

**WORK SESSION
AUGUST 7, 2018**

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 Keith C. Turner called the meeting to order at 7:34 P.M.

PRESENT: Acting Mayor Turner, Councilwoman Andre, Councilman Dierkes, Councilman Mortimer, Councilman Turner, Attorney Post and Administrator Debbie. Also present were CFO Jill Goode, Recreation Director Frank Masella, Construction Official Jerry Eger, Borough Engineer Mike Disko and Lt. Joseph Giannuzzi. Mayor Mirabelli, Councilwoman Fech-Caccamo, and Councilman Messler were absent.

Discussion was held regarding the adoption of new regulations for claimant certification. The state DLGS now allows certain exceptions to claimant certification therefore, exempt vendors will not be required to sign purchase orders to render payment. The proper resolution will be prepared for the meeting of August 21, 2018.

Discussion was held regarding new regulations pertaining to minor building improvements and ordinary maintenance. Part of the change includes sheds over 200 square feet and 10 feet high would require a building permit. Construction Official Jerry Eger recommends either revise the ordinance to read "200" square feet instead of "100" or restrict the size of sheds allowed. Also discussed were improvements that no longer require permits.

Discussion was held regarding tax overpayment refunds. The Tax Collector requested refunds for tax overpayments due to duplicate payments. The proper resolution will be prepared for the meeting of August 21, 2018.

Discussion was held regarding a recreation refund. Recreation Director Frank Masella recommends issuing a refund due to a program cancellation. The Council approved the refund request. The proper resolution will be prepared for the August 21, 2018 meeting.

Discussion was held regarding authorization to appoint Aly Mohamed as a volunteer firefighter. The applicant's background check has been cleared through the police department. Fire Chief Anthony Pecorelli recommends the appointment. A motion to approve the new firefighter will take place at the August 21, 2018 meeting.

Discussion was held regarding the purchase of two Police Interceptor SUV's for the police department. The vehicles will be purchased through the Cranford Police Cooperative Pricing System for a total of \$55,666.00. The proper resolution will be prepared for the meeting of August 21, 2018.

Discussion was held regarding the appointment of Laura Spallone as Part-time Construction Secretary/Technical Assistant. Administrator Debbie recommends Laura Spallone be hired at an hourly rate of \$20.00 effective August 1, 2018. The proper resolution will be prepared for the August 21, 2018 meeting.

Discussion was held regarding authorization to approve the NJDOT Agreement for proposed Route 22 Bridge to Echo Lake Project. Engineer Mike Disko explained the timeline to replace the culvert from Route 22 over Echo Lake Park and its proposal to replace the small bridge by the Lawrence Avenue exit. The proper resolution will be prepared for the meeting of August 21, 2018.

Discussion was held regarding authorization to approve the settlement agreements and releases with Police Chief Attanasio and Detective Sergeant Huber. Attorney Post explained why the legal team recommends the approval of these settlements.

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

RESOLUTION 95-2018

WHEREAS Mountainside Police Chief Allan Attanasio made known to the Governing Body his desire to resign from his position as Chief of the Mountainside Police Department; and

WHEREAS the Governing Body determined that it was in the best interests of the Borough of Mountainside that Chief Attanasio resign; and

WHEREAS through its attorneys the Governing Body engaged in negotiations with Chief Attanasio's attorney regarding the terms and conditions on which the resignation would be accepted by the Governing Body; and

WHEREAS such negotiations have produced a Settlement Agreement and Release that Chief Attanasio signed and the Borough's attorneys have recommended that the Governing Body approve.

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Mountainside that the Settlement Agreement and Release that was signed by Allan Attanasio on July 30, 2018 be and the same is hereby approved by the Governing Body, and

BE IT FURTHER RESOLVED that the appropriate Borough Officials be and they hereby are authorized to sign the Settlement Agreement and Release on behalf of the Borough.

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

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

RESOLUTION 96-2018

WHEREAS Sergeant Andrew Huber of the Mountainside Police Department made known to the Governing Body his desire to resign from his position as a member of the Mountainside Police Department; and

WHEREAS the Governing Body determined that it was in the best interests of the Borough of Mountainside that Sergeant Huber resign; and

WHEREAS through its attorneys the Governing Body engaged in negotiations with Sergeant Huber's attorney regarding the terms and conditions on which the resignation would be accepted by the Governing Body; and

WHEREAS such negotiations have produced a Settlement Agreement and Release that Sergeant Huber signed and the Borough's attorneys have recommended that the Governing Body approve.

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Mountainside that the Settlement Agreement and Release that was signed by Andrew Huber on July 25, 2018 be and the same is hereby approved by the Governing Body, and

BE IT FURTHER RESOLVED that the appropriate Borough Officials be and they hereby are authorized to sign the Settlement Agreement and Release on behalf of the Borough.

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

BILLS & CLAIMS:

The following resolution was introduced by Councilman Mortimer and seconded by Councilwoman Andre:

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 7th day of August 2018, 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 \$346,075.99 (Copy of bill list attached).

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

AUDIENCE PARTICIPATION:

Anjali Mehrotra, 215 Queens Lane, inquired about the estimated costs to conduct a disciplinary hearing for Lt. Murphy.

Ileana Montes, 220 Kings Court, expressed concerns over why the borough had chosen to resolve the employment issues rather than attempting to terminate the officers for cause based on the allegations.

Upon motion by Councilman Dierkes and a second by Councilman Mortimer, 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 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 8:06 P.M.

The meeting was recalled to public session at 8:29 P.M.

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

Martha Lopez, RMC
Borough Clerk