

**WORK SESSION
SEPTEMBER 1, 2020**

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 7:38 P.M via Zoom.

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

Discussion was held regarding the Borough of Mountainside participating in the Union County Leaf Disposal Program. Mountainside agreed to deliver leaves to the Conservation Center at a rate of \$2/yard-loose and \$4/yard-compacted. The proper resolution will be prepared for the meeting of September 15, 2020.

Discussion was held regarding the annual renewal of liquor licenses. The Borough Clerk has received all of the renewal applications along with the proper fees. The resolution to approve the liquor license renewals will be prepared for the September 15, 2020 meeting.

Discussion was held regarding a recreation refund. Recreation Director Frank Masella recommends issuing a refund due to cancellation. The Council approved the refund request. The proper resolution will be prepared for the meeting of September 15, 2020.

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

RESOLUTION 104-2020

WHEREAS, the United States Congress has enacted the Coronavirus Aid Relief and Economic Security Act (the "CARES Act") for, among other reasons, providing relief for economic damage caused to states, counties and municipalities by the COVID-19 health crisis; and

WHEREAS, the County of Union has received CARES Act funds from the United States Treasury (the Stimulus Funds") to be used to reimburse the County and municipalities and agencies within the County, including the Borough of Mountainside, due to economic damage caused by the COVID-19 health crisis; and

WHEREAS, the Freeholders of the County of Union have determined that it is in the best interest of the citizens of Union County to dedicate a share of the funding to reimburse municipalities for COVID-19 related costs and expenses under the Stimulus Funds through a reimbursement agreement; and

WHEREAS, the Borough of Mountainside wishes to enter into agreement with the County of Union to receive reimbursement from the Stimulus Funds of COVID-19 related costs and damages, to the extent available and applicable, in an amount not to exceed \$200,000.00 for the period of March 1, 2020 through December 15, 2020.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Mountainside, in the County of Union, New Jersey that the Mayor/Borough Administrator is hereby authorized to execute a Reimbursement Agreement with the County of Union according to the terms and conditions and in substantially the form attached hereto; and

BE IT FURTHER RESOLVED, by the Borough of Mountainside, in the County of Union, New Jersey that the Borough Administrator and/or Chief Financial Officer of the Borough are hereby authorized to execute any and all additional documents necessary to effectuate the Reimbursement Agreement.

Roll call: Ayes: Dierkes, Messler, Pacifico, Pater, Turner. Nays: 0.

The following resolution was introduced by Councilman Messler and seconded by Councilwoman Pacifico.

RESOLUTION 105-2020

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 October 1, 2020 – June 30, 2021 in the amount of:

DEDR	\$ 4,912.00
Cash Match	\$ 1,228.00
In-Kind	\$ 3,684.00

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: Ayes: Dierkes, Messler, Pacifico, Pater, Turner. Nays: 0.

Discussion was held regarding a request from the Tax Collector to authorize tax overpayment refunds due to duplicate payments. The proper resolution will be prepared for the September 15, 2020 meeting.

Discussion was held regarding a tax bill insert to provide important information on upcoming programs. Some ideas included: the leaf pickup schedule, stormwater notice, tax breakdown chart and a Mayor's message. Another suggestion was to gather email information from the residents to send out email blasts.

Discussion was held regarding an extension to the temporary COVID outdoor dining permits. The permits are scheduled to expire on November 1, 2020. The Council considered extending the permit expiration date and requiring another permit to adhere to the new regulations and modifications for cold weather dining.

Discussion was held regarding crosswalks on Birch Hill Road and Wood Valley Road. Safety concerns exist at this crosswalk if pedestrians don't yield and vehicles are forced to stop short. Enhancing the crosswalk and path with signage will help provide for a safer route.

The following resolutions were introduced to proceed with the acquisition of NJDOT property at the new DPW property for the installation of a salt dome.

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

RESOLUTION 107-2020

WHEREAS, the Borough of Mountainside ("Borough") has been in discussions with the New Jersey Department of Transportation regarding the acquisition of property for public use as a Salt Dome for Transportation Purposes by the Borough from the New Jersey Department of Transportation; and

WHEREAS, the Borough and the New Jersey Department of Transportation have reached an Agreement regarding the acquisition of such property by the Borough from the New Jersey Department of Transportation; and

WHEREAS, it is necessary that the Agreement reached by the Borough and the New Jersey Department of Transportation regarding the acquisition of such property by the Borough from the New Jersey Department of Transportation be memorialized in a written document.

NOW, THEREFORE, BE IT RESOLVED that the appropriate Borough Officials be and they hereby are authorized to sign a contract with the New Jersey Department of Transportation which provides for the purchase for \$1.00 of Block 14, Lot 1 from the New Jersey Department of Transportation and further provides that the land purchased will be restricted to Transportation use, specifically the construction of a Salt Dome by the Borough.

Roll call: Ayes: Dierkes, Messler, Pacifico, Pater, Turner. Nays: 0.

The following resolution was introduced by Councilman Messler and seconded by Councilwoman Pacifico.

RESOLUTION 108-2020

WHEREAS, the Borough of Mountainside (“Borough”) is in the process of acquiring property from the New Jersey Department of Transportation for the construction of a Salt Dome for Transportation Purposes by the Borough, and

WHEREAS, Mike Disko, Jr., the Borough Engineer, has prepared the plans and specifications for the construction of a Salt Dome on such property, and

WHEREAS in accordance with New Jersey’s Local Public Contracts Law it will be necessary to solicit bids for the construction of such Salt Dome,

NOW THEREFORE BE IT RESOLVED that the Borough Clerk be and she hereby is authorized to advertise a Notice of Bid for the construction of a Salt Dome in accordance with the plans and specifications prepared by the Borough Engineer.

Roll call: Ayes: Dierkes, Messler, Pacifico, Pater, Turner. Nays: 0.

Discussion was held regarding the next edition of the Mountainside Peak Newsletter. This edition will be an abbreviated version. Suggestions were made for articles and events.

Discussion was held regarding risk management training for Council Members. Upcoming in-person training sessions were announced as well as a scheduled employee training.

Discussion was held regarding re-opening borough hall. The borough intends to open to the public by appointment only. The following protocols were mentioned: cleaning, restroom fixtures, appointments, temperature checks. The October Council meetings will begin filming at borough hall with public input via Facebook.

Recreation Director Frank Masella provided an update on the Mountainside Municipal Pool.

Discussion was held regarding the construction of a salt dome at the DPW property. The DPW Director explained the preliminary costs of the project which include a structural engineer, retaining wall, tree removal, leveling and paving. The timeline to move forward will not allow enough time to utilize the salt dome for this winter season and therefore, would required a shared services agreement with the NJDOT.

An announcement was made about an upcoming event at the Levi Cory House.

BILLS & CLAIMS:

The following resolution was introduced by Councilman Dierkes and seconded by Councilwoman Pacifico:

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 1st day of September 2020, 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 \$29,447.99. (Copy of bill list attached)

Roll call: Ayes: Dierkes, Messler, Pacifico, Pater, Turner. Nays: 0.

AUDIENCE PARTICIPATION:

Hearing no one wishing to speak, the public portion of the meeting was closed.

Upon motion by Councilman Dierkes and a second by Councilwoman Pater, the following resolution to adjourn to closed session was unanimously adopted:

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 8:52 P.M.

The meeting was recalled to public session at 9:53 P.M.

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

RESOLUTION 109-2020

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 Timothy J. Stasyshyn as Police Officer; and

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

BE IT FURTHER RESOLVED, that said appointment shall be effective September 8, 2020 with the probationary period ending one-year from the appointment date at a probationary period salary of \$45,265.22.

Roll call: Ayes: Dierkes, Messler, Pacifico, Pater, Turner. Nays: 0.

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

RESOLUTION 106-2020

WHEREAS, the Governing Body of the Borough of Mountainside wishes to appoint John Cuccolo to the position of Class II Special Law Enforcement Officer.

NOW, THEREFORE, BE IT RESOLVED, by Mayor and Council of the Borough of Mountainside that John Cuccolo be and he hereby is appointed to the position of Class II Special Law Enforcement Officer at an hourly rate of \$30.00 effective September 8, 2020 for a term ending on December 31, 2020.

Roll call: Ayes: Dierkes, Messler, Pacifico, Pater, Turner. Nays: 0.

Upon motion by Councilman Turner and a second by Councilman Messler, the meeting was unanimously adjourned at 9:56 P.M.

Martha Lopez, RMC
Borough Clerk