

**REGULAR MEETING
APRIL 22, 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.

Mayor Paul N. Mirabelli called the meeting to order at 7:34 P.M.

INVOCATION: Councilman Rinaldo
SALUTE TO THE FLAG
ROLL CALL

PRESENT: Mayor Mirabelli, Councilman Dierkes, Councilman Matejek, Councilman Rinaldo, Councilwoman Wass, Administrator Mortimer and Attorney Post. Also present were Public Works Director Matthew DeAnna, Captain Michael Jackson, OEM Director Keith Turner, CFO Justyna Diaz and Engineer Mike Disko. Council President Pacifico and Councilman Van Deusen were absent.

APPROVAL OF MINUTES:

Upon motion by Councilman Matejek a second by Councilman Dierkes, the minutes of the Regular Session Meeting held on March 18, 2025 were approved. Roll Call: Ayes: Dierkes, Matejek, Rinaldo, Wass. Nays: 0.

Upon motion by Councilman Dierkes a second by Councilman Matejek, the minutes of the Work Session Meeting held on April 1, 2025 were approved. Roll Call: Ayes: Dierkes, Matejek, Rinaldo, Wass. Nays: 0.

PROCLAMATIONS:

WHEREAS, in 1872, J. Sterling Morton proposed to the Nebraska Board of Agriculture that a special day be set aside for the planting of trees; and

WHEREAS, this holiday, called Arbor Day, was first observed with the planting of more than a million trees in Nebraska; and

WHEREAS, Arbor Day is now observed throughout the nation and the world; and

WHEREAS, on April 25, 2025 the Department of Public Works will observe Arbor Day by planting two trees; and

WHEREAS, one of the qualifications for a municipality to be eligible to be designated as a Tree City U.S.A. is by having an Arbor Day Observance and Arbor Day Proclamation.

NOW, THEREFORE, BE IT PROCLAIMED, that the Mayor and Council of the Borough of Mountainside hereby recognize and commend Mountainside Department of Public Works, for their observance of Arbor Day and for working toward making the Borough of Mountainside a more tree-lined municipality and a more attractive place in which to live and work.

WHEREAS, the Borough of Mountainside is committed to recognizing that our growth and strength depends on the safety and essential role our homes, buildings and infrastructure play, both in everyday life and when disasters strike; and

WHEREAS, our confidence in the resilience of these buildings that make up our community is achieved through the devotion of vigilant guardians—building safety and fire prevention officials, architects, engineers, builders, tradespeople, design professionals, laborers, plumbers and others in the construction industry—who work year-round to ensure the safe construction of buildings; and

WHEREAS, these guardians are dedicated members of the International Code Council, a nonprofit that brings together local, state, territorial, tribal and federal officials who are experts in the built environment to create and implement the highest-quality codes and standards to protect us in the buildings where we live, learn, work and play; and

WHEREAS, these modern building codes and standards include safeguards to protect the public from hazards such as hurricanes, snowstorms, tornadoes, wildland fires, floods and earthquakes; and

WHEREAS, Building Safety Month is sponsored by the International Code Council to remind the public about the critical role of our communities' largely unknown protectors of public safety—our code officials—who assure us of safe, sustainable and affordable buildings that are essential to our prosperity; and

WHEREAS, “Game On!,” the theme for Building Safety Month 2025, encourages us all to get involved and raise awareness about building safety on a personal, local and global scale; and

WHEREAS, each year, in observance of Building Safety Month, people all over the world are asked to consider the commitment to improve building safety, resilience and economic investment at home and in the community, and to acknowledge the essential service provided to all of us by local, state, tribal, territorial, and federal building safety and fire prevention departments, in protecting lives and property.

NOW, THEREFORE, I, Mayor Paul N. Mirabelli of the Borough of Mountainside, do hereby proclaim the month of May 2025 as Building Safety Month. Accordingly, I encourage our citizens to join us as we participate in Building Safety Month activities.

WHEREAS, Dr. Marilyn McGuire Hart, a proud member of the “Greatest Generation,” passed away peacefully in her sleep on March 26, 2025, at the age of 99; and

WHEREAS, Marilyn was born on February 19, 1926, in Jersey City, New Jersey, to Edward and Kathryn McGuire, and moved with her family to Mountainside in 1934 during the Great Depression; and

WHEREAS, Marilyn was an exceptional student, earning the distinction of Valedictorian at Holy Trinity High School, and later marrying David M. Hart in 1951, with whom she shared 64 years of marriage; and

WHEREAS, despite the demands of raising three children, Marilyn continued her education, earning a BA from Seton Hall University, a Master’s degree from Kean University, and a Ph.D. in Urban Anthropology from Rutgers University, and she dedicated 28 years as a professor at Kean University, retiring as Professor Emeritus in 1995; and

WHEREAS, Marilyn made invaluable contributions to her community through her involvement in charitable and civic activities, including serving on the Regional High School Board of Education, becoming the first woman elected to the Mountainside Borough Council, and volunteering for a wide range of organizations such as the Children’s Specialized Hospital, Our Lady of Lourdes Catholic Church, Boy Scouts, Girl Scouts, and the March of Dimes, among others; and

WHEREAS, Marilyn’s unwavering optimism, work ethic, and leadership inspired countless individuals, and she led by example in her unwavering commitment to her faith, her family, and the betterment of her community; and

WHEREAS, Marilyn was predeceased by her loving husband, David M. Hart, who passed away in 2016, and is survived by her three children and their spouses: Dr. D. Michael Hart, Ellen Richardson, and Alison Brafman; her seven grandchildren and six great-grandchildren; and a community that has been forever enriched by her presence.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Mountainside that we celebrate her remarkable life, her unwavering spirit, and the countless ways she enriched our lives. May her memory inspire us to embody the same love and kindness she so generously shared.

WHEREAS, Mental health is essential to everyone’s overall health and well-being; and

WHEREAS, mental illnesses are real and prevalent in our nations, and half of us will have a mental health diagnosis at some point in our lives; and

WHEREAS, all Americans experience times of difficulty and stress in their lives, and should feel comfortable in seeking help and support to manage these times; and

WHEREAS, engaging in prevention, early identification, and early intervention as are effective ways to reduce the burden of mental illnesses as they are to reduce the burden of other chronic conditions; and

WHEREAS, there is a strong body of research that identifies behavioral health risks and supports specific tools that all Americans can use to protect their health and well-being; and

WHEREAS, with effective treatment before Stage 4, all individuals with mental illnesses – even serious mental illnesses – can make progress toward recovery and lead full, productive lives; and

WHEREAS, jails and prisons have often become the default places of custodial care for even nonviolent people with serious mental illnesses; and

WHEREAS, each business, school, government agency, healthcare provider, organization and citizen has a responsibility to promote mental health and well-being for all.

We, the Mayors of New Providence, Berkeley Heights, Summit, Chatham, Fanwood, Long Hill, Madison, Mountainside, Scotch Plains, and Westfield unite together to proclaim May 2025 as Mental Health Month in our respective Boroughs, Towns, Cities. We stand united to reduce the stigma of Mental health by recommitting our communities to increase awareness and understanding of mental health, the steps our citizens can take to protect their mental health, and the need for appropriate and accessible services for all people with mental illnesses. We call upon

the citizens, government agencies, public and private institutions, businesses and schools to join us in this mission. We especially support the collaboration of the Cross Town Mental Health Coalition, lead by Debbie Merrick of New Providence, representing our 10 towns and several non-profit organization in their efforts to paint our towns green in order to help eliminate mental health stigma and advocate for those dealing with mental health illness.

RESOLUTIONS:

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

RESOLUTION 51-2025

BE IT RESOLVED by the Mayor and Council of the Borough of Mountainside that authorization is granted for the Finance Officer to issue checks in the amount of \$500 to the following community events:

- Memorial Day Parade
- PTO Fall Festival
- PTO Trunk or Treat
- Rescue Squad Spooky Trail

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

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

RESOLUTION 52-2025

Governor's Council on Alcoholism and Drug Abuse
Fiscal Grant Cycle July 1, 2020-June 30, 2025
FORM 1B

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, 2025 – June 30, 2026 in the amount of:

DEDR	\$ 10,160.00
Cash Match	\$ 2,540.00
In-Kind	\$ 7,620.00

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, Matejek, Rinaldo, Wass. Nays: 0.

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

RESOLUTION 53-2025

BE IT RESOLVED by the Governing Body of the Borough of Mountainside that the Chief Finance Officer be and she is hereby authorized to purchase two gift checks to be presented to the Valedictorian and Salutatorian from Deerfield School Graduating Class of 2025 in the Borough of Mountainside.

BE IT FURTHER RESOLVED that the gift checks will be in the amount of \$300.00 for the Valedictorian and \$200.00 for the Salutatorian.

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

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

RESOLUTION 54-2025

WHEREAS, the Borough of Mountainside has determined that the items listed herein are property no longer needed for public use; and

WHEREAS, the Local Unit Technology Pilot Program and Study Act (P.L. 2001, c. 30) authorizes the sale of surplus personal property no longer needed for public use through the use of an online auction service; and

WHEREAS, the Borough of Mountainside intends to utilize the online auction services of Muncibid located at www.Muncibid.com; and

WHEREAS, the sales are being conducted pursuant to the Division of Local Government Services' Local Finance Notice 2008-9; and

WHEREAS, the Borough of Mountainside desires to sell the following surplus property:

2015 Ford Explorer (VIN# 1FM5K8AR1FGB62419)
2015 Ford Explorer (VIN# 1FM5K8AR0FGB83553)
Miscellaneous Lights & Sirens
Interior Vehicle Divider & Bench Seat
Westin Push Bumper & Trunk Storage Tray

Landscaping Equipment
Avaya Phones (1 lot)

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Mountainside in the County of Union, State of New Jersey, that the Borough is hereby authorized to sell the surplus property as indicated above on an online auction website entitled www.Municibid.com; and

BE IT RESOLVED, that the terms and conditions of the agreement entered into between Municibid and the Borough of Mountainside are available at www.Municibid.com and in the Borough Clerk's office; and

BE IT FURTHER RESOLVED, that a certified copy of the within resolution be forwarded to the Division of Local Government Services.

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

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

RESOLUTION 55-2025

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

Library Board of Trustees:
Severio Zipeto 4/23/2025 – 12/31/2025

Planning Board:
Coady Brown – Alt.#2 4/23/2025 – 12/31/2025

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

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

RESOLUTION 56-2025

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

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

Pool	Start Date April 1st		
Name	Position	Wage	
Evan Alvarez	Lifeguard	\$17.00	Per Hour
Max Bonilla	Lifeguard	\$16.50	Per Hour
Alexis Bush	Lifeguard	\$16.50	Per Hour
Hayden Cear	Maintenance	\$15.75	Per Hour
Luka Culjak	Lifeguard	\$17.00	Per Hour

Matt DiRado	Lifeguard	\$16.50	Per Hour
Hanna Dorsett	Desk	\$15.00	Per Hour
Holly Dorsett	Head Guard	\$17.50	Per Hour
Aiden Dursee	Maintenance	\$15.75	Per Hour
George Dursee	Maintenance	\$15.75	Per Hour
Fred Filler	Head Swim Coach	\$3,312.00	Season
Dylan Gardner	Lifeguard	\$17.00	Per Hour
Luke Iannotta	Lifeguard	\$17.00	Per Hour
Matthew Iannotta	Lifeguard	\$17.00	Per Hour
Frankie Kelly	Lifeguard	\$17.00	Per Hour
Kiera Kelly	Lifeguard	\$16.50	Per Hour
Aiden Miller	Lifeguard	\$16.75	Per Hour
Aiden Miller	Instructor	\$16.75	Per Hour
Amari Nogueira	Lifeguard	\$16.50	Per Hour
Kelly Patterson	Lifeguard	\$15.00	Per Hour
Sabrina Ruban	Office Manager	\$18.00	Per Hour
Connor Scarpa	Lifeguard	\$16.50	Per Hour
Ryan Scarpa	Lifeguard	\$16.50	Per Hour
Ava Servello	Desk	\$14.50	Per Hour
Nick Silva	Lifeguard	\$17.00	Per Hour
Liv Steinmetz	Desk	\$14.50	Per Hour
Morganne Taylor	Lifeguard	\$17.00	Per Hour
Emma Wargaski	Lifeguard	\$16.50	Per Hour
Jack Wargaski	Head Guard	\$17.50	Per Hour
Jack Wargaski	Ast Swim Coach	\$1,285.50	Season
Ryan Woo	Lifeguard	\$17.00	Per Hour
Pool Managers			
John Tosato	Manager	\$15,024.76	Season
Scott Laudati	Assistant Manager	\$9,763.63	Season
Mia Tomas	Assistant Manager	\$8,500.00	Season

Rec Start Date April 1st

Gina Fabio	Assistant Counselor	Camp	\$15.00	
Anna Fiamingo	Playground Camp Supervisor		\$17.50	
Lucas Mincolelli	Assistant Counselor	Camp	\$15.50	
Ian Strambaugh	Assistant Counselor	Camp	\$15.50	
Jeanie Ruban	Tennis/ Instructor	Pickleball	\$12/hr-per participant	

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 by and herby is accepted and approved of 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, Wass. Nays: 0.

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

RESOLUTION 57-2025

WHEREAS, the Borough Tax Collector is appointed pursuant to N.J.S.A. 40A:9-141, which permits a municipality, by ordinance, to provide for the appointment of a municipal tax collector; and

WHEREAS, N.J.S.A. 40A:9-145.7 requires that any person appointed or reappointed as a municipal tax collector must hold a tax collector certificate issued pursuant to N.J.S.A. 40A:4-141, section 2 of P.L. 1979, c. 348 (C.40A:9-455.2), and section 6 of P.L. 2 1993. C. 25 (C.40A:9-145.3a), and

WHEREAS, the Borough Tax Collector’s term of office is designated pursuant to N.J.S.A.40A:9-142, which states that every municipal tax collector shall hold office for a term of four (4) years from the first day of January next following their appointment; and

WHEREAS, the Mayor and Council of the Borough of Mountainside, with the recommendation of the Borough Administrator do hereby appoint Justyna Zagorska Diaz, License # T-8759, as PT Tax Collector filling an unexpired term due to the resignation of Sandra Bruns, with a term effective April 14, 2025 through December 31, 2028.

NOW, THEREFORE, BE IT RESOLVED that the CFO Justyna Zagorska Diaz is hereby appointed as PT Tax Collector to be compensated annually \$20,000 for the additional duties.

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

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

RESOLUTION 58-2025

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:

Jill Goode Effective:	PT Temporary Staffing – CFO Mentor April 14, 2025	\$60.00/hour
Gina Tomas Effective:	PT Temporary Staffing – Construction April 7, 2025	\$50.00/hour
Pat Gilstrap Effective:	Administrative Secretary – Tax Assessor April 1, 2025	\$32.00/hour

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

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

RESOLUTION 59-2025

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

<u>Applicant</u>	<u>For</u>	<u>Amount</u>
McKenna Velazquez 1061 E. Broad Street Westfield, NJ 07090	Play in nature	\$185.00
Brian Weber 376 Upland Road Mountainside, NJ 07092	Flag Football	\$195.00
Heather Keith 50 Cardinal Drive, Suite 203 Westfield, NJ 07090	CO Inspection	\$240.00

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

ORDINANCES: Second Reading (Public Hearing)

ORDINANCE 1340-2025

AN ORDINANCE AMENDING ARTICLE 10, SECTION 1009(c)(5) MINIMUM LOT AREA OF THE LAND USE ORDINANCE OF THE BOROUGH OF MOUNTAINSIDE

WHEREAS, the Mayor and Council of the Borough of Mountainside, County of Union, and State of New Jersey have determined that there is a need to amend a section of the Land Use ordinance to address certain circumstances for when a subdivision is proposed.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council as follows: Article 10, Section 1009(c)(5) of the Borough Code is hereby amended by adding a new paragraph as follows:

Any proposed subdivision of three or more lots shall have a minimum lot area of 20,000 sq ft and shall be further adjusted in accordance with critical area provisions set forth in section 1003(z) of this ordinance.

AND, BE IT FURTHER ORDAINED THAT all ordinances or parts of ordinances inconsistent with the provision of this ordinance are hereby repealed to the extent of such inconsistency. This ordinance shall take effect immediately upon final adoption and publication and in the manner provided by law.

This ordinance shall take effect immediately upon final passage and publication as provided by law.

Hearing no one wishing to speak, Councilman Matejek closed the meeting to the public.

It was moved by Councilman Matejek and seconded by Councilman Dierkes that this ordinance be passed on second and final reading and advertised by title only.

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

First Reading (Introduction)

ORDINANCE 1341-2025
CALENDAR YEAR 2025
ORDINANCE TO ESTABLISH A CAP BANK
(N.J.S.A. 40A:4-45.14)

WHEREAS, the Local Government Cap Law, N.J.S.A. 40A:4-45.1 et.seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said final budget appropriations to 2.50% unless authorized by ordinance to increase it to 3.5% over the previous years final appropriations; and,

WHEREAS, a municipality may, by ordinance, bank the difference between its final budget appropriations and the 3.5% increase authorized by this ordinance when said difference is not appropriated as part of the final budget; and,

WHEREAS, the Borough Council of the Borough of Mountainside, County of Union, hereby determines that this difference in the amount of \$110,834.64 that is not appropriated as part of the final budget shall be retained as an exception to the final appropriations in either of the next two succeeding years.

NOW THEREFORE BE IT ORDAINED, that any amount authorized herein above that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and

BE IT FURTHER ORDAINED, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

It was moved by Councilman Dierkes and seconded by Councilwoman Wass that this ordinance be passed on first reading and advertised in full for a public hearing on May 20, 2025.

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

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

RESOLUTION 60-2025
MUNICIPAL BUDGET NOTICE

Municipal Budget of the Borough of Mountainside, County of Union for the Calendar Year 2025;

BE IT RESOLVED, that the following statements of revenues and appropriations shall constitute the Municipal Budget for the year 2025; and

BE IT FURTHER RESOLVED, that said Budget Summaries be published in the Local Source in the issue of May 1, 2025; and

The Governing Body of the Borough of Mountainside does hereby approve the following as the Budget for the year 2025.

Notice is hereby given that the Budget and Tax Resolution was approved by the Mayor and Council of the Borough of Mountainside, County of Union, on April 22, 2025. A hearing on the Budget and Tax Resolution will be held on May 20, 2025 at 7:30 PM at which time and place objections to said Budget and Tax Resolution for the year 2025 may be presented by taxpayers or other interested persons.

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

First Reading (Introduction)

ORDINANCE 1342-2025

BOND ORDINANCE TO AUTHORIZE THE UNDERTAKING OF VARIOUS INFRASTRUCTURE IMPROVEMENTS IN, BY AND FOR THE BOROUGH OF MOUNTAINSIDE, IN THE COUNTY OF UNION, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$1,100,000 TO PAY THE COST THEREOF, TO MAKE A DOWN PAYMENT, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION AND TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS.

BE IT ORDAINED by the Borough Council of the Borough of Mountainside, in the County of Union, State of New Jersey, as follows:

Section 1. The Borough of Mountainside, in the County of Union, State of New Jersey (the "Borough") is hereby authorized to undertake various infrastructure improvements in, by and for the Borough consisting of: (A) bank stabilization at various locations; (B) sanitary and storm sewer improvements at various locations; (C) curb construction or reconstruction at various locations; and (D) reconstruction or resurfacing of various roads, including drainage improvements and curb construction or reconstruction, where necessary, as set forth on a list prepared by the Borough Engineer on file or to be placed on file with the Borough Clerk, and hereby approved as if set forth herein in full. Depending upon the contract price and other exigent circumstances, and upon approval by the Borough Council, there may be additions to or deletions from the list referred to in clause (D) of the preceding sentence. Said improvements shall include all work, materials and appurtenances necessary and suitable therefor. It is hereby determined and stated that said roads to be improved are or will be of "Class B" or equivalent construction as defined in Section 22 of the Local Bond Law (Chapter 2 of Title 40A of the New Jersey Statutes Annotated, as amended; the "Local Bond Law").

Section 2. The sum of \$1,100,000 is hereby appropriated to the payment of the cost of making the improvements described in Section 1 hereof (hereinafter referred to as "purpose"). Said appropriation shall be met from the proceeds of the sale of the bonds authorized and the down payment appropriated by this ordinance. Said improvements shall be made as general improvements and no part of the cost thereof shall be assessed against property specially benefited.

Section 3. It is hereby determined and stated that (1) said purpose is not a current expense of said Borough, and (2) it is necessary to finance said purpose by the issuance of obligations of said Borough pursuant to the Local Bond Law, and (3) the estimated cost of said purpose is \$1,100,000, and (4) \$55,000 of said sum is to be provided by the down payment

hereinafter appropriated to finance said purpose, and (5) the estimated maximum amount of bonds or notes necessary to be issued for said purpose is \$1,045,000, and (6) the cost of such purpose, as hereinbefore stated, includes the aggregate amount of \$145,000 which is estimated to be necessary to finance the cost of such purpose, including architect's fees, accounting, engineering and inspection costs, legal expenses and other expenses, including interest on such obligations to the extent permitted by Section 20 of the Local Bond Law.

Section 4. It is hereby determined and stated that moneys exceeding \$55,000, appropriated for down payments on capital improvements or for the capital improvement fund in budgets heretofore adopted for said Borough, are now available to finance said purpose. The sum of \$55,000 is hereby appropriated from such moneys to the payment of the cost of said purpose.

Section 5. To finance said purpose, bonds of said Borough of an aggregate principal amount not exceeding \$1,045,000 are hereby authorized to be issued pursuant to the Local Bond Law. Said bonds shall bear interest at a rate per annum as may be hereafter determined within the limitations prescribed by law. All matters with respect to said bonds not determined by this ordinance shall be determined by resolutions to be hereafter adopted.

Section 6. To finance said purpose, bond anticipation notes of said Borough of an aggregate principal amount not exceeding \$1,045,000 are hereby authorized to be issued pursuant to the Local Bond Law in anticipation of the issuance of said bonds. In the event that bonds are issued pursuant to this ordinance, the aggregate amount of notes hereby authorized to be issued shall be reduced by an amount equal to the principal amount of the bonds so issued. If the aggregate amount of outstanding bonds and notes issued pursuant to this ordinance shall at any time exceed the sum first mentioned in this section, the moneys raised by the issuance of said bonds shall, to not less than the amount of such excess, be applied to the payment of such notes then outstanding.

Section 7. Each bond anticipation note issued pursuant to this ordinance shall be dated on or about the date of its issuance and shall be payable not more than one year from its date, shall bear interest at a rate per annum as may be hereafter determined within the limitations prescribed by law and may be renewed from time to time pursuant to and within limitations prescribed by the Local Bond Law. Each of said bond anticipation notes shall be signed by the Mayor and by a financial officer and shall be under the seal of said Borough and attested by the Borough Clerk or Deputy Borough Clerk. Said officers are hereby authorized to execute said notes in such form as they may adopt in conformity with law. The power to determine any matters with respect to said notes not determined by this ordinance and also the power to sell said notes, is hereby delegated to the Chief Financial Officer of the Borough who is hereby authorized to sell said notes either at one time or from time to time in the manner provided by law.

Section 8. It is hereby determined and declared that the period of usefulness of said purpose, according to its reasonable life, is a period of ten years computed from the date of said bonds.

Section 9. It is hereby determined and stated that the Supplemental Debt Statement required by the Local Bond Law has been duly made and filed in the office of the Borough Clerk of said Borough, and that such statement so filed shows that the gross debt of said Borough, as defined in Section 43 of the Local Bond Law, is increased by this ordinance by \$1,045,000 and that the issuance of the bonds and notes authorized by this ordinance will be within all debt limitations prescribed by said Local Bond Law.

Section 10. Any funds received from private parties, the County of Union, the State of New Jersey or any of their agencies or any funds received from the United States of America or any of its agencies in aid of such purpose, shall be applied to the payment of the cost of such

purpose, or, if bond anticipation notes have been issued, to the payment of the bond anticipation notes, and the amount of bonds authorized for such purpose shall be reduced accordingly.

Section 11. The capital budget is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency therewith and the resolutions promulgated by the

Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director, Division of Local Government Services, is on file with the Borough Clerk and is available for public inspection.

Section 12. The Borough intends to issue the bonds or notes to finance the cost of the improvements described in Section 1 of this bond ordinance. If the Borough incurs such costs prior to the issuance of the bonds or notes, the Borough hereby states its reasonable expectation to reimburse itself for such expenditures with the proceeds of such bonds or notes in the maximum principal amount of bonds or notes authorized by this bond ordinance.

Section 13. The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this ordinance. Said obligations shall be direct, unlimited and general obligations of the Borough, and the Borough shall levy ad valorem taxes upon all the taxable real property within the Borough for the payment of the principal of and interest on such bonds and notes, without limitation as to rate or amount.

Section 14. This ordinance shall take effect twenty days after the first publication thereof after final passage.

It was moved by Councilman Dierkes and seconded by Councilman Matejek that this ordinance be passed on first reading and advertised in full for a public hearing on May 20, 2025.

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

First Reading (Introduction)

ORDINANCE 1343-2025

AN ORDINANCE TO APPROPRIATE THE SUM OF TWO HUNDRED EIGHTEEN THOUSAND SIX HUNDRED SEVENTY-FOUR (\$218,674.00) FOR THE RESURFACING OF CHAPEL HILL AND OUTLOOK DRIVE WEST

WHEREAS, the Governing Body of the Borough of Mountainside have decided to resurface Chapel Hill and Outlook Drive West; and

WHEREAS, a grant award is now available from NJDOT in the amount of \$218,674.00; and

WHEREAS, the Governing Body of the Borough of Mountainside concurs that this resurfacing is necessary; and

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Borough of Mountainside that the sum of \$218,674.00 be and is hereby appropriated for the resurfacing of Chapel Hill and Outlook Drive West.

BE IT FURTHER ORDAINED that the Borough of Mountainside shall be reimbursed by the State of New Jersey, Department of Transportation in the amount of \$218,674.00.

It was moved by Councilman Rinaldo and seconded by Councilwoman Wass that this ordinance be passed on first reading and advertised in full for a public hearing on May 20, 2025.

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

MOTION:

The following motion was unanimously approved:

1. Raffle applications from Watchung Stables Auxiliary for (3) on premise 50/50 draw raffles

BILLS & CLAIMS:

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

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 22nd day of April 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 \$660,523.60 (Copy of bill list attached).

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

COUNCIL COMMENTS:

Councilman Matejek announced upcoming events.

Mayor Mirabelli spoke about the Mountainside Youth Baseball/Softball Parade.

AUDIENCE PARTICIPATION:

Kurt Manz, 1015 Charles Street, discussed the ongoing creek erosion issue on his property. Engineer Mike Disko is accessing the situation and will present possible solutions at the May 6th work session meeting. Mr. Manz also mentioned the loss of curbing on Charles Street due to resurfacing of the road.

Rob Ross, 1550 Route 22, suggested an amendment to the littering ordinance that would hold the registered owner of a vehicle responsible if found illegally dumping.

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

Upon a motion by Councilman Dierkes and a second by Councilwoman Wass, the meeting was unanimously adjourned at 8:17 P.M.

Martha Lopez, RMC
Borough Clerk