

**WORK SESSION  
FEBRUARY 4, 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 PM.

PRESENT: Mayor Mirabelli, Councilman Dierkes, Councilman Matejek, Council President Pacifico (by phone), Councilman Rinaldo, Councilman Van Deusen, Councilwoman Wass, Administrator Mortimer and Attorney Post. Also present were CFO Justyna Diaz, Police Chief Joseph Giannuzzi, Recreation Director Frank Masella, Senior Coordinator Kim Moriak and Public Works Director Matthew DeAnna.

Discussion was held regarding the final extension of the pool concession contract. It was recommended that the borough extend the contract for a one-year term. The proper resolution will be prepared for the next meeting.

Discussion was held regarding awarding the Animal Control Services contract to Animal Control Solutions LLC. The borough solicited request for proposals under the competitive contracting process. One proposal was received from our current animal control contractor. The proposal submitted offered a 2% annual increase for a 3 to 5-year agreement. The proper resolution will be prepared for the next meeting.

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

**RESOLUTION 33-2025**

BE IT RESOLVED by the Mayor and Council of the Borough of Mountainside, County of Union, State of New Jersey, that the following State Tax Court Judgment be processed as noted below:

<u>PROPERTY OWNER/ADDRESS</u>	<u>Block</u>	<u>Lot</u>	<u>TAX YEAR</u>	<u>Tax Rate</u>	<u>Refund</u>
HCR ManorCare Properties LLC / 1180 Route 22	5.20	42	2021	1.964	\$19,640.00
HCR ManorCare Properties LLC / 1180 Route 22	5.20	42	2022	1.997	\$9,985.00
HCR ManorCare Properties LLC / 1180 Route 22	5.20	42	2023	1.988	\$9,940.00
HCR ManorCare Properties LLC / 1180 Route 22	5.20	42	2024	2.050	\$9,341.85

AMOUNT OF REFUND: \$48,906.85

Make Check Payable to:  
Manor Care Health Services

Forward to:  
Manor Care Health Services  
C/O Altus Group  
Attn: Melissa Cohoon  
1807 Keller Parkway, Suite 100  
Keller, TX 76248

BE IT FURTHER RESOLVED, that this tax court judgment be processed between the 45<sup>th</sup> and 60<sup>th</sup> day from the date of judgment entered 12/20/2024.

Roll call: Ayes: Dierkes, Matejek, Pacifico, Rinaldo, Van Deusen, Wass. Nays: 0.  
-----

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

**RESOLUTION 34-2025**

WHEREAS, Mayor Paul N. Mirabelli has re-appointed Frank Sahaj to the position of Municipal Judge in accordance with N.J.S.A. 2B:12-4 and Chapter 2 Section 57.1 of the Borough Code.

WHEREAS, this appointment requires the advice and consent of the Council.

NOW, THEREFORE, BE IT RESOLVED, by Mayor and Council of the Borough of Mountainside, County of Union, State of New Jersey that it hereby confirms the appointment of Frank Sahaj as Municipal Judge for a 3-year term ending December 31, 2027.

Roll call: Ayes: Dierkes, Matejek, Pacifico, Rinaldo, Van Deusen, Wass. Nays: 0.  
-----

Discussion was held regarding the cost to issue the school referendum bills. The cost was \$3,500 to prepare, print and mail the new bills. The council agreed to send an invoice to the school for the unfunded cost.  
-----

**BILLS & CLAIMS:**

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

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 4<sup>th</sup> day of February 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 \$32,992.00 (Copy of bill list attached)

Roll call: Ayes: Dierkes, Matejek, Pacifico, Rinaldo, Van Deusen, Wass. Nays: 0.  
-----

**AUDIENCE PARTICIPATION:**

John Campbell, 1407 Deer Path, complained about the recycling company missing his home on numerous occasions. DPW Director Deanna explained that he notified the company and will be sure the issue is resolved.  
-----

Upon a motion by Councilwoman Wass and a second by Councilman Van Deusen, 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 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 7:51 P.M.

-----

The meeting was recalled to public session.

Upon a motion by Councilman Dierkes and a second by Councilman Matejek, the meeting was unanimously adjourned at 8:01 P.M.

-----

\_\_\_\_\_  
Martha Lopez, RMC  
Borough Clerk