14, SECTION a. AND b., OF THE CODE
OF THE BOROUGH OF MOUNTAINSIDE, NEW JERSEY REGARDING MEMBERSHIP
FEES FOR USE OF THE MOUNTAINSIDE COMMUNITY POOL

BE IT ORDAINED by the Mayor and Council of the Borough of Mountainside, County of Union, State of New Jersey, that Chapter X, Section 1.14-a. and Section 1.14-b. of the Borough Code be, and the same is amended and restated as follows:

10-1.14 Fees Established:

a. The resident and full time employee membership fees and guest fees shall be as follows:

1. Family Membership:
 - (I) Family Membership \$334.00
 - (ii) Each unmarried child over 21 living at home or parent living with the family 118.00
2. Single Membership 16 years of age or older 171.00
3. Senior Citizen Membership: 62 years of age or older 118.00
4. A child under the age of 16 joining as part of a family, single or senior citizen membership of a relative, if both the child and the membership are resident 171.00
5. A resident person age 14 or 15 employed by a family as a parent's helper joining that family's membership 171.00
6. Single Parent/Child 285.00
7. Au Pair/Nanny 118.00
8. Guest daily fee:

	Weekend/ Holidays	Weekdays
(I) Adult	10.00	8.00
(ii) Under 18 years of age	8.00	7.00
9. House guest weekly fee (non-resident eating and sleeping in member's home:
 - (I) 18 years of age or younger 25.00
 - (ii) Over 18 years of age 30.00
10. Individuals on active military duty who are residents shall be admitted free.
11. A family membership composed of only two persons shall be entitled to ten complimentary guests.

- 12. A single membership shall be entitled to five complimentary guests.
- 13. A senior citizen membership shall be entitled to two complimentary guests.
- 14. A family, senior citizen or single membership shall receive two complimentary guest passes if the membership fees paid in full on or before April 15 of the membership year.

b. Non resident membership fees and guest fees shall be as follows:

- 1. Family Membership:
 - (I) Family membership \$621.00
 - (ii) Each unmarried child over 21 living at home parent living with family 118.00
- 2. Single Membership: 16 years of age or older 312.00
- 3. Senior Citizen membership: 62 years of age or older 263.00
- 4. A child under the age of 16 joining as part of a family, single or senior citizen membership of a relative, if both the child and membership are non-resident 312.00
- 5. A non-resident person age 14 or 15 employed by a family as a parent's helper joining that family's membership 312.00
- 6. Guest daily fee:

	Weekend/ Holidays	Weekdays
(I) Adult	10.00	8.00
(ii) Under 18 years of age	8.00	7.00
- 7. House guest weekly fee:
 - (I) 18 Years of age or younger 25.00
 - (ii) over 18 years of age 30.00
- 8. Registration fee payable for first year membership only:
 - (I) Single Membership 35.00
 - (ii) Family Membership 65.00
- 9. A family membership composed of only two persons shall be entitled to ten complimentary guests.
- 10. A single membership shall be entitled to five complimentary guests.
- 11. A senior citizen membership shall be entitled to two complimentary guests.

BE IT FURTHER ORDAINED that if any fees set by this ordinance or otherwise collected by the Recreation Department are paid by credit card, an additional charge equal to the percentage of such fees charged the Borough by the credit card issuer shall be applied.

BE IT FURTHER ORDAINED, that all other sections of Chapter X shall remain unchanged.

This ordinance shall take effect twenty days after the first publication hereof after final passage.

It was moved by Councilman Turner and seconded by Councilman Mortimer that this ordinance be passed on first reading and advertised in full for a public hearing on February 21, 2017.

Roll Call: Andre, Dierkes, Fech-Caccamo, Mortimer, Turner. Nays: 0

BILLS & CLAIMS:

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

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 17th day of January 2017, 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 \$359,831.29 (Copy of bill list attached).

Roll Call: Andre, Dierkes, Fech-Caccamo, Mortimer, Turner. Nays: 0

COUNCIL COMMENTS:

No comments.

AUDIENCE PARTICIPATION:

Casey Montagna, 148 Mill Lane discussed his street being a cut off and spoke about speeding issues.

Attorney Joshua McMahon, spoke in reference to alleged police corruption. The Mayor directed him to Mountainside Internal Affairs.

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

Upon a motion by Councilman Mortimer and a second by Councilman Turner, the meeting was unanimously adjourned.

Meeting adjourned at 7:32 PM.

Susan E. DiFrancesco
Deputy Borough Clerk