

**REGULAR MEETING  
OCTOBER 15, 2024**

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 7:30 P.M.

**INVOCATION:** Councilman Rinaldo

**SALUTE TO THE FLAG**

**ROLL CALL**

**PRESENT:** Mayor Mirabelli, Councilman Matejek, Council President Pacifico (by phone), Councilman Rinaldo, Councilman Van Deusen, Councilwoman Wass, Administrator Mortimer and Attorney Post. Also present were Public Works Director Matthew DeAnna, Recreation Director Frank Masella and Chief Joseph Giannuzzi. Councilman Dierkes was absent.

**APPROVAL OF MINUTES:**

Upon motion by Councilman Matejek a second by Councilwoman Pacifico, the minutes of the Regular Session Meeting held on September 17, 2024 were approved. Roll Call: Ayes: Matejek, Pacifico, Rinaldo, Van Deusen, Wass. Nays: 0.

Upon motion by Councilman Matejek a second by Councilwoman Pacifico, the minutes of the Work & Executive Session Meetings held on October 1, 2024 were approved. Roll Call: Ayes: Matejek, Pacifico, Rinaldo, Van Deusen, Wass. Nays: 0.

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**PROCLAMATIONS:**

WHEREAS, with heavy hearts, we honor the life of Candace Suzan Cantagallo, who passed away peacefully on the evening of Sunday, September 15th, at the age of 61, after her courageous battle with cancer: and

WHEREAS, Candace, affectionately known as Candy, leaves behind her devoted husband, Gary, and her cherished children, Alicia, Dylan, and Tyler. Her legacy of love and service is etched deeply in the hearts of all who knew her; and

WHEREAS, a dedicated member of the community, Candy served as a Captain with the Mountainside Fire Department, an EMT with the Mountainside Rescue Squad, and as a firefighter with the NJ Forest Fire Service. Her commitment to helping others was unwavering, reflecting her profound compassion and strength; and

WHEREAS, in addition to her public service, Candy enjoyed a fulfilling career as a dental assistant, where her kindness and professionalism touched the lives of countless patients and colleagues throughout New Jersey.

WHEREAS, Candy was a radiant spirit, known for her welcoming smile, infectious laughter, and lively energy. She had a unique ability to light up any room, making everyone feel valued and cherished. Her friendship and warmth will be deeply missed by all.

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, Frances Sussman Margolis was born on October 12, 1924, in Newark, New Jersey, to Polish immigrant parents, and is celebrated today for reaching the remarkable milestone of her 100th birthday; and

WHEREAS, Fran, the only American-born daughter among her siblings, graduated as valedictorian from Weequahic High School in 1941, demonstrating her early commitment to academic excellence; and

WHEREAS, Fran furthered her education at New York University and Rutgers, ultimately graduating from Rutgers Law School in 1953, embodying the spirit of perseverance and dedication to her profession; and

WHEREAS, throughout her illustrious career, Fran practiced law for over 65 years, becoming a respected figure in commercial and bankruptcy law, and earning recognition as a member of the New Jersey Bar and the United States Supreme Court; and

WHEREAS, Fran shared over 50 years of marriage with her beloved husband, Harry A. Margolis, cherishing their shared love of travel, fine dining, and unwavering support for the NY Giants; and

WHEREAS, Fran is a cherished mother, aunt, and friend, leaving a lasting impact on her large extended family of over 35 nieces and nephews, all of whom hold her in the highest esteem; and

WHEREAS, since 2018, Fran has continued to inspire those around her as a resident of Arbor Terrace Mountainside, sharing her wisdom and warmth with her new community.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Mountainside do hereby congratulate Frances Sussman Margolis on the momentous occasion of her 100<sup>th</sup> birthday celebration.

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WHEREAS, Red Ribbon Week is a nationwide event dedicated to raising awareness about the importance of making healthy choices and living drug-free; and

WHEREAS, this annual observance began in 1985 as a tribute to the life of Drug Enforcement Administration Agent Enrique “Kiki” Camarena, who lost his life while fighting against drug trafficking; and

WHEREAS, Red Ribbon Week serves as a powerful reminder of the ongoing struggle against substance abuse and its impact on our communities, families, and youth; and

WHEREAS, the commitment to educate our children about the dangers of drug use and to encourage healthy alternatives is essential for fostering a safe and nurturing environment; and

WHEREAS, schools, families, and community organizations play a vital role in promoting awareness, support, and prevention efforts throughout this week and beyond.

NOW, THEREFORE, I, Paul N. Mirabelli, Mayor of the Borough of Mountainside do hereby proclaim October 23 through October 31, 2024 as Red Ribbon Week in the Borough of Mountainside, and urge all residents to join in recognizing this important event by participating in activities that promote healthy, drug-free lifestyles.

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**RESOLUTIONS:**

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

**RESOLUTION 121-2024**

WHEREAS, the Borough of Mountainside advertised a public notice for and will conduct a public hearing on, October 15, 2024, to consider proposals for the Union County Year 51 Community Block Development Grant Program (“CDBG”); and

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the Borough of Mountainside hereby expresses its support of the Union County Year 51 CDBG Program submission presented to the Governing Body as set forth in the grant application received, for the following program:

Senior Citizens Social Services Program

BE IT FURTHER RESOLVED that a copy of this Resolution be furnished to the County of Union along with all applications required for CDBG program submission; and

BE IT FURTHER RESOLVED that this resolution shall take effect immediately.

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

**RESOLUTION 122-2024**

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

| <u>Applicant</u>   | <u>For</u>     | <u>Amount</u> |
|--|----------------|---------------|
| Joseph Patanella<br>15 Maxal Street<br>Green Brook, NJ 08812     | Men’s Softball | \$130.00      |
| Anthony Pietanza<br>124 Legion Street<br>Pompton Lakes, NJ 07442 | Men’s Softball | \$130.00      |
| Al Terhune<br>69 Shadow Lane<br>Berkeley Heights, NJ 07922       | Men’s Softball | \$130.00      |

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

**RESOLUTION 123-2024**

| Name                  | Position                     | Wage     |          | Effective |
|-----------------------|------------------------------|----------|----------|-----------|
| Gonzalez, Jordan      | Referee                      | \$40.00  | Per Game | 9/14/24   |
| DeRose, Michelle      | Referee                      | \$40.00  | Per Game | 9/14/24   |
| Grindlinger, Samantha | Soccer Trainer               | \$60.00  | Per Hour | 9/14/24   |
| Grindlinger, Samantha | Rutgers Safety Clinician     | \$60.00  | Per Hour | 9/14/24   |
| Schwartz, Elizabeth   | Tennis/Pickleball Instructor | \$40.00  | Per Hour | 9/3/24    |
| Silva, Nick           | Soccer Trainer               | \$30.00  | Per Hour | 9/14/24   |
| Masella, Ben          | Soccer Trainer               | \$40.00  | Per Hour | 9/14/24   |
| Masella, Ben          | Referee                      | \$40.00  | Per Game | 9/14/24   |
| Bassolino, Audrey     | Lifeguard                    | \$16.50* | Per Hour | 6/8/24    |
| Beck, Natalie         | Lifeguard                    | \$16.50* | Per Hour | 6/8/24    |
| Wargarski, Emma       | Lifeguard                    | \$16.00  | Per Hour | 6/8/24    |
| Pattathil, David      | Lifeguard                    | \$16.50  | Per Hour | 6/8/24    |
| Stambaugh, Ian        | Pool Maintenance             | \$15.00  | Per Hour | 6/8/24    |
| Amato, Riley          | Tennis/Pickleball Instructor | \$40.00  | Per Hour | 7/3/24    |
| Lyght, Shawn          | Lacrosse Camp Director       | \$45.00  | Per Hour | 7/15/24   |
| Yick, Thomas          | Lacrosse Camp Assistant      | \$20.00  | Per Hour | 7/15/24   |
| Dunleavy, Michael     | Lacrosse Camp Assistant      | \$20.00  | Per Hour | 7/15/24   |
| Mincoelli, Nico       | Soccer Trainer               | \$30.00  | Per Hour | 9/21/24   |
| Dolan, Bryan          | Soccer Trainer               | \$30.00  | Per Hour | 9/21/24   |

BE IT RESOLVED, that Recreation Director Frank Masella and the Recreation Committee has recommended that these individuals be appointed to said positions:

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

Rate adjusted \*

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

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

**RESOLUTION 124-2024**

WHEREAS, there is a need for a PT Planning Board Secretary; and

WHEREAS, the Governing Body of the Borough of Mountainside is desirous of filling subject vacancy; and

WHEREAS, the Borough Administrator recommends that the Borough Council take action and hire Kiana Taveras; and

WHEREAS, Paulette Beck will train Kiana Taveras until her resignation on September 30, 2024.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Mountainside that Kiana Taveras is hereby hired as PT Planning Board Secretary to be compensated annually \$9,000 for the additional duties effective September 9, 2024 with a six-month probationary period. Kristine Moran will continue in the position of Recording Secretary.

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

**RESOLUTION 125-2024**

WHEREAS, there is a vacancy in the position of a Deputy Court Administrator; and

WHEREAS, the Governing Body of the Borough of Mountainside is desirous of filling subject vacancy; and

WHEREAS, Rayanne McMahon is experienced in performing the duties of a Deputy Court Administrator; and

WHEREAS, the Mountainside Court Interview Panel and Assignment Judge have recommended that the Borough Council take action and hire Rayanne McMahon.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Mountainside that Rayanne McMahon is hereby hired as Deputy Court Administrator effective October 15, 2024.

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

**RESOLUTION 126-2024**

WHEREAS, in accordance with applicable provisions of the Public Contracts Law, the Borough advertised for Bids for Contract 2024-3 for "Resurfacing of Short Drive"; and

WHEREAS, on September 26, 2024 the return date for the bids, two bids were received as follows:

| Bidder:              | Base Bid     | Alt. #1     | Alt. #2    | Total        |
|----------------------|--------------|-------------|------------|--------------|
| Midwest Construction | \$267,143.81 | \$11,280.00 | \$5,600.00 | \$284,023.81 |
| Denbar Construction  | \$268,412.00 | \$12,220.00 | \$4,725.00 | \$285,357.00 |

WHEREAS, the Borough Engineer recommends awarding the Base Bid, Alternate #1 and Alternate #2; and

WHEREAS, the lowest bidder is Midwest Construction Inc., and the Borough Engineer has recommended that Contract 2024-3 be awarded to Midwest Construction Inc., 19 Dead River Road, Warren, NJ 07059.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Mountainside that the contract for “Resurfacing of Short Drive” be awarded to Midwest Construction Inc., Warren, NJ in the amount of \$284,023.81 subject to Borough Attorney review.

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

**RESOLUTION 127-2024**

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

|               |                    |              |
|---------------|--------------------|--------------|
| Betty Presser | PT Temporary Staff | \$20.00/hour |
| Effective:    | September 23, 2024 |              |

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

**RESOLUTION 128-2024**

BE IT RESOLVED by the Mayor and Council of the Borough of Mountainside that authorization is granted for the Finance Officer to issue a check in the amount of \$500 to the Mountainside PTO as a donation in support of the PTO Trunk or Treat to be held at Deerfield School.

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

**RESOLUTION 129-2024**

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

WHEREAS, Mr. Braun has made an application to the Tax Assessor on August 30, 2024, 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. Braun be granted complete exemption from property taxes from the application date to the assessor and any overpayment of taxes paid on Mr. Braun’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. Braun be granted complete exemption from property taxes from the application date to the assessor of August 30, 2024, and Mr. Braun be issued a refund of \$1,168.66 for overpayment of 2024 taxes.

| <u>Refund</u>   | <u>Address</u>         | <u>Block and Lot</u> |
|-----------------|------------------------|----------------------|
| Mr. Peter Braun | 121 Mountainview Drive | Block 10.02, Lot 4   |

Roll Call: Ayes: Matejek, Pacifico, Rinaldo, Van Deusen, Wass. Nays: 0.  
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**ORDINANCES:** Second Reading (Public Hearing) **TABLED**

**ORDINANCE 1333-2024**  
**AN ORDINANCE TO AMEND THE TREE PROTECTION PROVISIONS OF THE BOROUGH CODE**

BE IT ORDAINED, by the Governing Body of the Borough of Mountainside, County of Union, State of New Jersey, that the Borough Code of the Borough of Mountainside is amended as follows:

Chapter 22, Article 13 is amended as follows:

Article 1304 (b) (6) is amended to read as follows:

(6) Proposals for replacing any destroyed or removed trees which shall include one or more of the following measures: replacement of such trees on the property where they were destroyed or removed or on another property in the Borough or, if such replacement is not possible then the payment of a fee determined by the Enforcement Officer to the Borough Tree Fund.

Article 1304 (d) is amended by the addition of the following new subparagraph:

(3) Decide which of the replacement options set forth in the application are to be implemented.

Article 1304 (d) (3) is amended by changing the number to (4).

Article 1304 (d) is amended by the deletion of subparagraph (a) and by re-designating the remaining subparagraphs (a) through (d).

This ordinance shall take effect immediately upon final passage and publication as provided by law.  
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Second Reading (Public Hearing)

**ORDINANCE 1334-2024**  
**AN ORDINANCE ADOPTING THE REDEVELOPMENT PLAN FOR THE BOROUGH OF MOUNTAINSIDE COMMUNITY POOL, BLOCK 14, LOT 1.03**

WHEREAS, the Mayor and Council of the Borough of Mountainside adopted Resolution 97-2023 directing the Borough of Mountainside Planning Board (“Planning Board”) to undertake a preliminary investigation to determine whether the Mountainside Municipal Pool, identified on the Borough’s tax map as Block 14, Lot 1.03 (hereinafter referred to as the “Project Area”), qualifies as an area in need of redevelopment pursuant to N.J.S.A. 40A:12A-5 and 40A:12A-6 of the Local Redevelopment and Housing Law; and

WHEREAS, the Planning Board held a hearing, with an investigation, a study, a discussion, and an analysis of the Project Area to determine if the Project Area meets the criteria for a designation as an “area in need of redevelopment;” and

WHEREAS, on January 23, 2024, the Planning Board adopted a Resolution concluding that the Project Area meets the criteria for a designation as an “area in need of redevelopment;” and

WHEREAS, on April, 16, 2024, following the Planning Board’s conclusion, the Mayor and the Borough Council adopted Resolution 69-2024 designating the Project Area to be an “area in need of redevelopment”; and

WHEREAS, following the Borough Council’s designation and at the request of the Administration, John T. Chadwick, IV, P.P. was asked to prepare a proposed redevelopment plan; and

WHEREAS, on or about June 7, 2024, John T. Chadwick, IV, P.P. prepared a redevelopment plan entitled “Redevelopment Plan for the Borough of Mountainside Community Pool, Block 14, Lot 1.03,” (hereinafter referred to as “Redevelopment Plan); and

WHEREAS, the Redevelopment Plan was referred to the Planning Board, pursuant to N.J.S.A. 40A:12A-7(e), for a report and recommendation from the Planning Board concerning the Redevelopment Plan together with an identification of any provisions in the proposed plan that are inconsistent with the master plan, and if so, any recommendations concerning inconsistencies, and any other matters as the Planning Board may deem appropriate; and

WHEREAS, on August 27, 2024, the Planning Board held a hearing where the Redevelopment Plan was reviewed, discussed, and analyzed by its members and interested parties for the Planning Board’s consideration; and

WHEREAS, after the conclusion of the hearing, the Planning Board concluded, by Resolution, that the Redevelopment Plan was appropriate and not inconsistent with the Borough Master Plan; and

WHEREAS, the Planning Board subsequently forwarded a copy of its Resolution to the Mayor and Borough Council for consideration; and

WHEREAS, the Borough Council desires to adopt the Redevelopment Plan in the form set forth herein.

NOW, THEREFORE, BE IT ORDAINED by the Borough Council that:

Section 1

The Borough Council hereby adopts the attached Redevelopment Plan for the Borough of Mountainside Community Pool, Block 14, Lot 1.03, dated June 7, 2024 prepared by John T. Chadwick, IV, PP, in the form attached hereto.

Section 2

The attached Redevelopment Plan for the Borough of Mountainside Community Pool, Block 14, Lot 1.03 shall regulate development within the Project Area under Local Redevelopment and Housing Law.

Section 3

All Ordinances or parts of Ordinances inconsistent herewith are hereby repealed to the extent of such inconsistency.

Section 4

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 Councilwoman Pacifico and seconded by Councilman Matejek that this ordinance be passed on second and final reading and advertised by title only.

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

The following motion was unanimously approved:

1. Authorization to appoint Owen Younger as a Junior Auxiliary Member  
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**BILLS & CLAIMS:**

The following resolution was introduced by Councilman Matejek and seconded by Councilwoman Pacifico:

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 15<sup>th</sup> day of October 2024, 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 \$181,856.78 (Copy of bill list attached).

Roll Call: Ayes: Matejek, Pacifico, Rinaldo, Van Deusen, Wass. Nays: 0.  
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**COUNCIL COMMENTS:**

Councilman Matejek announced electronic recycling and clean communities day.

Councilwoman Wass urged residents to visit local eateries during restaurant week.

Mayor Mirabelli announced spooky trails and asked for candy donations for Old Tote Road.  
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**AUDIENCE PARTICIPATION:**

Upon a motion by Councilman Matejek and a second by Councilman Rinaldo, the meeting was unanimously adjourned at 7:55 PM.  
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