

**REGULAR MEETING  
AUGUST 19, 2025**

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.

Acting Mayor Rene Dierkes called the meeting to order at 7:30 P.M.

**INVOCATION:** Councilman Matejek  
**SALUTE TO THE FLAG**  
**ROLL CALL**

**PRESENT:** Councilman Dierkes, Councilman Matejek, Councilman Rinaldo, Councilman Van Deusen (by phone), Councilwoman Wass, Administrator Mortimer and Attorney Beere. Also present was Chief Giannuzzi. Mayor Mirabelli and Council President Pacifico were absent.

**APPROVAL OF MINUTES:**

Upon motion by Councilwoman Wass a second by Councilman Matejek, the minutes of the Regular Session Meeting held on July 15, 2025 were approved. Roll Call: Ayes: Dierkes, Matejek, Van Deusen, Wass. Abstained: Rinaldo. Nays: 0.

Upon motion by Councilman Matejek a second by Councilwoman Wass, the minutes of the Work & Executive Session Meetings held on August 5, 2025 were approved. Roll Call: Ayes: Dierkes, Matejek, Van Deusen, Wass. Abstained: Rinaldo. Nays: 0.

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**RESOLUTIONS:**

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

**RESOLUTION 97-2025**

RESOLUTION OF THE BOROUGH COUNCIL OF THE BOROUGH OF MOUNTAINSIDE, IN THE COUNTY OF UNION, NEW JERSEY, COVENANTING TO COMPLY WITH THE PROVISIONS OF THE INTERNAL REVENUE CODE OF 1986, AS AMENDED, APPLICABLE TO THE EXCLUSION FROM GROSS INCOME FOR FEDERAL INCOME TAX PURPOSES OF INTEREST ON OBLIGATIONS ISSUED BY THE BOROUGH OF MOUNTAINSIDE, AUTHORIZING THE MAYOR, BOROUGH CLERK, CHIEF FINANCIAL OFFICER AND OTHER BOROUGH OFFICIALS TO TAKE SUCH ACTION AS THEY MAY DEEM NECESSARY OR ADVISABLE TO EFFECT SUCH COMPLIANCE AND DESIGNATING A \$6,600,000 BOND ANTICIPATION NOTE, DATED JULY 18, 2025 AND PAYABLE JULY 17, 2026, AS A "QUALIFIED TAX-EXEMPT OBLIGATION" PURSUANT TO SECTION 265(b)(3) OF THE INTERNAL REVENUE CODE OF 1986, AS AMENDED.

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WHEREAS, the Borough of Mountainside, in the County of Union, New Jersey (the "Borough"), from time to time issues bonds, notes and other obligations, the interest on which is excluded from gross income for Federal income tax purposes, and desires to take such action as may be necessary or advisable to establish and maintain such exclusion; and

WHEREAS, the Internal Revenue Code of 1986, as amended (the "Code"), contains provisions with respect to the exclusion from gross income for Federal income tax purposes of interest on obligations, including provisions, among others, that require issuers of tax-exempt obligations, such as the Borough, to account for and rebate certain arbitrage earnings to the United States Treasury and to take such other action to establish and maintain such Federal tax exclusion; and

WHEREAS, the Borough intends to issue a \$6,600,000 bond anticipation note, dated July 18, 2025 and payable July 17, 2026 (the "Note"); and

WHEREAS, the Borough desires to designate the Note as a "qualified tax-exempt obligation" pursuant to Section 265(b)(3) of the Code;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Mountainside, in the County of Union, New Jersey, as follows:

SECTION 1. The Borough Council hereby covenants on behalf of the Borough, to the extent permitted by the Constitution and the laws of the State of New Jersey, to do and perform all acts and things permitted by law and necessary to assure that interest paid on bonds, notes or other obligations of the Borough (including the Note) be and remain excluded from gross income of the owners thereof for Federal income tax purposes pursuant to Section 103 of the Code.

SECTION 2. The Mayor, Borough Clerk, Chief Financial Officer and other officials of the Borough are hereby authorized and directed to take such action, make such representations and give such assurances as they may deem necessary or advisable to effect compliance with the Code.

SECTION 3. The Note is hereby designated as a "qualified tax-exempt obligation" for the purpose of Section 265(b)(3) of the Code.

SECTION 4. It is hereby determined and stated that (1) the Note is not a "private activity bond" as defined in the Code and (2) the Borough and its subordinate entities, if any, do not reasonably anticipate issuing in excess of \$10 million of new money tax-exempt obligations (other than private activity bonds) during the calendar year 2025.

SECTION 5. It is further determined and stated that the Borough has not, as of the date hereof, issued any tax-exempt obligations (other than the Note) during the calendar year 2025.

SECTION 6. The Borough will, to the best of its ability, attempt to comply with respect to the limitations on issuance of tax-exempt obligations pursuant to Section 265(b)(3) of the Code; however, the Borough does not covenant to do so, and hereby expressly states that a covenant is not made hereby.

SECTION 7. The issuing officers of the Borough are hereby authorized to deliver a certified copy of this resolution to the original purchaser of the Note and to further provide such original purchaser with a certificate of obligations issued during the calendar year 2025 dated as of the date of delivery of the Note.

SECTION 8. This resolution shall take effect immediately upon its adoption.

Roll Call: Ayes: Dierkes, Matejek, Rinaldo, Van Deusen, Wass. Nays: 0.  
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The following resolution was introduced by Councilman Matejek and seconded by Councilwoman Wass.

**RESOLUTION 98-2025**

WHEREAS, the Union County Board of Chosen Freeholders established the "Kids Recreation Trust Fund" Grant Program designed to fund Recreational opportunities for our County's children; and

WHEREAS, the Borough of Mountainside wishes to apply to Union County Trust Fund through the "Kids Recreation Trust Fund" Grant Program.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Mountainside, County of Union, State of New Jersey, that the proper Borough officials are hereby authorized to file an application with the County of Union for the 2025 "Kids Recreation Trust Fund" Grant Program for the following projects:

Recreation Facility Improvements                      \$185,000

BE IT FURTHER RESOLVED, that matching funds in the amount of \$92,500 (Both MSBL & Borough) have been appropriated in accordance with the grant requirements.

Roll Call: Ayes: Dierkes, Matejek, Rinaldo, Van Deusen, Wass. Nays: 0.  
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The following resolution was introduced by Councilman Van Deusen and seconded by Councilwoman Wass.

**RESOLUTION 99-2025**

WHEREAS, 1128 Spruce Dr, LLC, the owner of 1128 Spruce Dr., had taken real estate tax appeals for 2022, 2023 and 2024, and

WHEREAS, such appeals were settled and Judgments were entered in the New Jersey State Tax Court.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Mountainside, County of Union, State of New Jersey, that the State Tax Court Judgments be implemented as follows:

PROPERTY OWNER/ADDRESS	Block	Lot	Tax Year	Tax Rate	Final Assessment	Refund
1128 Spruce Dr, LLC % Lou Conte/1128 Spruce Dr	5.20	24.01	2022	1.997	\$850,000.00	\$1,216.17
1128 Spruce Dr, LLC % Lou Conte/1128 Spruce Dr	5.20	24.01	2023	1.988	\$800,000.00	\$2,204.69
1128 Spruce Dr, LLC % Lou Conte/1128 Spruce Dr	5.20	24.01	2024	2.050	\$725,000.00	\$3,810.95

AMOUNT OF REFUND:                      \$7,231.81

Make Check Payable to:  
Ventura Miesowitz, et al. Trust Account

Forward to:  
Ventura, Miesowitz & Keough  
783 Springfield Ave.  
Summit, NJ 07901

BE IT FURTHER RESOLVED, that this tax court judgment be processed between the 45<sup>th</sup> and 60<sup>th</sup> day from the date of judgment entered 6/30/2025.

Roll Call: Ayes: Dierkes, Matejek, Rinaldo, Van Deusen, Wass. Nays: 0.  
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The following resolution was introduced by Councilman Matejek and seconded by Councilman Van Deusen.

**RESOLUTION 100-2025**

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

<u>Applicant</u>	<u>For</u>	<u>Amount</u>
Lynn Kelly 2369 Redwood Road Scotch Plains, NJ 07076	Beginner Tennis	\$72.00
Keira Karlin 103 Main Street #6 Millburn, NJ 07041	Beginner Tennis	\$72.00
Zhi Chen 232 Central Avenue Mountainside, NJ 07092	Kids Tennis	\$180.00
Andrea Jestin 167 Mountainview Drive Mountainside, NJ 07092	Pickleball	\$117.00
Zhi Chen 232 Central Avenue Mountainside, NJ 07092	Tennis	\$180.00
Chelsea Aranja 248 Pembroke Road Mountainside, NJ 07092	Micro Soccer	\$210.00
Noah Borris 1555 Grouse Lane Mountainside, NJ 07092	Flag Football	\$95.00

Roll Call: Ayes: Dierkes, Matejek, Rinaldo, Van Deusen, Wass. Nays: 0.  
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The following resolution was introduced by Councilwoman Wass and seconded by Councilman Matejek.

**RESOLUTION 101-2025**

WHEREAS, the State of New Jersey Department of Military and Veterans Affairs has confirmed that Mr. Sanchez, a resident of Mountainside was granted a determination of 100% total disability by the United States Department of Veterans Affairs; and

WHEREAS, Mr. Sanchez has made an application to the Tax Assessor on February 9, 2025, 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 Assessor that Mr. Sanchez be granted complete exemption from property taxes from the application date to the Assessor and any overpayment of taxes paid on Mr. Sanchez's behalf 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. Sanchez be granted complete exemption from property taxes from the application date to the Assessor of February 9, 2025, and Cotality be issued a refund of \$1,702.01 for overpayment of 2025 taxes.

Refund  
Cotality

Address  
1474 Deer Path

Block and Lot  
Block 3.10, Lot 12

Attn: Refund Department  
3001 Hackberry Road  
Irving, TX 75063

Roll Call: Ayes: Dierkes, Matejek, Rinaldo, Van Deusen, Wass. Nays: 0.  
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The following resolution was introduced by Councilman Rinaldo and seconded by Councilman Van Deusen.

**RESOLUTION 102-2025**

WHEREAS, the State of New Jersey Department of Military and Veterans Affairs has confirmed that Mr. Meadows, a resident of Mountainside was granted a determination of 100% total disability by the United States Department of Veterans Affairs; and

WHEREAS, Mr. Meadows has made an application to the Tax Assessor on March 10, 2025, 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 Assessor that Mr. Meadows be granted complete exemption from property taxes from the application date to the Assessor and any overpayment of taxes paid on Mr. Meadow's behalf 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. Meadows be granted complete exemption from property taxes from the application date to the Assessor of March 10, 2025, and Mr. Meadows be issued a refund of \$806.68 for overpayment of 2025 taxes.

Refund  
Mr. Howard Meadows

Address  
1530 Long Meadow

Block and Lot  
Block 3.24, Lot 11.03

Roll Call: Ayes: Dierkes, Matejek, Rinaldo, Van Deusen, Wass. Nays: 0.  
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The following resolution was introduced by Councilman Van Deusen and seconded by Councilwoman Wass.

**RESOLUTION 103-2025**

WHEREAS, the State of New Jersey Department of Military and Veterans Affairs has confirmed that Mr. Aleman, a resident of Mountainside was granted a determination of 100% total disability by the United States Department of Veterans Affairs; and

WHEREAS, Mr. Aleman has made an application to the Tax Assessor on April 22, 2025, 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 Assessor that Mr. Aleman be granted complete exemption from property taxes from the application date to the Assessor and any overpayment of taxes paid on Mr. Aleman's behalf 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. Aleman be granted complete

exemption from property taxes from the application date to the Assessor of April 22, 2025, and Cotality be issued a refund of \$1,499.53 for overpayment of 2025 taxes.

<u>Refund</u>	<u>Address</u>	<u>Block and Lot</u>
Cotality	268 Central Ave.	Block 5.21, Lot 17
Attn: Refund Department		
3001 Hackberry Road		
Irving, TX 75063		

Roll Call: Ayes: Dierkes, Matejek, Rinaldo, Van Deusen, Wass. Nays: 0.  
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The following resolution was introduced by Councilman Rinaldo and seconded by Councilman Matejek.

**RESOLUTION 104-2025**

BE IT RESOLVED that Mayor Paul N. Mirabelli hereby authorizes the following appointment and unexpired term:

Library Board of Trustees:  
Zach Jabri 8/20/2025 – 12/31/2029

Roll Call: Ayes: Dierkes, Matejek, Rinaldo, Van Deusen, Wass. Nays: 0.  
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The following resolution was introduced by Councilman Rinaldo and seconded by Councilman Matejek.

**RESOLUTION 105-2025**

WHEREAS, John Aslanian has requested permission from the Borough Council to approve a road opening permit at his premises known as 250 Oak Tree Road, Mountainside, N.J.; and

WHEREAS, such permit would allow the replacement of an inoperable oil furnace to a gas furnace; and

WHEREAS, having considered the applicant's request to permit a road opening permit to convert to a gas furnace, the Borough Council is inclined to grant the application and permit the resident to proceed as he has requested; and

WHEREAS, any repairs that may be required shall be in accordance with the instruction from our Borough Engineer Mike Disko.

Roll Call: Ayes: Dierkes, Matejek, Rinaldo, Van Deusen, Wass. Nays: 0.  
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The following resolution was introduced by Councilman Dierkes and seconded by Councilwoman Wass.

**RESOLUTION 106-2025**

WHEREAS, there exist a need for Pool and Summer Staff in the Recreation Department that will operate from April 1<sup>st</sup> to September 30<sup>th</sup>; and

WHEREAS, Recreation Director Frank Masella and the Recreation Committee has recommended that the following individuals be appointed to said positions:

Pool		Effective April 1st	
Name	Position	Wage	
Matteo Frungillo	Lifeguard	\$16.00	Per Hour
Paul Schwartz	Maintenance	\$15.75	Per Hour
Ethan Wright	Lifeguard	\$16.50	Per Hour
Jacob Wright	Lifeguard	\$16.50	Per Hour
Recreation			
Patricia Esler	Tennis/Pickleball Instructor	\$40.00	Per Hour
Bryan Dolan	Soccer Instructor	\$40.00	Per Hour
Nicholas Silva	Soccer Instructor	\$40.00	Per Hour
Jordan Gonzalez	Referee	\$40.00	Per Game
Samantha Sanchez Grindlinger	Referee	\$40.00	Per Game

WHEREAS, each of the above individuals shall be appointed as temporary employees for the 2025 pool and summer season; and

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Mountainside that the recommendation of Recreation Director Frank Masella and the Recreation Committee be and hereby are accepted and approved pending background checks.

BE IT FURTHER RESOLVED, that the salaries for the above positions shall be set forth in the borough's salary ordinance.

Roll Call: Ayes: Dierkes, Matejek, Rinaldo, Van Deusen, Wass. Nays: 0.  
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The following resolution was introduced by Councilwoman Wass and seconded by Councilman Matejek.

**RESOLUTION 107-2025**

BE IT RESOLVED by the Governing Body of the Borough of Mountainside that the following persons recommended by the Borough Administrator, be and hereby are appointed as such:

Megan Smith	PT Temporary Staffing – Intern	\$15.50/hour
Effective:	August 4, 2025	
Madison Rizzo	PT Temporary Staffing – Intern	\$15.50/hour
Effective:	August 5, 2025	

Roll Call: Ayes: Dierkes, Matejek, Rinaldo, Van Deusen, Wass. Nays: 0.  
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The following resolutions were tabled:

- Resolution 108-2025 – QPA Resignation
- Resolution 109-2025 – Appointment of Temporary QPA
- Resolution 110-2025 – Increase the Quote & Bid Thresholds

The following resolution was introduced by Councilman Dierkes and seconded by Councilwoman Wass.

**RESOLUTION 111-2025**

WHEREAS, the A&E Committee has recommended compensation adjustments for the following Municipal Employees which would result in the compensation adjustments set forth below:

Jennifer Sherman salary increase of \$7,000  
Effective September 1, 2025

Gabriel Baumgarten salary increase of \$6,000  
\$3,000 Effective September 1, 2025  
\$3,000 Effective January 1, 2026

Kyle Edgar salary increase of \$6,000  
\$3,000 Effective September 1, 2025  
\$3,000 Effective January 1, 2026

Rayanne McMahon salary increase of \$4,000  
Effective upon becoming a Certified Municipal Court Administrator

Kim Moriak salary increase of \$8,000  
\$4,000 Effective September 1, 2025  
\$4,000 Effective January 1, 2026

Joseph Giannuzzi salary increase of \$10,000  
\$5,000 Effective September 1, 2025  
\$5,000 Effective January 1, 2026

All will be eligible for any 2026 annual increase that may be recommended by Council

NOW, THEREFORE, BE IT RESOLVED that the foregoing compensation adjustments be implemented.

Roll Call: Ayes: Dierkes, Matejek, Rinaldo, Van Deusen, Wass. Nays: 0  
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**MOTION:**

The following motion was unanimously approved:

1. Authorization to appoint Davidsen Odnez as a Volunteer Firefighter  
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**BILLS & CLAIMS:**

The following resolution was introduced by Councilman Dierkes and seconded by Councilwoman Wass.

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 19<sup>th</sup> day of August 2025, 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 \$439,606.36 (Copy of bill list attached).

Roll Call: Ayes: Dierkes, Matejek, Rinaldo, Van Deusen, Wass. Nays: 0

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**COUNCIL COMMENTS:**

Councilman Matejek reminded residents to drive carefully as schools re-open.

Councilman Rinaldo wished everyone a Happy Labor Day.

Councilwoman Wass asked ebike riders to wear helmets and slow down for pedestrians.

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**AUDIENCE PARTICIPATION:** None

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Upon a motion by Councilman Matejek and a second by Councilman Van Deusen, the meeting was unanimously adjourned at 7:50 P.M.

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Martha Lopez, RMC  
Borough Clerk