

**REGULAR MEETING
DECEMBER 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 7:32 P.M.

**INVOCATION: Council President Turner
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 & Executive Session Meetings held on November 20, 2018 were approved. Roll Call: Ayes: Andre, Dierkes, Messler, Mortimer, Pater, Turner. Nays: 0.

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

RESOLUTIONS:

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

RESOLUTION 133-2018

WHEREAS, it is the desire of the Governing Body of the Borough of Mountainside to appoint a Probationary Police Officer to the Borough of Mountainside Police Department; and

WHEREAS, the Police Committee interviewed several qualified candidates for the position of Probationary Police Officer for the Borough of Mountainside Police Department; and

WHEREAS, the Police Committee has recommended the appointment of Matthew T. Carleo as Police Officer; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Mountainside that Matthew T. Carleo be appointed as a Probationary Police Officer for the Borough of Mountainside Police Department.

BE IT FURTHER RESOLVED, that said appointment shall be effective December 17, 2018 with the probationary period ending one-year from the appointment date at a probationary period salary of \$43,189.43.

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

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

RESOLUTION 134-2018

WHEREAS, it is the desire of the Governing Body of the Borough of Mountainside to appoint a Probationary Police Officer to the Borough of Mountainside Police Department; and

WHEREAS, the Police Committee interviewed several qualified candidates for the position of Probationary Police Officer for the Borough of Mountainside Police Department; and

WHEREAS, the Police Committee has recommended the appointment of Jonathan R. Hagan as Police Officer; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Mountainside that Jonathan R. Hagan be appointed as a Probationary Police Officer for the Borough of Mountainside Police Department.

BE IT FURTHER RESOLVED, that said appointment shall be effective December 17, 2018 with the probationary period ending one-year from the appointment date at a probationary period salary of \$43,189.43.

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

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

RESOLUTION 135-2018

WHEREAS, it is the desire of the Governing Body of the Borough of Mountainside to appoint a Probationary Police Officer to the Borough of Mountainside Police Department; and

WHEREAS, the Police Committee interviewed several qualified candidates for the position of Probationary Police Officer for the Borough of Mountainside Police Department; and

WHEREAS, the Police Committee has recommended the appointment of Nicholas A. Hussey as Police Officer; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Mountainside that Nicholas A. Hussey be appointed as a Probationary Police Officer for the Borough of Mountainside Police Department.

BE IT FURTHER RESOLVED, that said appointment shall be effective December 17, 2018 with the probationary period ending one-year from the appointment date at a probationary period salary of \$43,189.43.

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

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

RESOLUTION 136-2018

WHEREAS, it is the desire of the Governing Body of the Borough of Mountainside to appoint a Probationary Police Officer to the Borough of Mountainside Police Department; and

WHEREAS, the Police Committee interviewed several qualified candidates for the position of Probationary Police Officer for the Borough of Mountainside Police Department; and

WHEREAS, the Police Committee has recommended the appointment of Kevin A. Pierre as Police Officer; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Mountainside that Kevin A. Pierre be appointed as a Probationary Police Officer for the Borough of Mountainside Police Department.

BE IT FURTHER RESOLVED, that said appointment shall be effective December 17, 2018 with the probationary period ending one-year from the appointment date at a probationary period salary of \$43,189.43.

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

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

RESOLUTION 137-2018

WHEREAS, the owners of real estate in the Borough of Mountainside paid their real estate and sewer taxes by way of a check in an incorrect amount; and

WHEREAS, in many of such instances the error involved amounts of \$5.00 and under.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Mountainside that the proper Borough Officials be and they hereby are authorized to cancel all such amounts on tax and sewer accounts, whether owed to the Borough or owed by the Borough, of \$5.00 and under for the year 2018.

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

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

RESOLUTION 138-2018

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.

BE IT FURTHER RESOLVED that the Chief Financial Officer be and is hereby authorized to make any necessary transfers prior to year end and that these be ratified at the first regularly scheduled Governing Body meeting of 2019.

<u>CURRENT ACCOUNT</u>	<u>TO</u>	<u>FROM</u>
A&E O/E	7,000.00	
Public Works O/E	5,000.00	
Mayor & Council S/W	3,000.00	
Finance S/W	2,000.00	
Dispatch S/W	4,000.00	
Recreation S/W	4,000.00	
Legal O/E	150,000.00	
Police, O/E	20,000.00	
A&E S/W		25,000.00
Police S/W		110,000.00
Group Insurance O/E		30,000.00
Planning Board O/E		10,000.00
Gasoline & Diesel Fuel		20,000.00

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

The following resolution was introduced by Councilwoman Pater and seconded by Councilwoman Andre.

RESOLUTION 139-2018

WHEREAS, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any County or Municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget; and

WHEREAS, said Director may also approve the insertion of any item of appropriation for equal amount;

SECTION 1

NOW, THEREFORE, BE IT RESOLVED, that the Borough of Mountainside hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget for the year 2018 for the below amount sums of which item is now available as a revenue from:

Public & Private Revenues off-set with Appropriations:
Kids Recreation Trust Fund 2018 (\$38,500.00)

SECTION 2

BE IT FURTHER RESOLVED, that a like sum be and the same is hereby appropriated under the caption of:

Public & Private Programs Offset By Revenues Excluded from "CAPS"
Kids Recreation Trust Fund 2018 (\$38,500.00)

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

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

RESOLUTION 140-2018

WHEREAS, the Borough's current contract for Curbside Pickup and Disposal of Recycling expires on January 25, 2019, and no additional extensions of that contract are permitted under the Local Public Contracts Law; and

WHEREAS, the Borough has determined that there is a continuing need for Curbside Collection and Disposal of Recyclables; and

WHEREAS, pursuant to the Local Public Contracts Law, a notice of advertisement for bids, and an invitation to bid was published on August 23, 2018; and

WHEREAS, sealed a bid was opened and read on October 31, 2018; and

WHEREAS, one bid was received as follows:

Contractor	Bid for First Contract Year
F. Basso Jr. Rubbish Removal Services Inc.	\$4.90 per month per residence \$148,200.00 per year

NOW THEREFORE BE IT RESOLVED, by the Governing Body of the Borough of Mountainside, County of Union, State of New Jersey as follows:

1. Award of the Contract for Curbside Collection and Disposal of Recyclables is hereby made to F. Basso Jr. Rubbish Removal Services Inc. as the lowest responsible bidder in the amount of \$148,200.00 for the first Contract Year, which amount shall be increased in subsequent years pursuant to the terms of the Contract agreement.

2. The Contract shall be for a three-year term with an option to renew for two additional years at the Borough's sole discretion.

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

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

RESOLUTION 141-2018

WHEREAS, Resolution 10-2018 authorized a Professional Services Contract with John N. Post (a member of the firm Post, Polak, Goodsell & Strauchler P.A.) for Municipal Attorney Services; and

WHEREAS, the value of these services was not to exceed \$200,000 over the life of the contract; and

WHEREAS, the contract amount was exceeded due to pending litigation; and

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Mountainside that the Professional Services Contract for 2018 Municipal Attorney Services is hereby amended not to exceed \$270,000.

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

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

RESOLUTION 142-2018

WHEREAS, Resolution 84-2018 authorized a Professional Services Contract with Christine Amalfe (a member of the firm Gibbons, LLC) for Legal Attorney Services; and

WHEREAS, the value of these services was not to exceed \$150,000 over the life of the contract; and

WHEREAS, the contract amount was exceeded due to pending litigation; and

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Mountainside that the Professional Services Contract for 2018 Legal Attorney Services is hereby amended not to exceed \$270,000.

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

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

RESOLUTION 143-2018

WHEREAS, Resolution 94-2018 authorized a Professional Services Contract with William Maderer (a member of the firm Saiber LLC) for Legal Attorney Services; and

WHEREAS, the value of these services was not to exceed \$30,000 over the life of the contract; and

WHEREAS, the contract amount was exceeded due to pending litigation; and

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Mountainside that the Professional Services Contract for 2018 Legal Attorney Services is hereby amended not to exceed \$35,000.

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

ORDINANCES: Second Reading (Public Hearing)

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.

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 Turner closed the meeting to the public.

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

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.

Mayor Mirabelli opened the meeting to the public for anyone wishing to speak on this ordinance and this ordinance only.

Margaret Hanlon, 240 Beechwood Court, questioned the costs of the revaluation.

Alice Cowell, 1417 Orchard Road, asked who mandated the borough revaluation.

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

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

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

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

RESOLUTION 144-2018

AUTHORIZING THE SALE OF \$200,000 SPECIAL EMERGENCY NOTES OF THE BOROUGH OF MOUNTAINSIDE IN THE COUNTY OF UNION, NEW JERSEY AND PROVIDING FOR OTHER MATTERS IN CONNECTION THEREWITH

BE IT RESOLVED by the Mayor and Council of the Borough of Mountainside in the County of Union, New Jersey (the "Borough") (not less than two-thirds of all members thereof affirmatively concurring), as follows:

Section 1. Pursuant to the Local Budget Law and an ordinance adopted by the Borough of Mountainside on December 18, 2018 (the "Ordinance"), the Borough appropriated \$200,000 as a special emergency appropriation pursuant to N.J.S.A. 40A:4-53 for the preparation and execution of a complete program of revaluation of real property. Pursuant to N.J.S.A. 40A:4-55, \$200,000 principal amount of Special Emergency Notes are hereby authorized to be issued.

Section 2. Such notes are hereby authorized to be issued pursuant to the Ordinance and this resolution and shall be negotiable notes payable to bearer, and shall bear interest at a rate per annum as may be hereafter determined within the limitations prescribed by law, and such interest shall be payable at the maturity of such notes. The notes shall be dated on or about the date of their issuance and may be renewed from time to time, but at least 1/5 of the total amount of notes hereby authorized, and the renewals thereof, shall mature and be paid in each year, so that all notes and renewals shall have matured and have been paid not later than the last day of the fifth year following the date of this resolution. The issuing officers are authorized to provide that the notes may be redeemable at the option of the Borough.

Section 3. The Mayor and the Chief Financial Officer are hereby authorized to execute said notes, and the Municipal Clerk is hereby authorized to affix the seal of the Borough to such notes and to attest such seal and said notes, and said officers are hereby authorized to issue said notes in such form as they may adopt in conformity with law and to recite therein that all requirements and conditions of law have been complied with in the issuance of said notes, and that said notes are within every debt and other limit prescribed by the Constitution or statutes of New Jersey.

Section 4. The Chief Financial Officer is hereby authorized to sell said notes and any renewals thereof from time to time, at not less than par and accrued interest and to determine within the limitations prescribed by this resolution, the date, principal amount, maturity date, and denomination of said notes, and the rate of interest said notes shall bear and to deliver such notes upon receiving the purchase price to be paid therefor.

Section 5. The Mayor and Council hereby covenants on behalf of the Borough, to the extent permitted by the Constitution and the laws of the State of New Jersey, to do and perform all acts and things permitted by law and necessary to assure that interest paid on bonds, notes or other obligations of the Borough (including the Special Emergency Notes) be and remain excluded from

gross income of the owners thereof for Federal income tax purposes pursuant to Section 103 of the Internal Revenue Code of 1986, as amended (the "Code")

Section 6. The Mayor and Council hereby designates the Special Emergency Notes as "qualified tax-exempt obligations" for the purpose of Section 265(b)(3) of the Code. It is hereby determined and stated that (1) the Special Emergency Notes are not "private activity bonds" as defined in the Code and (2) the Borough and its subordinate entities, if any, do not reasonably anticipate issuing in excess of \$10 million of tax-exempt obligations (other than private activity bonds) during the calendar year 2018. The Borough will, to the best of its ability, attempt to comply with respect to the limitations on issuance of tax-exempt obligations pursuant to Section 265(b)(3) of the Code; however, the Borough does not covenant to do so, and expressly states that a covenant is not made hereby.

Section 7. A certified copy of this resolution shall be filed with the Director of the Division of Local Government Services.

Section 8. This resolution shall take effect immediately upon its adoption.

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

The following resolution was introduced by Councilwoman Pater and seconded by Councilwoman Andre.

RESOLUTION 145-2018

WHEREAS, the Borough of Mountainside has been ordered by the County of Union Board of Taxation to perform a revaluation of all property in the Borough which must be completed by October 1, 2019; and

WHEREAS, the Borough of Mountainside must retain a competent appraisal firm to complete the revaluation of all the taxable and exempt property within the limits of the Borough of Mountainside; and

WHEREAS, it has been determined that the value of this contract will exceed \$17,500; and

WHEREAS, Requests for Proposals were solicited via the competitive contracting process in accordance with the N.J.S.A. 40A:11-4.4, et seq.; and

WHEREAS, three Request for Proposals were received on October 15, 2018; and

WHEREAS, after a review and evaluation of the proposals, Appraisal Systems Inc., 264 South Street, Morristown, New Jersey 07960 proposes to perform the services outlined in the Request for Proposals in the amount of one hundred fifty three thousand eight hundred dollars (\$153,800.00); and

WHEREAS, Appraisal Systems Inc., Morristown, NJ, is licensed by the State of New Jersey, is experienced and meets all of the requirements set forth by the Borough; and

WHEREAS, the Borough of Mountainside has decided to award this contract following a fair and open process in accordance with N.J.S.A. 19:44A-20.5; and

WHEREAS, the Chief Financial Officer has certified that funds are available for this contract.

NOW THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Mountainside does hereby award a contract to Appraisal Systems Inc. in the amount \$153,800.00; and

BE IT FURTHER RESOLVED that the Mayor and Borough Clerk are hereby authorized and directed to execute the contract documents and to cause a notice of this decision to be published in the local newspaper pursuant to N.J.S.A. 40A:11-5(1)(a)(i).

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

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

RESOLUTION 146-2018

WHEREAS, the Borough of Mountainside has been ordered by the County of Union Board of Taxation to perform a revaluation of all property in the Borough which must be completed by October 1, 2019; and

WHEREAS, the Borough of Mountainside must retain a competent appraisal firm to complete the revaluation of all the taxable and exempt property within the limits of the Borough of Mountainside; and

WHEREAS, it has been determined that the value of this contract will exceed \$17,500; and

WHEREAS, Requests for Proposals were solicited via the competitive contracting process in accordance with the N.J.S.A. 40A:11-4.4, et seq.; and

WHEREAS, three Request for Proposals were received on October 15, 2018; and

WHEREAS, after a review and evaluation of the proposals, Sterling DiSanto & Associates, 145 West End Avenue, Somerville, New Jersey 08876 proposes to perform a Tax Revaluation Quality Control Analysis and Consultations on all Class 4 Properties for the 2020 Tax Year in the amount of thirty two thousand six hundred dollars (\$32,600.00); and

WHEREAS, Sterling DiSanto & Associates, Somerville, NJ, is licensed by the State of New Jersey, is experienced and meets all of the requirements set forth by the Borough; and

WHEREAS, the Borough of Mountainside has decided to award a contract for a Quality Control – Review Analysis of Class 4 Revaluations to Sterling DiSanto & Associates following a fair and open process in accordance with N.J.S.A. 19:44A-20.5; and

WHEREAS, the Chief Financial Officer has certified that funds are available for this contract.

NOW THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Mountainside does hereby award a contract to Sterling DiSanto & Associates in the amount \$32,600.00; and

BE IT FURTHER RESOLVED that the Mayor and Borough Clerk are hereby authorized and directed to execute the contract documents and to cause a notice of this decision to be published in the local newspaper pursuant to N.J.S.A. 40A:11-5(1)(a)(i).

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

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

RESOLUTION 147-2018

WHEREAS, Mike Disko, Borough Engineer has recommended a reduction for a commercial sewer bill at 269 Sheffield Street, and

WHEREAS, this reduction created an overpayment on the sewer account at 269 Sheffield Street, and

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

<u>Applicant</u>	<u>Amount</u>
Sheffield Mountain LLC 269 Sheffield Street Mountainside, NJ 07092	\$873.33

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

MOTIONS: The following motions were unanimously approved.

1. Approve raffle application from OL of Lourdes Church for an off premise 50/50 draw raffle
2. Approve raffle applications from Mountainside Education Foundation for an on premise 50/50 draw raffle, on premise draw raffle and bingo
3. Approve raffle application from HSA of Holy Trinity for bingo

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 December 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 \$299,337.39 (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 Holiday and Happy New Year.

Councilman Messler commended Beautiful Mountainside Committee for the successful tree lighting. He also announced participation in the NJ Tree Recovery Grant.

AUDIENCE PARTICIPATION:

Todd Evans, 1487 Coles Avenue, representing the Beautiful Mountainside Committee asked the Mayor and Council to consider purchasing the property on the corner of New Providence Road and Mountain Avenue to construct a proposed Levi Cory Park.

Alice Cowell, 1417 Orchard Road, asked for the Council's support for the proposed Levi Cory Park.

Linda Condrillo, 1327 Valley Road, congratulated the newly elected Council Members and commended Councilman Messler for his efforts as the Liaison for the Beautiful Mountainside Committee. Ms. Condrillo encouraged the Council to support the proposed Levi Cory Park.

Ernestina Almeida, 237 South Fork Road, questioned the revaluation process.

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 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 8:30 P.M.

The meeting was recalled to public session at 9:30 P.M.

Discussion was held regarding the proposed Levi Cory Park.

Upon motion by Councilman Mortimer and a second by Councilman Messler, the meeting was unanimously adjourned at 9:44 P.M.
