

**REGULAR MEETING
MAY 20, 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 7:32 P.M.

INVOCATION: Councilman Van Deusen
SALUTE TO THE FLAG
ROLL CALL

PRESENT: Mayor Mirabelli, Councilman Dierkes, Councilman Matejek, Council President Pacifico, Councilman Van Deusen, Councilwoman Wass, Administrator Mortimer and Attorney Post. Also present were Police Chief Joseph Giannuzzi, Senior Coordinator Kim Moriak and CFO Justyna Diaz. Councilman Rinaldo was absent.

APPROVAL OF MINUTES:

Upon motion by Councilman Dierkes a second by Councilman Matejek, the minutes of the Regular Session Meeting held on April 22, 2025 were approved. Roll Call: Ayes: Dierkes, Matejek, Van Deusen, Wass. Abstained: Pacifico. Nays: 0.

Upon motion by Councilman Dierkes a second by Councilwoman Pacifico, the minutes of the Work Session Meeting held on May 6, 2025 were approved. Roll Call: Ayes: Dierkes, Matejek, Pacifico, Van Deusen, Wass. Nays: 0.

ORDINANCE: Second Reading (Public Hearing)

ORDINANCE 1341-2025
CALENDAR YEAR 2025
ORDINANCE TO ESTABLISH A CAP BANK
(N.J.S.A. 40A:4-45.14)

WHEREAS, the Local Government Cap Law, N.J.S.A. 40A:4-45.1 et.seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said final budget appropriations to 2.50% unless authorized by ordinance to increase it to 3.5% over the previous years final appropriations; and,

WHEREAS, a municipality may, by ordinance, bank the difference between its final budget appropriations and the 3.5% increase authorized by this ordinance when said difference is not appropriated as part of the final budget; and,

WHEREAS, the Borough Council of the Borough of Mountainside, County of Union, hereby determines that this difference in the amount of \$110,834.64 that is not appropriated as part of the final budget shall be retained as an exception to the final appropriations in either of the next two succeeding years.

NOW THEREFORE BE IT ORDAINED, that any amount authorized herein above that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and

BE IT FURTHER ORDAINED, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and

BE IT FURTHER ORDAINED, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

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

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

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

Mayor Mirabelli provided a summary of the 2025 proposed municipal budget.

Mayor Mirabelli opened the meeting to anyone wishing to discuss the 2025 municipal budget.

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

RESOLUTIONS:

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

RESOLUTION 61-2025

GOVERNING BODY CERTIFICATION OF COMPLIANCE WITH THE
UNITED STATES EQUAL EMPLOYMENT OPPORTUNITY COMMISSION'S
"Enforcement Guidance on the Consideration of Arrest and Conviction Records in
Employment Decisions Under Title VII of the Civil Rights Act of 1964"

WHEREAS, N.J.S.A. 40A:4-5 as amended by P.L. 2017, c.183 requires the governing body of each municipality and county to certify that their local unit's hiring practices comply with the United States Equal Employment Opportunity Commission's "Enforcement Guidance on the Consideration of Arrest and Conviction Records in Employment Decisions Under Title VII of the Civil Rights Act of 1964," as amended, 42 U.S.C. § 2000e et seq., (April 25, 2012) before submitting its approved annual budget to the Division of Local Government Services in the New Jersey Department of Community Affairs; and

WHEREAS, the members of the governing body have familiarized themselves with the contents of the above-referenced enforcement guidance and with their local unit's hiring practices as they pertain to the consideration of an individual's criminal history, as evidenced by the group affidavit form of the governing body attached hereto.

NOW, THEREFORE BE IT RESOLVED, That the Mayor and Council of the Borough of Mountainside, hereby states that it has complied with N.J.S.A. 40A:4-5, as amended by P.L. 2017, c.183, by certifying that the local unit's hiring practices comply with the above-referenced enforcement guidance and hereby directs the Clerk to cause to be maintained and available for inspection a certified copy of this resolution and the required affidavit to show evidence of said compliance.

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

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

RESOLUTION 62-2025

BE IT RESOLVED, by the Mayor and Council of the Borough of Mountainside, County of Union, that the budget herein before set forth is hereby adopted and shall constitute an appropriation for the purposes of the sums therein as set forth as appropriations, and authorization of the amount of \$10,596,031.07 for municipal purposes.

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

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

RESOLUTION 63-2025

WHEREAS, in accordance with Chapter 72, P.L. 1994, the Borough of Mountainside has the authority to prepare and issue estimated tax bills; and

WHEREAS, in order for the Borough of Mountainside to meet our financial obligations, maintain the tax collection rate, provide uniformity for tax payments and save the unnecessary cost of interest expenses on borrowing it would be in our best interest to do so; and

WHEREAS, the Tax Collector and the Chief Financial Officer have reviewed and computed an estimated levy in accordance with N.J.S.A. 54:4-66.3.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Mountainside on this 20th day of May, 2025, as follows:

1. The Borough of Mountainside Tax Collector is hereby authorized and directed to prepare and issue estimated bill for the Borough of Mountainside for the third quarter of 2025 taxes, in accordance with the provisions of N.J.S.A. 54:4-66.2 et seq. in the event a tax rate is not certified timely.
2. The entire estimated tax levy for 2025 is hereby set at \$40,533,258.08.

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

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

RESOLUTION 64-2025

WHEREAS, N.J.S.A. 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 2024 has been filed by a Registered Municipal Accountant with the Borough Clerk as per the requirements of N.J.S.A. 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 have reviewed, as a minimum, the sections of the annual audit entitled:

GENERAL COMMENTS
RECOMMENDATIONS and;

WHEREAS, the members of the Governing Body have 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: Ayes: Dierkes, Matejek, Pacifico, Van Deusen, Wass. Nays: 0.

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

RESOLUTON 65-2025

WHEREAS, the Chief Finance Officer is required to submit a Corrective Action Plan of the 2024 Municipal Audit Report to the Governing Body;

NOW, THEREFORE, BE IT RESOLVED that the following 2024 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 2024 Audit Corrective Action Plan be forwarded to the Division of Local Government Services.

2024 Audit- Corrective Action Plan
Recommendation: None
Corrective Action: None

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

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

RESOLUTION 66-2025

WHEREAS, there is a vacancy in the position of Communication Officer; and

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

WHEREAS, the Police Committee has recommended that the Borough Council take action to hire Christopher Jackson; and

WHEREAS, Christopher Jackson will be eligible for 80 hours of sick time and 80 hours of vacation time in 2026. In 2025, he will be eligible for paid time off accrued based on the employee handbook.

NOW, THEREFORE, BE IT RESOLVED, by Mayor and Council of the Borough of Mountainside that Christopher Jackson is hereby appointed as Communication Officer at a starting annual salary of \$49,627.37, effective April 21, 2025; and

BE IT FURTHER RESOLVED, that Christopher Jackson be hired as a probationary employee with a six-month probationary period in accordance with the Borough of Mountainside Personnel Policy & Procedures Manual.

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

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

RESOLUTION 67-2025

WHEREAS, Deanna Andre resigned from the Tax Assessing Secretary position effective April 3, 2025; and

WHEREAS, the salary for the additional duties of the Tax Assessing Secretary was \$5,175.00 annually; and

WHEREAS, due to her resignation from the Tax Assessing Secretary role, the \$5,175.00 allocated for those duties shall be deducted from her total annual salary; and

WHEREAS, the adjusted annual salary reflecting the removal of the Tax Assessing Secretary duties shall be \$54,855.00 to compensate for the DPW Secretary position.

NOW, THEREFORE, BE IT RESOLVED, by Mayor and Council of the Borough of Mountainside that Deanna Andre's salary adjustment is hereby approved and passed.

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

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

RESOLUTION 68-2025

WHEREAS, Local 863 Corp. took real estate tax appeals for the 2023 and 2024 calendar years, and

WHEREAS, the Borough Tax Assessor and the Borough Attorney were able to negotiate settlements regarding such appeals that were in the best interests of the Borough; and

WHEREAS, pursuant to such settlements the assessed valuations of Block 5.20, Lot 25 were established for 2023 and 2024 at \$2,100,000 and \$2,000,000 respectively; and

WHEREAS, by reason of such settlements the taxpayer is due refunds for the years in question totaling \$21,638.34.

NOW, THEREFORE, BE IT RESOLVED:

1. That the aforesaid settlements be and they hereby are approved, and
2. That the appropriate Borough Officials be and they hereby are authorized to issue a refund check to the taxpayer in the amount of \$21,638.34.

I, Martha Lopez, Borough Clerk of Mountainside, do hereby certify that the foregoing resolution was duly adopted by the Mountainside Borough Council at a public meeting held on May 20, 2025.

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

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

RESOLUTION 69-2025

WHEREAS, there exist a need for Pool and Summer Staff in the Recreation Department that will operate from April 1st to September 30th; and

WHEREAS, Recreation Director Frank Masella and the Recreation Committee has recommended that the following individuals be appointed to said positions:

Pool	Effective April 1st		
Name	Position	Wage	
Maximus Bonilla	Lifeguard	\$16.50	Per Hour
Natalie Dillon	Desk	\$15.00	Per Hour
Matthew DiRado	Lifeguard	\$16.50	Per Hour
Jackson Hyman	Lifeguard	\$16.00	Per Hour
Garrett Jancourtz	Lifeguard	\$17.00	Per Hour
Francis Kelly, III	Lifeguard	\$17.00	Per Hour
Charlotte Keenan	Desk	\$14.30	Per Hour

Dylan Kreisberg	Gate	\$14.50	Per Hour
Keri Kapusanski	Lifeguard	\$16.00	Per Hour
Annabelle Kuzman	Lifeguard	\$16.50	Per Hour
Patrick Mamrach	Head Maintenance	\$19.00	Per Hour
Kelly Patterson	Gate	\$15.00	Per Hour
Victor Paz	Lifeguard	\$15.00	Per Hour
Devyn Perucki	Lifeguard	\$16.00	Per Hour
Ethan Phillips	Lifeguard	\$16.00	Per Hour
James Ruban, III	Maintenance	\$16.00	Per Hour
Nicholas Silva	Lifeguard	\$17.00	Per Hour
Erin Whelan	Lifeguard	\$16.00	Per Hour

Recreation

Name	Position	Wage	
Anna Fiamingo	Playground Camp Supervisor	\$17.50	Per Hour
Mikayla Lapinski	Assistant Camp Counselor	\$15.00	Per Hour
Doryan Amato	Tennis/Pickleball Instructor	\$40.00	Per Hour
Riley Amato	Tennis/ Pickleball Instructor	\$40.00	Per Hour
Sarah Gillo	Tennis/ Pickleball Instructor	\$40.00	Per Hour
James Ruban, Jr	Tennis/Pickleball Instructor	\$40.00	Per Hour
James Ruban, III	Tennis/Pickleball Instructor	\$40.00	Per Hour
Sabrina Ruban	Tennis/Pickleball Instructor	\$40.00	Per Hour
Taylor Mason	Tennis Instructor	\$40.00	Per Hour
Patricia Esler	Pickleball Instructor	\$40.00	Per Hour
Shelby Senkarik	Yoga Instructor	\$45.00	Per Class

WHEREAS, each of the above individuals shall be appointed as temporary employees for the 2025 pool and summer season; and

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Mountainside that the recommendation of Recreation Director Frank Masella and the Recreation Committee be and hereby are accepted and approved pending background checks.

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

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

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

RESOLUTION 70-2025

GSCUD Governor's Council on Substance Use Disorder
 Fiscal Grant Cycle July 1, 2020-June 30, 2025
 FORM 1B

WHEREAS, the Governor’s Council on Alcoholism and Drug Abuse established the Municipal Alliances for the Prevention of Alcoholism and Drug Abuse in 1989 to educate and engage residents, local government and law enforcement officials, schools, nonprofit organizations, the faith community, parents, youth and other allies in efforts to prevent alcoholism and drug abuse in communities throughout New Jersey.

WHEREAS, The Mountainside Council of the Borough of Mountainside, County of Union, State of New Jersey recognizes that the abuse of alcohol and drugs is a serious problem in our society amongst persons of all ages; and therefore has an established Municipal Alliance Committee; and

WHEREAS, the Mountainside Borough Council further recognizes that it is incumbent upon not only public officials but upon the entire community to take action to prevent such abuses in our community; and

WHEREAS, the Mountainside Borough Council has applied for funding to the Governor’s Council on Alcoholism and Drug Abuse through the County of Union.

NOW, THEREFORE, BE IT RESOLVED by the Borough of Mountainside, County of Union, State of New Jersey hereby recognizes the following:

1. The Mountainside Borough Council does hereby authorize submission of a strategic plan for the Mountainside Municipal Alliance grant for fiscal year July 1, 2025 – June 30, 2026 in the amount of:

DEDR	\$ 10,160.00
Cash Match	\$ 2,540.00
In-Kind	\$ 7,620.00

2. The Mountainside Borough Council acknowledges the terms and conditions for administering the Municipal Alliance grant, including the administrative compliance and audit requirements.

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

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

RESOLUTION 71-2025

WHEREAS, the Borough of Mountainside requires architectural services for the proposed reroofing and repairs project at the Mountainside Library; and

WHEREAS, such award of contract shall be made as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-2-.5; and

WHEREAS, Heintz & Fiore, has submitted a proposal indicating they will provide architectural services for the Mountainside Library project at a cost not to exceed \$50,000; and

WHEREAS, the anticipated term of the contract is one year or less and shall become effective upon the adoption of a fully funded ordinance on June 18, 2025; and

WHEREAS, Heintz & Fiore, AIA has completed and submitted a Business Entity Disclosure Certification which certifies that it has not made any reportable contributions to a political candidate or candidate committee in the Borough of Mountainside in the previous year, and

acknowledging that the contract will prohibit them from making any reportable contributions through the term of the contract; and

WHEREAS, Heintz & Fiore, AIA has completed and submitted to the Borough, the necessary documents in accordance with the New Jersey Local Unit "Pay to Play" Laws (N.J.S.A.19:44A-20-4 et. seq.); and

WHEREAS, the CFO has certified that the funds are available for this contract.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Mountainside authorizes borough officials to enter into a contract with Heintz & Fiore as described herein; and

BE IT FURTHER RESOLVED that award of this contract will be published in the appropriate newspaper within ten days hereof.

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

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

RESOLUTION 72-2025

WHEREAS, the Elks Club is a non-profit organization consisting of mainly Mountainside residents; and

WHEREAS, the Elks Club has requested that the Borough waive the \$457.00 permit fees paid for the refurbishment of the women's bathroom; and

WHEREAS, the Governing Body has, in the past, waived such fees in order to enable the organization to use those funds towards community events.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Mountainside that the permit fees of \$457.00, be and the same is hereby waived.

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

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

RESOLUTION 73-2025

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

<u>Applicant</u>	<u>For</u>	<u>Amount</u>
Fabio Barbato 853 Hillside Avenue Mountainside, NJ 07092	Credit Card Swiped Twice	\$75.00
Francesco Guastella 325 Linda Drive Mountainside, NJ 07092	Credit Card Swiped Twice	\$84.00

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

ORDINANCE 1342-2025

BOND ORDINANCE TO AUTHORIZE THE UNDERTAKING OF VARIOUS INFRASTRUCTURE IMPROVEMENTS IN, BY AND FOR THE BOROUGH OF MOUNTAINSIDE, IN THE COUNTY OF UNION, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$1,100,000 TO PAY THE COST THEREOF, TO MAKE A DOWN PAYMENT, 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 undertake various infrastructure improvements in, by and for the Borough consisting of: (A) bank stabilization at various locations; (B) sanitary and storm sewer improvements at various locations; (C) curb construction or reconstruction at various locations; and (D) 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 (D) of the preceding sentence. Said improvements shall include all work, materials and appurtenances necessary and suitable therefor. It is hereby determined and stated that said roads to be improved are or will be of "Class B" 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").

Section 2. The sum of \$1,100,000 is hereby appropriated to the payment of the cost of making the improvements described in Section 1 hereof (hereinafter referred to as "purpose"). Said appropriation shall be met from the proceeds of the sale of the bonds authorized and the down payment 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 (1) said purpose is not a current expense of said Borough, and (2) it is necessary to finance said purpose by the issuance of obligations of said Borough pursuant to the Local Bond Law, and (3) the estimated cost of said purpose is \$1,100,000, and (4) \$55,000 of said sum is to be provided by the down payment hereinafter appropriated to finance said purpose, and (5) the estimated maximum amount of bonds or notes necessary to be issued for said purpose is \$1,045,000, and (6) the cost of such purpose, as hereinbefore stated, includes the aggregate amount of \$145,000 which is estimated to be necessary to finance the cost of such purpose, 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 4. It is hereby determined and stated that moneys exceeding \$55,000, 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 purpose. The sum of \$55,000 is hereby appropriated from such moneys to the payment of the cost of said purpose.

Section 5. To finance said purpose, bonds of said Borough of an aggregate principal amount not exceeding \$1,045,000 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 6. To finance said purpose, bond anticipation notes of said Borough of an aggregate principal amount not exceeding \$1,045,000 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 7. 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 of the Borough who is hereby authorized to sell said notes either at one time or from time to time in the manner provided by law.

Section 8. It is hereby determined and declared that the period of usefulness of said purpose, according to its reasonable life, is a period of ten years computed from the date of said bonds.

Section 9. 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 \$1,045,000 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 10. 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 purpose, shall be applied to the payment of the cost of such purpose, or, if bond anticipation notes have been issued, to the payment of the bond anticipation notes, and the amount of bonds authorized for such purpose shall be reduced accordingly.

Section 11. 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 12. The Borough intends to issue the bonds or notes to finance the cost of the improvements described in Section 1 of this bond ordinance. 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 13. 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 14. This ordinance shall take effect twenty days after the first publication thereof after final passage.

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

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

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

Second Reading (Public Hearing)

ORDINANCE 1343-2025

AN ORDINANCE TO APPROPRIATE THE SUM OF TWO HUNDRED EIGHTEEN THOUSAND SIX HUNDRED SEVENTY-FOUR (\$218,674.00) FOR THE RESURFACING OF CHAPEL HILL AND OUTLOOK DRIVE WEST

WHEREAS, the Governing Body of the Borough of Mountainside have decided to resurface Chapel Hill and Outlook Drive West; and

WHEREAS, a grant award is now available from NJDOT in the amount of \$218,674.00; and

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

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Borough of Mountainside that the sum of \$218,674.00 be and is hereby appropriated for the resurfacing of Chapel Hill and Outlook Drive West.

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 \$218,674.00.

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

It was moved by Councilwoman Wass and seconded by Councilwoman Pacifico that this ordinance be passed on second and final reading and advertised by title only.

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

First Reading (Introduction)

ORDINANCE 1344-2025

AN ORDINANCE TO APPROPRIATE THE SUM OF THIRTY-FIVE THOUSAND DOLLARS (\$35,000.00) FROM THE CAPITAL IMPROVEMENT FUND FOR THE WATER PIT PROJECT LOCATED AT THE MUNICIPAL POOL

WHEREAS, the Governing Body of the Borough of Mountainside is desirous to begin the water pit project located at the Municipal Pool; and

WHEREAS, funds up to the amount of \$35,000.00 may be needed; and

WHEREAS, the Governing Body of the Borough of Mountainside concurs that the project is necessary.

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and Council of the Borough of Mountainside that the sum of \$35,000.00 be and is hereby appropriated from the Capital Improvement Fund for the above stated project.

It was moved by Councilman Matejek and seconded by Councilwoman Wass that this ordinance be passed on first reading and advertised in full for a public hearing on June 17, 2025.

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

ORDINANCE 1345-2025

AN ORDINANCE TO APPROPRIATE THE SUM OF SIX HUNDRED-SEVENTEEN THOUSAND DOLLARS (\$617,000.00) FROM THE CAPITAL IMPROVEMENT FUND FOR REROOFING AND REPAIRS PROJECT AT THE MOUNTAINSIDE PUBLIC LIBRARY

WHEREAS, the Governing Body of the Borough of Mountainside is desirous to begin the reroofing and repairs project; and

WHEREAS, funds up to the amount of \$617,000.00 may be needed to fund the project.

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and Council of the Borough of Mountainside that the sum of \$617,000.00 be and the same is hereby appropriated from the Capital Improvement Fund for the above project.

BE IT FURTHER ORDAINED that contributions from the Mountainside Public Library shall reimburse the funds appropriated from the Capital Improvement Fund for said project.

It was moved by Councilman Dierkes and seconded by Councilwoman Wass that this ordinance be passed on first reading and advertised in full for a public hearing on June 17, 2025.

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

BILLS & CLAIMS:

The following resolution was introduced by Councilman Dierkes 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 20th day of May 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 \$168,236.44 (Copy of bill list attached).

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

COUNCIL COMMENTS:

Councilman Matejek announced National Public Works Week.

Councilwoman Pacifico thanked the Restoration Committee for hosting Afternoon Tea.

Councilwoman Wass attended the meal program volunteer dinner and thanked them for all they do. She announced the upcoming Rescue Squad Open House.

Mayor Mirabelli invited residents to attend the Memorial Day Festivities.

AUDIENCE PARTICIPATION: None

Frances and Liam presented their school project by educating the public about pollution.

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

Upon a motion by Councilman Dierkes and a second by Councilwoman Pacifico 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, 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 8:07 P.M.

The meeting was recalled to public session.

Upon a motion by Councilman Dierkes and a second by Councilwoman Pacifico, the meeting was unanimously adjourned at 8:39 P.M.

Martha Lopez, RMC
Borough Clerk