REGULAR MEETING
NOVEMBER 20, 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 7:32 P.M.

INVOCATION: Councilwoman Pater
SALUTE TO THE FLAG
ROLL CALL

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

APPROVAL OF MINUTES:

Upon motion by Councilman Turner and a second by Councilman Mortimer, the minutes of the Regular Session Meeting held on October 16, 2018 were approved. Roll Call: Ayes: Andre, Dierkes, Mortimer, Pater, Turner. Nays: 0. Abstained: Messler.

Upon motion by Councilman Turner a second by Councilman Mortimer, the minutes of the Work Session Meeting held on November 6, 2018 were approved. Roll Call: Ayes: Andre, Dierkes, Messler, Mortimer, Pater, Turner. Nays: 0.

PROCLAMATION:

WHEREAS, Mountainside resident Jerome ‘Jerry’ Rice was honored during the Marine Corps 243rd Birthday Ball held on November 9, 2018 at the Pantagis Renaissance in Scotch Plains, NJ; and

WHEREAS, Jerry Rice was honored as the ‘Marine of the Year’ from the Central Jersey Leatherneck Detachment of the Marine Corps League; and

WHEREAS, Jerry Rice served with the U.S. Marine Corps from 1952 to 1955. He flew with the 1st Marine Air Wing as a radar operator in a Skyraider plane. In 1957, Jerry was a Commandant in the Marine Corps League with the Elizabeth detachment; and

WHEREAS, After the U.S. Marine Corps he served as a Detective Sergeant for 35 years with the Mountainside Police Department; and

WHEREAS, His family followed in his footsteps, as his son James ‘Jim’ Rice served, and his grandson Michael Rice currently serves with the U.S. Marine Corps. Jerry is married to Audrey Rose Rice, they have four children, Karen, James, John, Eileen and he is a loving grandfather and great-grandfather.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Mountainside that Jerry Rice is hereby commended for being honored as ‘Marine of the Year’.

RESOLUTIONS:

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

RESOLUTION 121-2018

WHEREAS, in accordance with applicable provisions of the Public Contracts Law, the Borough advertised for Bids for Contract 2018-11 for "Sanitary Sewer Replacement on Dunn Parkway"; and

WHEREAS, on October 11, 2018 the return date for the bids, four bids were received as follows:

Contractors:	Base Bid:
Jo-Med Contracting Corp.	$38,112.77
Colonnelli Brothers	$79,987.75
Stilo Excavating	$85,893.75
Your Way Construction	$96,964.25*

*=corrected value

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

WHEREAS, the lowest bidder is Jo-Med Contracting Corp. and the Borough Engineer has recommended that Contract 2018-11 be awarded to Jo-Med Contracting Corp., 300 So. Second Street, Elizabeth, New Jersey 07206.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Mountainside that Contract 2018-11 for Sanitary Sewer Replacement on Dunn Parkway is awarded to Jo-Med Contracting Corp., 300 So. Second Street, Elizabeth, New Jersey 07206 in the amount of $38,112.77.

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

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

RESOLUTION 122-2018

WHEREAS, on October 11, 2018 the Borough of Mountainside received sealed bids for Contract 2018-12 Relining of Sanitary Sewer on Dunn Parkway; and

WHEREAS, the Borough has determined to reject the bids because they exceed our cost estimates 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 October 11, 2018 for Contract 2018-12 Relining of Sanitary Sewer on Dunn Parkway be and the same are hereby rejected.

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

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

RESOLUTION 123-2018

WHEREAS, there is a vacancy in the position of P/T Receptionist/Secretary in the Construction/Public Works/Building Departments; and

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

WHEREAS, Gina M. Tomas is experienced to perform the duties of P/T Receptionist/Secretary in the Construction/Public Works/Building Departments; and

WHEREAS, Administrator James J. Debbie, Jr. has recommended that the Borough Council take action and hire Gina M. Tomas.

NOW, THEREFORE, BE IT RESOLVED, by Mayor and Council of the Borough of Mountainside that Gina M. Tomas is hereby hired as P/T Receptionist/ Secretary in the Construction/Public Works/Building Departments at an hourly salary of $22.00, not to exceed 25 hours, effective October 22, 2018 with a 90 day probationary period.

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

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

RESOLUTION 124-2018

WHEREAS, the Borough of Mountainside, pursuant to N.J.S.A.40A:11-11 may by resolution and without advertising for bids, purchase goods or services under a Cooperative Purchasing Program; and

WHEREAS, the Borough of Mountainside Police Department has established a regular schedule for updating its police vehicles and that schedule requires two and 1/3 new squad cars each year and by utilizing the ESCNJ Cooperative Pricing System the Borough can receive competitive pricing, on a timely basis, without the expense and time involved in undertaking independent competitive bidding; and

WHEREAS, the Borough of Mountainside intends to enter into a purchase contract with Beyer-Ford, Morristown, NJ pursuant to ESCNJ Cooperative Pricing Agreement Contract #65MCESCCPS-ESCNJ 17/18-21 for the acquisition of a police vehicle; and

WHEREAS, the cost for (1) one 2019 Police Interceptor Utility under Contract #65MCESCCPS-ESCNJ 17/18-21 is $31,307.00; and

WHEREAS, the Borough's CFO has certified that the funds are available for this purchase.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Mountainside, County of Union State of New Jersey that the purchase of (1) one Police Interceptor Utility under terms and provisions of ESCNJ Cooperative Pricing Agreement Contract #65MCESCCPS-ESCNJ 17/18-21 be and hereby is approved.

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

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

RESOLUTION 125-2018

WHEREAS, General Capital Improvement authorization balances remain unspent for dedicated projects; and

WHEREAS, it is necessary to formally cancel the remaining balances so that the funded balance may be cancelled to the Capital Improvement Fund and unfunded balances will cancel the corresponding bonds and notes authorized.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Mountainside that the following improvement authorization balances and related debt authorizations be cancelled:

Ordinance 1256 -2017
Reconstruction of Softball Field at Beechwood School
Funded: $9,550.00 Unfunded: $141,950.00 Total: $151,500

Ordinance 1246-2016
Improvement of Wood Valley Road
Unfunded: $71,986.15

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

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

RESOLUTION 126-2018

SUPPORTING THE SUBMISSION OF APPLICATIONS TO THE COUNTY OF UNION FOR THE YEAR 45 COMMUNITY DEVELOPMENT BLOCK GRANT ("CDBG") PROGRAM-FACILITIES

WHEREAS, the Borough of Mountainside advertised a public notice for and will conduct a public hearing on, November 20, 2018 , to consider proposals for the Union County Year 45 Community Block Development Grant Program ("CDBG") concerning the facilities portion of set grant ; and

NOW, THEREFORE BE IT RESOLVED by the Borough Council of the Borough of Mountainside hereby expresses its support of the Union County Year 45 CDBG Program, specifically concerning the facilities portion of set grant submissions presented to the Borough Council as set forth in the grant applications received, for the following programs:

1. Rescue Squad Generator

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: Andre, Dierkes, Messler, Mortimer, Pater, Turner. Nays: 0.

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

RESOLUTION 127-2018

WHEREAS, Jerry Eger, Construction Official has requested a refund for a Continued Certificate of Occupancy at 259 Old Tote Road, and

NOW, THEREFORE, BE IT RESOLVED that the Treasurer be authorized to issue the following refund:

Applicant	Amount
Debbie LaBrutto c/o Coldwell Banker 209 Central Avenue Westfield, NJ 07090	$240.00

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

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

RESOLUTION 128-2018

WHEREAS, N.J.S.A. 40A:4-58 provides for transfers within certain appropriations within the Municipal Budget during the last two months of the fiscal year; and

WHEREAS, the Chief Financial Officer has advised the Mayor and Council of the Borough of Mountainside that the need for certain transfers within the 2018 Municipal Budget exists, and

WHEREAS, this resolution authorizes the Chief Financial Officer to make these transfers.

NOW, THEREFORE, BE IT RESOLVED that the following budget transfers be ratified.

CURRENT ACCOUNT	TO	FROM
Pool O/E	8,000.00	
Pool S/W		8,000.00

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

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

RESOLUTION 129-2018

WHEREAS, the Borough of Mountainside has determined that the items listed herein are property no longer needed for public use; and

WHEREAS, the Local Unit Technology Pilot Program and Study Act (P.L. 2001, c. 30) authorizes the sale of surplus personal property no longer needed for public use through the use of an online auction service; and

WHEREAS, the Borough of Mountainside intends to utilize the online auction services of Municibid located at www.Municibid.com; and

WHEREAS, the sales are being conducted pursuant to the Division of Local Government Services' Local Finance Notice 2008-9; and

WHEREAS, the Borough of Mountainside desires to sell the following surplus property:

2003 FORD CROWN VICTORIA
VIN# 2FAFP71W53X178483
MILEAGE: 95,499

2013 FORD EXPLORER
VIN# 1FM5K8AR2DGB21178
MILEAGE: 93,707

2014 FORD INTERCEPTOR UTILITY
VIN# 1FM5K8AR0EGA04524
MILEAGE: 93,856

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Mountainside in the County of Union, State of New Jersey, that the Borough is hereby authorized to sell the surplus property as indicated above on an online auction website entitled www.Municibid.com; and

BE IT RESOLVED, that the terms and conditions of the agreement entered into between Municibid and the Borough of Mountainside are available at www.Municibid.com and in the Borough Clerk's office; and

BE IT FURTHER RESOLVED, that a certified copy of the within resolution be forwarded to the Division of Local Government Services.

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

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

RESOLUTION 130-2018

WHEREAS, the Borough of Mountainside needs to refund monies to interested parties for overpayment of current year taxes,

NOW, THEREFORE, BE IT RESOLVED that the Treasurer be authorized to issue the following refund, for the following reason:

Duplicate payments Due to Banks
CoreLogic
Centralized Refunds
P. O. Box 9202
Coppell, TX 75019-9978

Block	Lot	Amount
3.23	3.05	$5,038.34

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

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

RESOLUTION 131-2018

WHEREAS, on November 8, 2018 the Borough of Mountainside received sealed bids for Contract 2018-13 Tennis Court Repaving at Mountainside Municipal Building; and

WHEREAS, the Borough has determined to reject the bids because the they exceed our cost estimates 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 November 8, 2018 for Contract 2018-13 Tennis Court Repaving at Mountainside Municipal Building be and the same are hereby rejected.

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

ORDINANCES: First Reading (Introduction)

ORDINANCE 1270-2018

AN ORDINANCE TO AMEND ORDINANCE 1176-2010 FIXING SALARY RANGES FOR CERTAIN MUNICIPAL EMPLOYEES

BE IT RESOLVED by the Mayor and Council of the Borough of Mountainside that Ordinance 1176-2010 is hereby amended to read as follows:

A&E			
Borough Administrator	$ 25,000 -	$100,000	
Administrator Assistant	15,000 -	40,000	
Borough Clerk/Registrar of Vital Statistics	40,000 -	100,000	
Deputy Borough Clerk	30,000 -	60,000	
Deputy Registrar of Vital Statistics	2,000 -	8,000	
Mayor	2,500 -	8,000	
Councilman	1,200 -	6,000	
Finance			
Chief Finance Officer	40,000 -	110,000	
Finance Assistant	30,000 -	60,000	
Assistant Treasurer	15,000 -	60,000	
Supervisor of Accounts	10,000 -	50,000	
Tax Collector	10,000 -	40,000	
Assistant Tax Collector	10.00 -	30.00	Hourly
Payroll Clerk	2,000 -	10,000	

Finance Clerk	10.00 -	30.00 Hourly
Police		
Chief of Police	100,000 -	175,000
Administrative Assistant	30,000 -	60,000
Records Clerk	12.00 -	25.00
Communications Officers	29,000 -	65,000
Police Matron	10.00 -	30.00 Hourly
Crossing Guard	15.00 -	30.00 Hourly
Building		
Construction Official/Building Subcode Official/ Building Inspector	10,000 -	60,000
Zoning Officer/Construction Secretary	20,000 -	65,000
Secretary: Engineer/Public Works/Shade Tree/ Recycling	20,000 -	50,000
Administrative Secretary: Construction/Public Works	10.00 -	30.00 Hourly
Plumbing Inspector	25.00 -	50.00 Hourly
Building Inspector	25.00 -	50.00 Hourly
Electrical Inspector	25.00 -	50.00 Hourly
Zoning Officer	10,000-	65,000
Public Works Manager	40,000 -	100,000
Public Works Employees	25,000 -	70,000
Public Works Foreman	25,000 -	60,000
Engineer	35,000 -	100,000
Assistant Municipal Engineer	15,000 -	35,000
Tax Assessor	15,000 -	40,000
Assistant to Assessor	3,000 -	10,000
Certified Wastewater & Treatment Operator	2,000 -	5,000
Fire Prevention Official	25.00 -	50.00 Hourly
Fire Prevention – Clerical	1,000 -	15,000
Fire Subcode Official	25.00 -	50.00 Hourly
Planning Board/Board of Adjustment – Recording Secretary	2,000 -	10,000
Second Floor Supervisor	2,000-	10,000
Court		
Court Administrator	40,000 -	80,000
Deputy Court Administrator	30,000 -	60,000
Violations Clerk	5,000 -	50,000
Municipal Judge	15,000 -	40,000
Municipal Prosecutor	15,000 -	40,000
Public Defender	3,600 -	5,000
Miscellaneous		
Handyman	12.00 -	30.00 Hourly
Drug Alliance Coordinator	3,000 -	5,000
Cable TV Coordinator	13.00 -	30.00 Hourly
Cable TV	10.00 -	25.00 Hourly
Website Coordinator	1,000 -	5,000
Board of Health Secretary	3,000 -	6,000
Senior Citizen Coordinator	15,000 -	30,000
Senior Bus Driver	15.00 -	40.00 Hourly
Qualified Purchasing Agent	5,000 -	15,000
OEM Director	5,000 -	15,000
OEM Deputy Director	2,500 -	10,000

Recreation		
Recreation Director/Pool Administrator	40,000 -	100,000
Recreation Dept Secretary/Pool Bookkeeper	20,000 -	50,000
Assistant Recreation Director	30,000 -	70,000
Recreation Assistant	30,000 -	50,000
Pool Manager	6,000 -	15,000
Assistant Pool Manager	4,000 -	10,000
Pool Secretary (P/T)	7.15 -	20.00
Swim Instructors	7.15 -	20.00
Life Guards	7.15 -	20.00
Main Gate Control	7.15 -	20.00
Maintenance Foreman	7.15 -	20.00
Maintenance Personnel	7.15 -	20.00
Swim Coach	1,750 -	4,000
Assistant Swim Coach	200 -	1,800
Diving Coach	1,400 -	3,000
Pool Technician	2,000 -	10,000
Assistant Pool Tech	2,000 -	5,000
Fitness/Sports Instructor (per person, per class)	2.00 -	15.00
Tennis Lesson Instructor (per person, per session)	35.00 -	130.00
Art/Crafts Instructor (per person, per class)	2.00 -	20.00
Sports Supervisor (per session)	25.00 -	50.00
Youth Tennis Team Coach (per season)	350.00 -	1,500
Men's Softball Supervisor (per season)		250.00
Activity Supervisor (per session)	10.00 -	75.00
Sports Official (per session)	10.00 -	120.00
Assignor (per game)	2.00 -	6.00
Summer Playground Supervisor (per season)	1,750 -	4,200
Summer Playground Assistant Supervisor (per season)	1,200 -	3,150
Sports Coach	1,500 -	3,500
Middle School Team Coach (per season)	350 -	3,000

This ordinance shall be effective upon final passage and publication in accordance with the law.

It was moved by Councilman Mortimer and seconded by Councilman Turner that this ordinance be passed on first reading and advertised in full for a public hearing on December 18, 2018.

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

ORDINANCE 1271-2018

AN ORDINANCE PROVIDING FOR A SPECIAL EMERGENCY APPROPRIATION IN AN AMOUNT NOT TO EXCEED $200,000 TO FUND THE PREPARATION AND EXECUTION OF A COMPLETE PROGRAM OF REVALUATION OF REAL PROPERTY IN THE BOROUGH OF MOUNTAINSIDE

BE IT ORDAINED AND ENACTED BY THE BOROUGH COUNCIL OF THE BOROUGH OF MOUNTAINSIDE, IN THE COUNTY OF UNION, STATE OF NEW JERSEY (not less than the majority of all members thereof affirmatively concurring) AS FOLLOWS:

SECTION 1. N.J.S.A. 40A:4-53 provides that a local unit such as the Borough of Mountainside, in the County of Union, State of New Jersey (the "Borough"), may adopt an ordinance

authorizing a special emergency appropriation to fund the preparation and execution of a complete program of revaluation of real property in the Borough for the use of the Borough assessor.

SECTION 2. The Borough has determined and does hereby authorize a special emergency appropriation in an amount not to exceed $200,000 to fund the preparation and execution of a complete program of revaluation of real property in the Borough for the use of the Borough assessor.

SECTION 3. The amount to finance the appropriation shall be provided for in succeeding annual budgets by the inclusion of at least 1/5 of the amount authorized, pursuant to N.J.S.A. 40A:4-55.

SECTION 4. To finance the appropriation authorized hereunder, and described in Section 2 hereof, special emergency notes of the Borough (the "Notes") shall be authorized by a resolution of the Borough Council to be adopted in accordance with the provisions of N.J.S.A. 40A:4-55.

SECTION 5. A certified copy of this ordinance as finally adopted will be filed with the Director of the Division of Local Government Services, in the New Jersey Department of Community Affairs.

SECTION 6. This ordinance shall take effect immediately after final adoption and approval by the Mayor as described in N.J.S.A. 40:49-2.

It was moved by Councilman Dierkes and seconded by Councilman Turner that this ordinance be passed on first reading and advertised in full for a public hearing on December 18, 2018.

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

BILLS & CLAIMS:

The following resolution was introduced by Councilman Mortimer and seconded by Councilman Turner:

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 November 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 $414,376.20 (Copy of bill list attached).

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

COUNCIL COMMENTS:

The Mayor and Council wished everyone a Happy Thanksgiving.

Councilwoman Pater and Councilman Messler both expressed their gratitude for all the support during the election campaign.

Mayor Mirabelli gave an update on the Barnes Tract Redevelopment and invited residents to the Tree Lighting and Skate Night.

AUDIENCE PARTICIPATION:

Margaret Hanlon, 240 Beechwood Court, thanked DPW for handling the recent snow storm and questioned the cost for a new generator at the Rescue Squad Building. She also inquired if the most recent master plan was posted on the website.

Jim Hewitt, 1351 Wood Valley Road, congratulated the newly elected council members and proposed a new approach to affordable housing.

Liz Truman, 355 Cherry Hill Road, questioned the lawsuit legal fees.

Ileana Montes, 220 Kings Court, asked about the revaluation process and costs.

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 contracts and 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 8:09 P.M.

The meeting was recalled to public session at 9:12 P.M.

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

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Martha Lopez, RMC
Borough Clerk