

**REGULAR MEETING
SEPTEMBER 18, 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.

Mayor Paul N. Mirabelli called the meeting to order at 7:37 P.M.

MOMENT OF SILENCE: Tex Jackson
INVOCATION: Councilman Messler
SALUTE TO THE FLAG
ROLL CALL

PRESENT: Mayor Mirabelli, Councilwoman Andre, Councilman Dierkes, Councilman Messler, Councilman Mortimer, Administrator Debbie and Attorney Post. Also present were Lt. Joseph Giannuzzi, Public Works Manager Ronald Romak and Recreation Director Frank Masella. Council President Turner was absent.

APPROVAL OF MINUTES:

Upon motion by Councilman Mortimer and a second by Councilman Dierkes, the minutes of the Regular & Executive Session Meetings held on August 21, 2018 were approved. Roll Call: Ayes: Andre, Dierkes, Messler, Mortimer. Nays: 0.

Upon motion by Councilman Mortimer a second by Councilman Messler, the minutes of the Work & Executive Session Meetings held on September 4, 2018 were approved. Roll Call: Ayes: Dierkes, Messler, Mortimer. Nays: 0. Abstained: Andre

APPOINTMENT OF A NEW COUNCIL MEMBER

Letters of endorsement were read for Rachel Pater.

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

RESOLUTION 105-2018

WHEREAS, there is a vacancy in the position of Council Member; and

WHEREAS, the Governing Body is desirous of filling that position; and

WHEREAS, pursuant to the Municipal Vacancy Law, NJSA 40A:16-1 et seq., and specifically NJSA 40A:16-5 and NJSA 40A:16-11, the Republican Committee has submitted the names of three nominees to the Governing Body so that the Governing Body may appoint one of those nominees as the successor to fill the vacancy in the office of Council Member; and

WHEREAS, the Governing Body has chosen Rachel Pater to fill the vacancy in the office of Council Member.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Mountainside that Rachel Pater be and he is hereby appointed to the position of Council Member until a newly elected Council Member is sworn into office following the election to be held in November of 2018, pursuant to NJSA 40A:16-5.

Roll Call: Ayes: Andre, Dierkes, Messler, Mortimer. Nays: 0.

OATH OF OFFICE PRESENTED BY CONGRESSMAN LEONARD LANCE

PROCLAMATIONS:

WHEREAS, William Watson Jackson, who was known to us as “Tex”, moved to Mountainside with his wife, Elsa, when he was 30 years old; and

WHEREAS, for the next 50 years Tex and Elsa lived at their home on Forest Hill Way, raised four children, and fully engaged themselves in the life of our community; and

WHEREAS, after a long battle with cancer Tex passed away at home on September 16, 2018, in the loving embrace of his family; and

WHEREAS, throughout his life Tex repeatedly responded to the call of duty, whether to serve his country as a United States Marine, to serve us here in Mountainside as a member of the Borough Council from 1988 to 1997, or his fellow depositors as a member of the Board of Directors of the Provident Bank when it transitioned to becoming a publicly owned institution; and

WHEREAS, Tex was possessed of a keen intelligence; a rapier wit, and an infectious sense of humor that enabled him to often bring moments of grace, amusement and laughter to the most difficult of circumstances; and

WHEREAS, we will all miss Tex; and

NOW THEREFORE BE IT RESOLVED, that on behalf a grateful community we extend to the family of William Tex Jackson our heartfelt condolences for their loss.

WHEREAS, during the spring and summer months, four members of the Girl Scout Troop 40499 worked as a group to earn a Silver Award; and

WHEREAS, the Girl Scout Silver Award is the second highest award of the Girl Scouts of the USA and the highest award that a Girl Scout Cadette can earn; and

WHEREAS, members of Troop 40499 proposed the revitalization of the area surrounding the flagpole memorial and the area near the tennis courts located at the Mountainside Municipal Building; and

WHEREAS, the troop members raised money for the project by having bake sales and through donations.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Mountainside recognizes their achievements and congratulates the following girls on this great accomplishment:

Abby Beigel
Allie Post

Naomi Monaghan
Julia Zuzovsky

RESOLUTIONS:

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

RESOLUTION 106-2018

WHEREAS, on August 30, 2018 the Borough of Mountainside received sealed bids for Contract 2018-9 Sanitary Sewer Replacement on Dunn Parkway; and

WHEREAS, the Borough has determined to reject the bids because they exceed our cost estimates and we plan to substantially revise the specifications for the project; and

WHEREAS, the Borough reserved in the Notice of Bid the right to reject any and all bids;

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Mountainside that all of the bids received on August 30, 2018 for Contract 2018-9 Sanitary Sewer Replacement on Dunn Parkway be and the same are hereby rejected.

Roll Call: Andre, Dierkes, Messler, Mortimer, Pater. Nays: 0.

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

RESOLUTION 107-2018

WHEREAS, the Governing body of the Borough of Mountainside is aware that Friday, September 21, 2018 has been declared as "POW/MIA Remembrance Day"; and

WHEREAS, all Americans everywhere owe a special debt of gratitude and a responsibility for remembering and honoring those who have given so much to make all of us free and secure in this, our national homeland, and a recognition day is a fitting testament and remembrance for all of us, for the sacrifices of our POW/MIA Veterans.

NOW, THEREFORE, BE IT RESOLVED the Mayor and Council of the Borough of Mountainside that it hereby declares, Friday, September 21, 2018 as:

"POW/MIA REMEMBRANCE DAY"

in the Borough of Mountainside and urges all citizens of the Borough of Mountainside to make a special effort to give thanks to and remember the sacrifices rendered to us by all these noble sons and daughters of America.

Roll Call: Andre, Dierkes, Messler, Mortimer, Pater. Nays: 0

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

RESOLUTION 108-2018

WHEREAS, the Borough of Mountainside would like to participate in the leaf disposal program at the Union County Conservation Center; and

WHEREAS, it is necessary to enter into an Indemnification Agreement and Memorandum of Understanding with the County of Union to participate in the leaf disposal program; and

WHEREAS, the current 2018 rate is \$2.00 per yard – loose, \$4.00 per yard – compacted.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Mountainside that the Mayor and Borough Clerk are hereby authorized to sign the Indemnification Agreement and Memorandum of Understanding to participate in the leaf disposal program at the Union County Conservation Center.

Roll Call: Andre, Dierkes, Messler, Mortimer, Pater. Nays: 0

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

RESOLUTION 109-2018

WHEREAS, the New Jersey Transportation Trust Fund Authority Act has provided funds for the improvement of municipal roads through the New Jersey Department of Transportation; and

WHEREAS, the Borough of Mountainside desires to apply for a grant for local aid funds for improvements of a municipal road; and

WHEREAS, the Borough Engineer will prepare the application for the grant for local aid for a section of roadway known as:

CREEK BED ROAD

NOW, THEREFORE, BE IT RESOLVED that the Council of the Borough of Mountainside formally approves the grant application for the above stated project.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to sign the grant agreement on behalf of the Borough of Mountainside and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

Roll Call: Andre, Dierkes, Messler, Mortimer, Pater. Nays: 0

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

RESOLUTION 110-2018

WHEREAS, receivable balance exist in the records of the Borough; and

WHEREAS, the balance is as follows:

Municipal Alliance Grant	\$ 432.48
Union County History Grant	\$ 1,200.00

NOW, THEREFORE, BE IT RESOLVED that the Chief Finance Officer cancel this balance from the records of the Borough.

Roll Call: Andre, Dierkes, Messler, Mortimer, Pater. Nays: 0

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

RESOLUTION 111-2018

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, Zanny Lopez is experienced in performing the duties of Deputy Court Administrator; and

WHEREAS, the Mountainside Court Interview Panel and Assignment Judge Cassidy have recommended that the Borough Council take action and hire Zanny Lopez.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Mountainside that Zanny Lopez is hereby hired as Deputy Court Administrator at an annual salary of \$47,000, effective August 27, 2018.

BE IT FURTHER RESOLVED, that Zanny Lopez be hired as a probationary employee for a period of ninety (90) days in accordance with the Borough of Mountainside Personnel Policy & Procedures Manual.

Roll Call: Andre, Dierkes, Messler, Mortimer, Pater. Nays: 0

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

RESOLUTION 112-2018

A RESOLUTION TO AFFIRM THE BOROUGH OF MOUNTAINSIDE'S CIVIL RIGHTS POLICY WITH RESPECT TO ALL OFFICIALS, APPOINTEES, EMPLOYEES, PROSPECTIVE EMPLOYEES, VOLUNTERS, INDEPENDENT CONTRACTORS, AND MEMBERS OF THE PUBLIC THAT COME INTO CONTACT WITH MUNICIPAL EMPLOYEES, OFFICIALS AND VOLUNTEERS

WHEREAS, it is the policy of the Borough of Mountainside to treat the public, employees, prospective employees, appointees, volunteers and contractors in a manner consistent with all applicable civil rights laws and regulations including, but not limited to the Federal Civil Rights Act of 1964 as subsequently amended, the New Jersey Law against Discrimination, the Americans with Disabilities Act and the Conscientious Employee Protection Act, and

WHEREAS, the governing body of the Borough of Mountainside has determined that certain procedures need to be established to accomplish this policy

NOW, THEREFORE BE IT ADOPTED by the Borough of Mountainside governing body that:

Section 1: No official, employee, appointee or volunteer of the Borough of Mountainside by whatever title known, or any entity that is in any way a part of the Borough of Mountainside shall engage, either directly or indirectly in any act including the failure to act that constitutes discrimination, harassment or a violation of any person's constitutional rights while such official, employee, appointee volunteer, or entity is engaged in or acting on behalf of the Borough of Mountainside's business or using the facilities or property of the Borough of Mountainside.

Section 2: The prohibitions and requirements of this resolution shall extend to any person or entity, including but not limited to any volunteer organization or inter-local organization, whether structured as a governmental entity or a private entity, that receives authorization or support in any way from the Borough of Mountainside to provide services that otherwise could be performed by the Borough of Mountainside.

Section 3: Discrimination, harassment and civil rights shall be defined for purposes of this resolution using the latest definitions contained in the applicable Federal and State laws concerning discrimination, harassment and civil rights.

Section 4: The Borough Administrator shall establish written procedures for any person to report alleged discrimination, harassment and violations of civil rights prohibited by this resolution. Such procedures shall include alternate ways to report a complaint so that the person making the complaint need not communicate with the alleged violator in the event the alleged violator would be the normal contact for such complaints.

Section 5: No person shall retaliate against any person who reports any alleged discrimination, harassment or violation of civil rights, provided however, that any person who reports alleged violations in bad faith shall be subject to appropriate discipline.

Section 6: The Borough Administrator shall establish written procedures that require all officials, employees, appointees and volunteers of the Borough of Mountainside as well as all other entities subject to this resolution to periodically complete training concerning their duties, responsibilities and rights pursuant to this resolution.

Section 7: The Borough Administrator shall establish a system to monitor compliance and shall report at least annually to the governing body the results of the monitoring.

Section 8: At least annually, the Borough Administrator shall cause a summary of this resolution and the procedures established pursuant to this resolution to be communicated within the Borough of Mountainside. This communication shall include a statement from the governing body expressing its unequivocal commitment to enforce this resolution. This summary shall also be posted on the Borough of Mountainside's web site.

Section 9: This resolution shall take effect immediately.

Section 10: A copy of this resolution shall be published in the official newspaper of the Borough of Mountainside in order for the public to be made aware of this policy and the Borough of Mountainside's commitment to the implementation and enforcement of this policy.

Roll Call: Andre, Dierkes, Messler, Mortimer, Pater. Nays: 0

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

RESOLUTION 113-2018

WHEREAS, in accordance with applicable provisions of the Public Contracts Law, the Borough advertised for Bids for Contract 2018-8 for “Paving Improvements to Chipmunk Hill”; and

WHEREAS, on August 15, 2018 the return date for the bids, two bids were received as follows:

Contractors:	Base Bid	Alt. #1	Alt. #2
Denbar Construction Inc.	\$155,557.40	\$16,900.00	\$20,000.00
Reivax Contracting Corp.	\$306,293.40	\$25,350.00	\$19,000.00

WHEREAS, the Borough Engineer recommends awarding the Base Bid; and

WHEREAS, the lowest bidder is Denbar Construction Inc. and the Borough Engineer has recommended that Contract 2018-8 be awarded to Denbar Construction Inc., 625 B North Michigan Avenue, Kenilworth, New Jersey 07033.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Mountainside that Contract 2018-8 for Paving Improvements to Chipmunk Hill is awarded to Denbar Construction Inc., 625 B North Michigan Avenue, Kenilworth, New Jersey 07033 in the amount of \$155,557.40.

Roll Call: Andre, Dierkes, Messler, Mortimer, Pater. Nays: 0

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

RESOLUTION 114-2018

WHEREAS, on September 18, 2018 the Governing Body adopted a Resolution appointing Robert Very to be a Hearing Officer to hear disciplinary charges pending against Lt. Thomas Murphy; and

WHEREAS, the attorney representing Lt. Murphy has objected to such appointment and requested that a different hearing officer be appointed; and

NOW THEREFORE BE IT RESOLVED, that David Paris, Esq. is hereby substituted for Robert Very as the Hearing Officer to hear disciplinary charges against Thomas Murphy.

Roll Call: Andre, Dierkes, Messler, Mortimer, Pater. Nays: 0

ORDINANCES: Second Reading (Public Hearing)

ORDINANCE 1268-2018

AN ORDINANCE AMENDING ARTICLE 10, SECTION 1006(a) OF THE LAND USE ORDINANCE OF THE BOROUGH OF MOUNTAINSIDE

WHEREAS, Article 10, Section 1006(a) of the Land Use Ordinance of the Borough of Mountainside was amended by way of Ord. 1230-2014 with respect to, in particular, the construction of sheds and similar structures, and

WHEREAS, the Mayor and Council of the Borough of Mountainside, County of Union, and State of New Jersey have determined that there is a need to amend this section of the Land Use Ordinance to address certain circumstances for when a zoning permit is necessary in the Borough; and

NOW THEREFORE BE IT ORDAINED by the Mayor and Council as follows: Article 10, Subsection 1006(a) of the Borough Code be and the same is hereby amended as follows:

- (a) For the construction of sheds or similar structures totaling 200 square feet or less in size and 10 feet or less in height, a zoning permit shall be required in a form approved by the Zoning Official.

This ordinance shall take effect immediately upon final adoption and publication and in the manner provided by law.

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 Mortimer closed the meeting to the public.

It was moved by Councilman Dierkes and seconded by Councilman Mortimer that this ordinance be passed on second and final reading and advertised by title only.

Roll Call: Andre, Dierkes, Messler, Mortimer, Pater. Nays: 0

First Reading (Introduction)

ORDINANCE 1269-2018

AN ORDINANCE IMPLEMENTING THE COLLECTIVE BARGAINING AGREEMENT BETWEEN THE BOROUGH OF MOUNTAINSIDE AND THE MOUNTAINSIDE P.B.A. LOCAL 126 FOR THE PERIOD OF JANUARY 1, 2018 THROUGH DECEMBER 31, 2021

WHEREAS, the Borough of Mountainside is desirous of entering into a Collective Bargaining Agreement with the P.B.A. Local 126 ("PBA") for the purpose of establishing salary and benefits for the period of January 1, 2018 through December 31, 2021; and

WHEREAS, the parties have determined to enter into a Collective Bargaining Agreement ("CBA"); and

WHEREAS, the Borough Finance Officer has certified that sufficient funds are available for this contract for the current fiscal year.

BE IT ORDAINED by the Mayor and Council of the Borough of Mountainside, County of Union, State of New Jersey, that the appropriate Borough officials are hereby authorized to execute the Collective Bargaining Agreement between the Borough of Mountainside and the Mountainside P.B.A. Local 126, for the period of January 1, 2018 through December 31, 2021 as follows:

Section I: The annual salaries fixed for the several ranks and officers of the Police Department of the Borough of Mountainside shall be as follows:

SCHEDULE "A"
SALARIES
(Officers hired prior to January 1, 2012)

Rank	2018	2019	2020	2021
CAPTAIN	\$135,797.52	\$138,852.97	\$142,324.29	\$145,882.40
LIEUTENANT	\$132,211.47	\$135,186.23	\$138,565.88	\$142,030.03
DETECTIVE SERGEANT	\$128,676.20	\$131,571.42	\$134,860.70	\$138,232.22
SERGEANT	\$125,480.99	\$128,304.31	\$131,511.92	\$134,799.72
CORPORAL	\$119,396.40	\$122,082.82	\$125,134.89	\$128,263.26
DETECTIVE ¹	\$119,208.71	\$121,890.90	\$124,938.18	\$128,061.63
7th YEAR	\$114,707.37	\$117,288.29	\$120,220.49	\$123,226.01
6th YEAR	\$103,619.09	\$105,950.52	\$108,599.28	\$111,314.26
5th YEAR	\$92,537.43	\$94,619.52	\$96,985.01	\$99,409.63
4th YEAR	\$81,456.87	\$83,289.65	\$85,371.89	\$87,506.19
3rd YEAR	\$70,374.11	\$71,957.53	\$73,756.47	\$75,600.38
2nd YEAR	\$59,294.66	\$60,628.79	\$62,144.51	\$63,698.12
PROBATION	\$46,492.84	\$47,538.93	\$48,727.40	\$49,945.59

** Indicates RANKS made by PROMOTION, not temporary assignment to Detective Bureau, as mention in Article XIV(D).*

SCHEDULE "B"
(Officers hired after January 1, 2012)

Rank	2018	2019	2020	2021
CAPTAIN	\$135,797.52	\$138,852.97	\$142,324.29	\$145,882.40
LIEUTENANT	\$132,211.47	\$135,186.23	\$138,565.88	\$142,030.03
DETECTIVE SERGEANT*	\$128,676.20	\$131,571.42	\$134,860.70	\$138,232.22
SERGEANT	\$125,480.99	\$128,304.31	\$131,511.92	\$134,799.72
CORPORAL	\$119,396.40	\$122,082.82	\$125,134.89	\$128,263.26
DETECTIVE*	\$119,208.71	\$121,890.90	\$124,938.18	\$128,061.63
After 10TH YEAR	\$114,707.37	\$117,288.29	\$120,220.49	\$123,226.01
10TH YEAR	\$105,532.46	\$107,906.94	\$110,604.61	\$113,369.73
9TH YEAR	\$98,605.46	\$100,824.08	\$103,344.68	\$105,928.30
8TH YEAR	\$91,678.45	\$93,741.22	\$96,084.75	\$98,486.87
7TH YEAR	\$84,751.45	\$86,658.36	\$88,824.82	\$91,045.44
6TH YEAR	\$77,824.45	\$79,575.50	\$81,564.89	\$83,604.01
5TH YEAR	\$70,897.44	\$72,492.64	\$74,304.95	\$76,162.58
4TH YEAR	\$63,970.44	\$65,409.78	\$67,045.02	\$68,721.15
3RD YEAR	\$57,043.44	\$58,326.92	\$59,785.09	\$61,279.72
2ND YEAR	\$50,116.44	\$51,244.06	\$52,525.16	\$53,838.29
PROBATION	\$43,189.43	\$44,161.20	\$45,265.22	\$46,396.86

Section II: The various provisions of the Borough of Mountainside/P.B.A. Local 126 proposed agreement, arrived at as a result of negotiation, are enacted. The main headings are as follows:

Title Page	
Preamble	
Article I	- Recognition
Article II	- Management Rights and Responsibilities
Article III	- Grievance Procedure
Article IV	- P.B.A. Representatives
Article V	- Deductions from Salary
Article VI	- Maintenance of Operation
Article VII	- Hours of Work, Overtime, Compensatory Time, and Recall
Article VIII	- Vacation
Article IX	- Holiday Pay
Article X	- Sick Leave
Article XI	- Medical Insurance and Fringe Benefits
Article XII	- Military Leave
Article XIII	- Retirement
Article XIV	- Salaries
Article XV	- Longevity Pay
Article XVI	- Investigation of Police Officers
Article XVII	- Ceremonial Activities
Article XVIII	- Personnel Files
Article XIX	- Bulletin Board
Article XX	- Education
Article XXI	- Non-Discrimination
Article XXII	- Separability and Savings
Article XXIII	- Leave Time (Bereavement and Personal)
Article XXIV	- Terminal Leave
Article XXV	- Term and Renewal
Schedule A	-Salaries
Schedule B	-Salaries

Section III: Except as otherwise provided in the text of the Agreement the terms shall be effective as of January 1, 2018 and retroactive thereto.

Section IV: This ordinance shall take effect immediately upon final passage and publication as provided by law.

Section V: Ordinance 1215-2014 is hereby repealed.

This ordinance shall take effect immediately upon final adoption and publication and in the manner provided by law.

It was moved by Councilman Mortimer and seconded by Councilman Messler that this ordinance be passed on first reading and advertised in full for a public hearing on October 16, 2018.

Roll Call: Andre, Dierkes, Messler, Mortimer, Pater. Nays: 0

MOTION: The following motion was unanimously approved.

1. Approve raffle applications from Mountainside PTO for an on premise draw raffle and NJ Association of Twin Mothers Club Inc. for a 50/50 off premise draw raffle

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 18th day of September 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 \$187,402.47 (Copy of bill list attached).

COUNCIL COMMENTS:

Councilman Mortimer highlighted upcoming Public Library events.

Councilwoman Andre invited residents to attend the baseball parade.

Councilman Messler announced leaf pickup and the latest edition of the Peak Newsletter.

Mayor Mirabelli made a statement regarding inaccuracies in a letter to the Editor of the Westfield Leader regarding the departure of two police officers.

AUDIENCE PARTICIPATION:

Frank Kelly, 1160 Ridge Drive, endorsed Councilwoman Rachel Pater.

Daniela Faibes, 9 Mountainview Drive, questioned why the minutes of the Regular Session Meeting of July were not posted on the website.

Marnie Dardanella, 1196 Blazo Terrace, endorsed Councilwoman Rachel Pater.

Ted Lastrange, 43 Prospect Hill Road, NY, spokem to raise awareness of unethical organ transplant practices in China.

Isha Mehrotra, 215 Queens Lane, questioned when Councilwoman Fech-Caccamo resigned.

Liz Truman, 355 Cherry Hill Road, inquired about the legal process for replacing Councilwoman Fech-Caccamo and the availability of commuter parking spaces at the Library. She also expressed her concerns about the lawsuit.

Margaret Hanlon, 240 Beechwood Court, disapproved of the political campaigning for Councilwoman Pater at this meeting.

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

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 8:26 P.M.

The meeting was recalled to public session at 8:57 P.M.

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

Martha Lopez, RMC
Borough Clerk