

**WORK SESSION  
SEPTEMBER 3, 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 7:32 P.M.

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

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 17, 2019.

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Discussion regarding a request for a road opening permit at 1062 Sunny View Road was tabled.

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Discussion was held regarding a request from the Borough Engineer to apply for a NJDOT grant. The Engineer needs to determine if Bristol Road qualifies as a road with 10% truck traffic. Once confirmed he can apply for funds to repave the road. The proper resolution may be prepared for the September 17, 2019 meeting.

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Discussion was held regarding a request for donations from the PTO to fund the annual fall festival. The borough will donate \$500 to support the event. The proper resolution will be prepared for the meeting of September 17, 2019.

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Discussion was held regarding the review of the 2018 annual audit. It is the tenth consecutive year in which the financial statements had been approved by the auditors without any comments or recommendations. The proper resolutions regarding the 2018 annual audit will be prepared for the September 17, 2019 meeting.

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Discussion was held regarding a proposed ordinance to ban single-use plastic items. A majority of the Council were interested in implementing a ban on single-use plastic items and requested input from two municipalities who have this type of ordinance in place.

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Discussion was held regarding the cancellation of a receivable balance that exist in the records of the borough. A balance of \$2,838.94 remains in the Municipal Alliance Grant. The proper resolution will be prepared for the meeting of September 17, 2019.

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Discussion was held regarding a raffle application from CSH for an off premise draw raffle. The application is in order and the proper fees have been paid. A motion to approve this license will take place at the September 17, 2019 meeting.

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Councilman Messler announced Mountainside was selected as No. 9 best place to live by New Jersey Monthly Magazine.

Council President Turner invited residents to attend the property revaluation meeting on September 12<sup>th</sup> at Deerfield School.

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**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 3<sup>rd</sup> day of September 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 \$158,819.00. (Copy of bill list attached)

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

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**AUDIENCE PARTICIPATION:**

A. Almeida, 237 South Fork Road, questioned who collects recycling and why the recyclables are combined in one truck. The recyclables are sorted at the plant and single stream collection is the most cost effective way to recycle.

E. Almeida, 237 South Fork Road, was concerned if the ban on plastics would impact local businesses. She also inquired about the Alpine Ridge units being rented and the possibility of children residing in the complex. The developer has filed a suit against the borough to challenge ceasing the issuance of a certificate of occupancy from the developer for a renter. The borough will follow up on the probability of children living in the complex.

Scott Kline, 242 South Fork Road, supports the ban on single-use plastic items. Mr. Kline inquired whether the police department had a women's locker room and who would provide a pat down on a female. There is a women's locker room as the department once employed a female police officer. If a female needs a pat down, then a female officer from a local department is called to assist. He also expressed his concerns regarding McMansions in nearby towns and hopes these types of houses will not be built in Mountainside. The borough has an FRA ordinance to prevent these large homes from being built.

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Upon motion by Councilman Mortimer 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 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.

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Meeting adjourned to closed session at 8:05 P.M.

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The meeting was recalled to public session at 8:37 P.M.

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

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Martha Lopez, RMC  
Borough Clerk