

**REGULAR MEETING
JUNE 21, 2016**

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 7:33 P.M.

**INVOCATION: Council President Turner
SALUTE TO THE FLAG
ROLL CALL**

PRESENT: Mayor Paul N. Mirabelli, Councilman Dierkes, Councilwoman Fech-Caccamo, Council President Turner, Administrator Debbie and Attorney Post. Also present were Police Chief Allan Attanasio, Public Works Manager Ronald Romak and Recreation Director Frank Masella. Councilwoman Andre, Councilman Messler and Councilman Mortimer were absent.

APPROVAL OF MINUTES:

Upon motion by Councilman Turner and a second by Councilman Dierkes, the minutes of the Regular and Executive Session Meetings held on May 17, 2016 was approved. Roll Call: Ayes: Dierkes, Fech-Caccamo, Turner, Mirabelli. Nays: 0.

Upon motion by Councilman Dierkes a second by Councilman Turner, the minutes of the Work Session Meeting held on June 7, 2016 were approved. Roll Call: Ayes: Dierkes, Fech-Caccamo, Turner, Mirabelli. Nays: 0.

RESOLUTION OF CONGRATULATIONS:

WHEREAS, the citizens of the Borough of Mountainside are continually striving to provide quality education for all of our children; and

WHEREAS, it is clearly recognized that such education will be a major contribution toward our young people being good citizens and successful in whatever endeavors they undertaken in life; and

WHEREAS, it is appropriate that those who excel should be recognized and encouraged to continue the success into further education and participation in their community; and

WHEREAS, Emily K. Berkow, has truly exemplified the finest in academic achievement at Deerfield School in Mountainside.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Mountainside recognize and congratulate Emily K. Berkow for her fine achievement and success, and award Emily K. Berkow a gift check of \$300.00.

WHEREAS, the citizens of the Borough of Mountainside are continually striving to provide quality education for all of our children; and

WHEREAS, it is clearly recognized that such education will be a major contribution toward our young people being good citizens and successful in whatever endeavors they undertaken in life; and

WHEREAS, it is appropriate that those who excel should be recognized and encouraged to continue the success into further education and participation in their community; and

WHEREAS, Alysa D. Liu, Co-Salutatorian, has truly exemplified the finest in academic achievement at Deerfield School in Mountainside.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Mountainside recognize and congratulate Alysa D. Liu for her fine achievement and success, and award Alysa D. Liu a gift check of \$200.00.

WHEREAS, the citizens of the Borough of Mountainside are continually striving to provide quality education for all of our children; and

WHEREAS, it is clearly recognized that such education will be a major contribution toward our young people being good citizens and successful in whatever endeavors they undertaken in life; and

WHEREAS, it is appropriate that those who excel should be recognized and encouraged to continue the success into further education and participation in their community; and

WHEREAS, Kelley X. Sun, Co-Salutatorian, has truly exemplified the finest in academic achievement at Deerfield School in Mountainside.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Mountainside recognize and congratulate Kelley X. Sun for her fine achievement and success, and award Kelley X. Sun a gift check of \$200.00.

RESOLUTIONS:

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

RESOLUTION 63-2016

WHEREAS, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any County or Municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget; and

WHEREAS, said Director may also approve the insertion of any item of appropriation for equal amount;

SECTION 1

NOW, THEREFORE, BE IT RESOLVED, that the Borough of Mountainside hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of

revenue in the budget for the year 2016 for the below amount sums of which item is now available as a revenue from:

Public & Private Revenues off-set with Appropriations;
Clean Community Grant (\$17,660.45)
NJ Forestry Services Volunteer Fire Assistance Grant (\$4,500)

SECTION 2

BE IT FURTHER RESOLVED, that a like sum be and the same is hereby appropriated under the caption of:

Public & Private Programs Offset By Revenues Excluded from "CAPS"
Clean Community Grant (\$17,660.45)
NJ Forestry Services Volunteer Fire Assistance Grant (\$4,500)

Roll Call: Dierkes, Fech-Caccamo, Turner, Mirabelli. Nays: 0

The following resolution was introduced by Councilwoman Fech-Caccamo and seconded by Councilman Turner.

RESOLUTION 64-2016

WHEREAS, NJSA 40A:5-4 requires the Governing Body of every local unit to have made an annual audit of its books, accounts and financial transactions; and

WHEREAS, the Annual Report of Audit for the year 2015 has been filed by a Registered Municipal Accountant with the Borough Clerk as per the requirements of NJSA 40A:5-6 and a copy has been received by each member of the Governing Body; and

WHEREAS, the Local Finance Board of the State of New Jersey is authorized to prescribe reports pertaining to the local fiscal affairs, as per R.S. 52:27BB-34; and

WHEREAS, the Local Finance Board has promulgated a regulation requirement that the Governing Body of each municipality shall by resolution certify to the Local Finance Board of the State of New Jersey that all members of the Governing Body has reviewed, as a minimum, the sections of the annual audit entitled:

GENERAL COMMENTS

RECOMMENDATIONS

and;

WHEREAS, the members of the Governing Body has personally reviewed as minimum the Annual Report of Audit, and specifically the sections of the Annual Audit entitled:

GENERAL COMMENTS
RECOMMENDATIONS

as evidenced by the group affidavit form of the Governing Body; and

WHEREAS, such resolution of certification shall be adopted by the Governing Body no later than forty-five days after the receipt of the annual audit, as per the regulations of the Local Finance Board; and

WHEREAS, all members of the Governing Body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board; and

WHEREAS, failure to comply with the promulgations of the Local Finance Board of the State of New Jersey may subject the members of the Local Governing Body to the penalty provisions of R.S. 52:27BB-52 – to wit:

R.S. 52-27BB-52 – “A local officer or member of a local Governing Body who, after a date fixed for compliance fails or refuses to obey an order of the of the Director of Local Government Services, under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than One Thousand Dollars (\$1,000) or imprisoned for not more than one year, or both, in addition shall forfeit his office.”

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Mountainside, hereby states that it has complied with the promulgation of the Local Finance Board of the State of New Jersey dated July 30, 1968 and does hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

Roll Call: Dierkes, Fech-Caccamo, Turner, Mirabelli. Nays: 0

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

RESOLUTON 65-2016

WHEREAS, the Chief Finance Officer is required to submit a Corrective Action Plan of the 2015 Municipal Audit Report to the Governing Body;

NOW, THEREFORE, BE IT RESOLVED that the following 2015 Audit Corrective Action Plan submitted by the Chief Finance Officer be and the same is hereby approved; and

BE IT FURTHER RESOLVED, that a certified copy of the 2015 Audit Corrective Action Plan be forwarded to the Division of Local Government Services.

2015 Audit- Corrective Action Plan
Recommendation: None
Corrective Action: None

Roll Call: Dierkes, Fech-Caccamo, Turner, Mirabelli. Nays: 0

The following resolution was introduced by Councilwoman Fech-Caccamo and seconded by Councilman Turner.

RESOLUTION 66-2016

WHEREAS, the following applicants for Plenary Retail Consumption, Plenary Retail Distribution and Club License have complied with the provisions of R.S. Title 33, Intoxicating Liquors, c.1 Alcoholic Beverage Law; and

WHEREAS, these applications have been inspected and approved by the Board of Health and Fire Prevention Official.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Mountainside, County of Union, State of New Jersey, that pursuant to the statute in such case made and provided that the following Plenary Retail, Plenary Distribution and Club Licenses for the period of July 1, 2016 to June 30, 2017 be and the same are hereby granted:

2010-31-011-001	Mountainside Lodge BPO ELKS #1585 1193 Route 22	\$188
2010-32-002-003	Breezy Point Inc., t/a Chrones Tavern 906 Mountain Ave	2,500
2010-33-004-004	Spanish Tavern III Inc., t/a Spanish Tavern 1239 Route 22	2,500
2010-33-005-006	Stage House Tavern 3, LLC 1099 Route 22	2,500
2010-33-007-004	1230 Rt 22 Restaurant, LLC t/a Arirang Hibachi Steakhouse and Sushi Bar, 1230 Route 22	2,500
2010-33-008-004	Mosaico Café Inc. 1072 Route 22	2,500
2010-33-009-006	Famous Daves Ribs Inc. 1443 Route 22	2,500
2010-33-010-006	Ciro 56 Inc. t/a Publick House 899 Mountain Ave	2,500
2010-33-012-007	Echo Park Food, LLC t/a Echo Tap & Grille 1079 Route 22	2,500
2010-44-001-004	Bliwise Inc. t/a Vine Republic 1267 Route 22	2,500

Roll Call: Dierkes, Fech-Caccamo, Turner, Mirabelli. Nays: 0

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

RESOLUTION 67-2016

WHEREAS, the Borough Engineer has requested a refund to the following individual; and

NOW, THEREFORE, BE IT RESOLVED that the Treasurer be authorized to issue the following refund:

<u>Applicant</u>	<u>Permit</u>	<u>Amount</u>
Jaffer Shahid 318 Old Tote Road Mountainside, NJ 07092	Road Opening	\$250.00

Roll Call: Dierkes, Fech-Caccamo, Turner, Mirabelli. Nays: 0

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

RESOLUTION 68-2016

BE IT RESOLVED by the Mayor and Council of the Borough of Mountainside that the following are the 2016 Base Salaries for the office and positions indicated:

A&E

Borough Administrator	\$41,616.00
Borough Clerk	\$72,636.05
Deputy Borough Clerk	\$35,882.63
Board of Health Secretary	\$1,553.21
Mayor	\$3,194.55
Councilman	\$1,597.28
OEM Director	\$5,412.16
OEM Deputy	\$2,706.08

FINANCE

Finance Assistant (P/T)	\$18.21
Finance Assistant	\$35,190.00
Chief Financial Officer	\$77,680.95
Tax Collector (P/T)	\$19,707.84
Assistant Tax Collector (P/T)	\$22.19

POLICE

Allan Attanasio (Chief)	\$133,783.81
Administrative Assistant	\$42,672.58
Records Clerk	\$19.45
Communications Officers:	
Walter Kutsop	\$55,087.62
Lewis Giordano	\$55,087.62
Michael Scuderi	\$44,144.59
Anthony DeLuca	\$38,323.27
Police Matron	\$27.37
Crossing Guards:	
Joan Laurent	\$23.80
Patricia Salvato	\$19.25
Robert Vargo	\$18.87

BUILDING

Zoning Official/Construction Secretary	\$49,947.58
Secretary: Engineer/DPW/Shade Tree/Recycling	\$38,417.45
Plumbing Inspector (P/T)	\$35.70
Electrical Inspector (P/T)	\$43.50
Fire Code/Fire Prevention (P/T)	\$30.60
Construction Code Official	\$28,154.06
Receptionist/Secy Construction/DPW/Building	\$16.52

PUBLIC WORKS

Ronald Romak	\$85,836.11
Thomas Root	\$51,705.22
Richard Neri	\$48,407.44
Oscar Cardona	\$42,630.84
Horacio Colella	\$39,799.73
Ed Parin	\$35,373.60
Matthew DeAnna	\$35,373.60
Engineer (P/T)	\$49,176.34
Tax Assessor (P/T)	\$18,581.68
Assistant to Assessor	\$4,735.65
Certified Wastewater & Treatment Operator	\$3,243.93
Planning Board – Recording Secretary	\$2,707.20
Upstairs Supervisor	\$5,630.81

COURT

Court Administrator	\$57,997.36
Deputy Court Administrator	\$37,196.34
Municipal Judge (P/T)	\$29,283.28
Municipal Prosecutor (P/T)	\$25,403.58

MISCELLANEOUS

Cable TV Tech (M.Flynn)	\$10.82
Senior Citizen Coordinator	\$20,193.73
Senior Van Driver	\$16.24

RECREATION

Director/Pool Manager	\$81,217.14
Secretary/Pool Bookkeeper	\$38,417.44
Recreation Assistant	\$36,414.00
Pool Management (Returning)	2% increase
Pool Tech	\$ 8,233.75
Summer Playground Staff (Returning)	2% increase

THEREFORE, BE IT RESOLVED, that the salary paid each office or position for the calendar year 2016, as established by this Resolution of the Governing Body, shall be retroactive to January 1, 2016.

Roll Call: Dierkes, Fech-Caccamo, Turner, Mirabelli. Nays: 0

The following resolution was introduced by Councilwoman Fech-Caccamo and seconded by Councilman Turner.

RESOLUTION 69 -2016

WHEREAS, the Public Works Committee has recommended a compensation adjustment to the following Public Works Employees as follows:

Oscar Cardona	\$ 1,500 effective January 1, 2016
Horacio Colella	\$ 1,500 effective January 1, 2016
Edward Parin	\$ 500 effective April 6, 2016

NOW, THEREFORE, BE IT RESOLVED, that this compensation becomes effective as indicated above.

Roll Call: Dierkes, Fech-Caccamo, Turner, Mirabelli. Nays: 0

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

RESOLUTION 70-2016

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 Stephen King as Police Officer; and

WHEREAS, Stephen King shall enroll in a police training course, and shall be entitled to a leave of absence with pay during the period of the police training course; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Mountainside that Stephen King be appointed as a Probationary Police Officer for the Borough of Mountainside Police Department; and

BE IT FURTHER RESOLVED, that said appointment shall be effective June 22, 2016 with the probationary period ending one-year following graduation from said academy at a probationary period salary of \$41,512.33.

Roll Call: Dierkes, Fech-Caccamo, Turner, Mirabelli. Nays: 0

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

RESOLUTION 71-2016

WHEREAS the Borough's contract with Robert La Ferrara Construction for Snow & Ice Removal Services expires on July 31, 2016; and

WHEREAS under the terms of such contract the Borough has an option to renew the contract for a term of two years; and

WHEREAS the Governing Body has determined that it would be in the best interests of the Borough to renew the term of the Agreement as it is entitled to do under the terms of the Agreement.

NOW THEREFORE BE IT RESOLVED that the Governing Body of the Borough of Mountainside does hereby authorize the appropriate Borough Officials to advise Robert La Ferrara Construction that the Borough is exercising the option to renew the contract under the current terms and conditions for an additional two-year term, from the period of August 1, 2016 to July 31, 2018.

Roll Call: Dierkes, Fech-Caccamo, Turner, Mirabelli. Nays: 0

ORDINANCES: Second Reading (Public Hearing)

ORDINANCE 1248-2016

AN ORDINANCE TO APPROPRIATE THE SUM OF ONE HUNDRED EIGHTY FIVE THOUSAND (\$185,000.00) FOR THE RESURFACING OF FOREST HILL WAY

WHEREAS, the Governing Body of the Borough of Mountainside have decided to resurface Forest Hill Way; and

WHEREAS, a grant award is now available from NJDOT in the amount of \$185,000.00; and

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

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Borough of Mountainside that the sum of \$185,000.00 be and is hereby appropriated for the resurfacing of Forest Hill Way;

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 \$185,000.00.

Mayor Mirabelli opened the meeting to the public for anyone wishing to speak on this ordinance and this ordinance only.

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

It was moved by Councilwoman Fech-Caccamo and seconded by Councilman Turner that this ordinance be passed on second and final reading and advertised by title only.

Roll Call: Dierkes, Fech-Caccamo, Turner, Mirabelli. Nays: 0

First Reading (Introduction)

ORDINANCE 1249-2016

AMENDING ORDINANCE 1216-2014 EMPLOYMENT BENEFITS FOR FULL TIME EMPLOYEES OF THE BOROUGH OF MOUNTAINSIDE NOT COVERED BY A BARGAINING UNIT CONTRACT

BE IT ORDAINED by the Mayor and Council of the Borough of Mountainside, County of Union, State of New Jersey, that Ordinance 1216-2014 is hereby amending Section 8-3.1 of Chapter VIII of the Borough Code of the Borough of Mountainside:

The Borough shall provide each full time employee not covered by a bargaining unit contract, including his or her family, the following cost reimbursement for the dental/vision program: Family \$1,750 and Single \$813.

A one (1) time per dependent orthodontics benefit of \$1,200 by reimbursement shall be in effect as part of the self-insured program. For reimbursement, a purchase order with the bill attached must be submitted to the finance office.

This ordinance shall be effective upon final passage and publication in accordance with the law.

It was moved by Councilman Dierkes and seconded by Councilman Turner that this ordinance be passed on first reading and advertised in full for a public hearing on June 21, 2016.

Roll Call: Dierkes, Fech-Caccamo, Turner, Mirabelli. Nays: 0

ORDINANCE 1250-2016

BOND ORDINANCE TO AUTHORIZE THE MAKING OF VARIOUS PUBLIC IMPROVEMENTS AND THE ACQUISITION OF NEW COMMUNICATION AND SIGNAL SYSTEMS EQUIPMENT AND NEW INFORMATION TECHNOLOGY EQUIPMENT IN, BY AND FOR THE BOROUGH OF MOUNTAINSIDE, IN THE COUNTY OF UNION, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$975,000 TO PAY THE COST THEREOF, TO MAKE A DOWN PAYMENT OR PARTIALLY FUND AN APPROPRIATION FROM THE CAPITAL IMPROVEMENT FUND, TO APPROPRIATE CAPITAL SURPLUS, 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 make various public improvements and to acquire new communication and signal systems equipment and new information technology equipment in, by and for said Borough, as more particularly described in Section 4 hereof. The cost of the improvements includes all work, materials and appurtenances necessary and suitable therefor.

Section 2. There is hereby appropriated to the payment of the cost of making the improvements described in Sections 1 and 4 hereof (hereinafter referred to as "purposes"), the respective amounts of money hereinafter stated as the appropriation for said respective purposes. Said appropriation shall be met from the proceeds of the sale of the bonds authorized, and the Capital Improvement Fund moneys (either to make a down payment or to partially fund an appropriation) and Capital Surplus 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 the making of such improvements is not a current expense of said Borough.

Section 4. The several purposes hereby authorized for the financing of which said obligations are to be issued are set forth in the following "Schedule of Improvements, Purposes and Amounts" which schedule also shows (1) the amount of the appropriation and the estimated cost of each such purpose, and (2) the amount of each sum which is to be provided by the appropriation from the Capital Improvement Fund hereinafter made to either partially fund the appropriation or to provide a down payment, and (3) the amount of each sum which is to be provided by Capital Surplus of the Borough hereinafter appropriated, and (4) the estimated maximum amount of bonds and notes to be issued for each such purpose, and (5) the period of usefulness of each such purpose, according to its reasonable life, computed from the date of said bonds:

SCHEDULE OF IMPROVEMENTS, PURPOSES AND AMOUNTS

A. Undertaking of the following infrastructure improvements: (i) bank stabilization at various locations, (ii) sanitary and storm sewer improvements at various locations and (iii) 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 (iii) of the preceding sentence. It is hereby determined and stated that said roads to be improved are or will be of "Class A" 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").

Appropriation and Estimated Cost	\$ 550,000
Down Payment Appropriated	\$ 26,200
Bonds and Notes Authorized	\$ 523,800
Period of Usefulness	10 years

B. Reconstruction of the softball field at Beechwood School.

Appropriation and Estimated Cost	\$ 90,000
Down Payment Appropriated	\$ 4,300
Bonds and Notes Authorized	\$ 85,700
Period of Usefulness	15 years

C. Acquisition of new communication and signal systems equipment consisting of a Police Radio System, including a dispatch console and portable and mobile radios.

Appropriation and Estimated Cost	\$ 260,000
Down Payment Appropriated	\$ 14,500
Bonds and Notes Authorized	\$ 245,500
Period of Usefulness	10 years

D. Acquisition of new information technology equipment consisting of a computer system and related equipment for the use of various Borough departments, offices and agencies.

Appropriation and Estimated Cost	\$ 75,000
Capital Surplus Appropriated	\$ 30,000
Capital Improvement Fund Appropriated	\$ 45,000
Period of Usefulness	5 years

Aggregate Appropriation and Estimated Cost	\$ 975,000
Aggregate Capital Improvement Fund	
Appropriated either as a Down Payment or to Partially Fund an Appropriation	\$ 90,000
Capital Surplus Appropriated	\$ 30,000
Aggregate Amount of Bonds and Notes Authorized	\$ 855,000

Section 5. The cost of such purposes, as hereinbefore stated, includes the aggregate amount of \$55,000 which is estimated to be necessary to finance the cost of such purposes, 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 6. The sum of \$30,000 is hereby appropriated from Capital Surplus of the Borough to the payment of the cost of the computer system acquisition authorized in Section 4.D hereof.

Section 7. It is hereby determined and stated that moneys exceeding \$90,000, 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 purposes. The sum of \$90,000 is hereby appropriated from such moneys to the payment of the cost of said purposes.

Section 8. To finance said purposes, bonds of said Borough of an aggregate principal amount not exceeding \$855,000 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 9. To finance said purposes, bond anticipation notes of said Borough of an aggregate principal amount not exceeding \$855,000 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 10. 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 who is hereby authorized to sell said notes either at one time or from time to time in the manner provided by law.

Section 11. It is hereby determined and declared that the average period of usefulness of the purposes to be financed with bonds or notes, according to their reasonable lives, taking into consideration the respective amounts of bonds or notes authorized for said purposes, is a period of 10.50 years computed from the date of said bonds.

Section 12. 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 \$855,000 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 13. 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 purposes, shall be applied to the payment of the cost of such

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

Section 14. The Borough intends to issue the bonds or notes to finance the cost of the improvements described in Section 4 of this bond ordinance (except for Section 4.D). 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 15. 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 16. 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 17. This ordinance shall take effect twenty days after the first publication thereof after final passage.

It was moved by Councilman Turner and seconded by Councilman Dierkes that this ordinance be passed on first reading and advertised in full for a public hearing on June 21, 2016.

Roll Call: Dierkes, Fech-Caccamo, Turner, Mirabelli. Nays: 0

BILLS & CLAIMS:

The following resolution was introduced by Councilman Dierkes 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 21st day of June 2016, 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 \$725,636.40 (Copy of bill list attached).

Roll Call: Dierkes, Fech-Caccamo, Turner, Mirabelli. Nays: 0

COUNCIL COMMENTS:

The Mountainside Education Foundation thanked the police department and Mayor for their assistance during their 1st Annual Glow Ride.

The PAL Car & Bike Charity Show was a huge success.

Residents were invited to attend the July fourth fireworks, 50th Anniversary of the community pool and Volunteer Appreciation Day.

The Mayor thanked the police department and community for their support during the recent death of his mother.

He also extended the council's sympathies and praised the community for their outpouring during the passing of Mountainside resident Diane Cocchia McGee.

AUDIENCE PARTICIPATION:

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

Upon motion by Councilman Dierkes and a second by Councilman Turner, 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 7:57 P.M.

The meeting was recalled to public session at 8:28 P.M.

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

Martha Lopez, RMC
Borough Clerk