

**WORK SESSION
MARCH 3, 2020**

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 7:35 P.M.

PRESENT: Mayor Mirabelli, Councilwoman Andre, Councilman Dierkes, Councilman Messler, Councilwoman Pacifico, Councilwoman Pater, Council President Turner, Attorney Post and Administrator Atkins. Also present were Public Works Director Matthew DeAnna, Police Chief Joseph Giannuzzi, Borough Engineer Mike Disko, Recreation Director Frank Masella and CFO Jill Goode.

Discussion was held regarding proposed Elizabethtown Gas Company upgrade work. The project would include upgrades to a portion of their underground main system in the borough impacting Hillside Avenue, Greenwood Road, Fernwood Road and Mountainview Drive. The Borough Engineer will provide the Gas Company with a restoration recommendation and follow up with Council on some variables.

The following resolution was introduced by Councilman Messler and seconded by Councilwoman Andre.

RESOLUTION 47-2020

WHEREAS, Alpine At Mountainside, LLC posted performance guarantees in connection with its project at 1496 Route 22, Block 3, Lot 18.03 in the Borough of Mountainside (the "Project") in the amount of \$1,074,343.32; and

WHEREAS, Alpine At Mountainside, LLC has completed all of the improvements at the Project except final paving and traffic striping; and

WHEREAS, the completion of such improvements entitles Alpine At Mountainside, LLC to a reduction of seventy (70%) percent of the original performance guarantee under the applicable Borough Ordinance; and

WHEREAS, the Borough Engineer and the Planning Board have so recommended, subject to the submission by Alpine At Mountainside, LLC of a landscaping maintenance bond in an amount to be fixed by the Borough Engineer.

NOW THEREFORE BE IT RESOLVED, that the appropriate Borough Officials be and they hereby are authorized to reduce the performance guarantees posted by Alpine At Mountainside, LLC in connection with the Project to \$322,303, subject to the submission by Alpine At Mountainside, LLC of a landscaping maintenance bond in an amount to be fixed by the Borough Engineer.

Roll Call: Andre, Dierkes, Messler, Pacifico, Pater, Turner. Nays: 0

The following resolution was introduced by Councilman Messler and seconded by Councilwoman Andre.

RESOLUTION 45-2020

WHEREAS, in accordance with applicable provisions of the Public Contracts Law, the Borough advertised for Bids for Contract 2020-2 for “Epoxy Coating & Related Work at the Mountainside Community Pool”; and

WHEREAS, on February 11, 2020 the return date for the bids, three bids were received as follows:

<u>Bidders:</u>	<u>Base Bid</u>	<u>Alt. #1</u>	<u>Total</u>
RJR Engineering Co., Inc	\$ 67,100.00	\$ 7,500.00	\$ 74,600.00
Alpine Painting & Sandblasting	\$107,200.00	\$39,750.00	\$146,950.00
A&A Painting & Contracting	\$115,300.00	\$13,000.00	\$128,300.00

WHEREAS, the Borough Engineer recommends awarding the Base Bid and Alternate #1; and

WHEREAS, the lowest bidder is RJR Engineering Co., Inc., and the Borough Engineer has recommended that Contract 2020-2 be awarded to RJR Engineering Co., Inc., PO Box 355, Califon, NJ 07830.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Mountainside that the contract for Epoxy Coating & Related Work at the Community Pool be awarded to RJR Engineering Co., Inc., PO Box 355, Califon, NJ in the amount of \$74,600.00.

Roll Call: Andre, Dierkes, Messler, Pacifico, Pater, Turner. Nays: 0

Discussion was held regarding the introduction of the 2020 municipal budget. The municipal tax increase equates to \$13.91. The CFO will provide the council with the proposed increases, decreases and anticipated revenue. The budget will be introduced at the meeting of March 17, 2020.

Discussion was held regarding approval of a temporary capital budget. The 2020 municipal budget has not been approved therefore, the council has agreed to adopt a temporary capital budget in order to proceed with mandatory payments which include Rahway Valley Sewerage Authority, pensions, and the epoxy pool project. The proper resolution will be prepared for the March 17, 2020 meeting.

The following resolution was approved by Councilman Messler and seconded by Councilman Turner.

RESOLUTION 48-2020

WHEREAS, the Union County Board of Chosen Freeholders established the “2020 Infrastructure & Municipal Aid” Grant Program designed to stimulate the development of public projects to local municipalities; and

WHEREAS, the Borough of Mountainside wishes to apply to Union County for the 2020 Infrastructure & Municipal Aid 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 2020 "Infrastructure & Municipal Aid" Grant Program for the following projects:

**BOROUGH HALL SECURITY UPGRADES
ROAD IMPROVEMENTS**

Roll Call: Andre, Dierkes, Messler, Pacifico, Pater, Turner. Nays: 0

Discussion was held regarding a raffle application from the Mountainside Restoration Committee for an off premise draw raffle. The application is in order and the proper fees have been paid. A motion to approve the application will take place at the meeting of March 17, 2020. Due to time constraints, a motion was made and unanimously approved to process a raffle application from the Mountainside Youth Baseball for an off premise draw raffle.

Discussion was held regarding a request for recreation department refunds. Recreation Director Frank Masella requested refunds to participants due to cancellations. The proper resolution will be prepared for the meeting of March 17, 2020.

Discussion was held regarding Autism Awareness and NJ Local Government Week Proclamations. The Council announced community activities to recognize and celebrate local government week between April 19th through April 25th. The proclamations will be presented at the March 17, 2020 meeting.

Discussion was held regarding the appointment of the pool management staff for the 2020 season. It was recommended by Recreation Director Frank Masella that two veteran pool managers be re-hired. There still exist a vacancy for an assistant manager. The Council agreed to extend the pool concession contract with Darby Road for \$11,000. The proper appointing resolution will be prepared for the meeting of March 17, 2020.

The following resolution was introduced by Councilman Messler and Councilwoman Andre.

RESOLUTION 46-2020

WHEREAS, the State of New Jersey requires a municipality to appoint an Emergency Management Coordinator for a period of three years; and

WHEREAS, additional authorized Emergency Management personnel are required to be identified; and

WHEREAS, it is the desire of the Governing Body of the Borough of Mountainside to fill the position of Emergency Management Coordinator and identify additional authorized Emergency Management personnel.

NOW THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Mountainside that Keith C. Turner is hereby appointed as Emergency Management Coordinator for the Borough of Mountainside for a period of three years, term to expire March 3, 2023; and

BE IT FURTHER RESOLVED, that the following individuals are hereby appointed as additional Emergency Management personnel:

Paul N. Mirabelli, Mayor – Deputy Coordinator
Matthew DeAnna, Public Works Director
Joseph Giannuzzi, Police Chief
Anthony Pecorelli, Fire Chief

Roll Call: Andre, Dierkes, Messler, Pacifico, Pater, Turner. Nays: 0

BILLS & CLAIMS:

The following resolution was introduced by Councilman Dierkes 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 3rd day of March 2020, 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 \$109,446.94 (Copy of bill list attached).

Roll Call: Andre, Dierkes, Messler, Pacifico, Pater, Turner. Nays: 0

AUDIENCE PARTICIPATION:

E. Almeida, 237 South Fork Road, questioned the revisions made during the recodification process and where the code could be found on the borough website.

Public Works Director Matthew DeAnna stated the computer upgrades in borough hall are completed.

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

The following resolution was introduced by Councilman Turner and seconded by Councilwoman Pater.

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 contracts and litigation which are matters where the exclusion of the public is permitted; and

WHEREAS, public disclosure of the results of this discussion will be made as soon as the matters discussed have been resolved by the Governing Body of the Borough of Mountainside;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Mountainside that the aforesaid matters shall be discussed in closed session upon adoption of this resolution.

Meeting adjourned to closed session at 8:18 P.M.

The meeting was recalled to public session at 9:19 P.M.

Upon motion by Councilwoman Andre and a second by Councilwoman Pacifico, the meeting was unanimously adjourned.

Martha Lopez, RMC
Borough Clerk