

**REGULAR MEETING
MARCH 18, 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: Council President Pacifico
SALUTE TO THE FLAG
ROLL CALL

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

APPROVAL OF MINUTES:

Upon motion by Councilman Dierkes a second by Councilwoman Pacifico, the minutes of the Regular Session Meeting held on February 18, 2025 were approved. Roll Call: Ayes: Dierkes, Matejek, Pacifico, Rinaldo, Van Deusen, Wass. Nays: 0.

Upon motion by Councilman Van Deusen a second by Councilwoman Pacifico, the minutes of the Work & Executive Session Meetings held on March 4, 2025 were approved. Roll Call: Ayes: Dierkes, Matejek, Pacifico, Rinaldo, Van Deusen, Wass. Nays: 0.

PROCLAMATION:

WHEREAS, Michael Liloia's exceptional contributions to Union High School's athletic programs in the early 1990s have left an indelible mark on the history of the school; and

WHEREAS, Mike Liloia demonstrated outstanding leadership, skill, and determination as a three-year varsity baseball starter, playing under the mentorship of the renowned Coach Gordon LeMatty and later, Coach Chet Czaplinski; and

WHEREAS, as a pitcher, Mike became the number one starter for Union High School's baseball team during his junior and senior years, taking the mound for the most critical games, and earning recognition as a relentless competitor with his bulldog mentality and great confidence; and

WHEREAS, in his senior year, Mike achieved an ERA of 1.69, led Union County in strikeouts with 119, and ranked second in the state, while also earning All-Union County honors in both his junior and senior years, and being named All-State Group 4 in his senior year; and

WHEREAS, Mike excelled offensively as well, finishing his high school career with a .382 batting average, 8 home runs, and 54 RBIs, while also striking out 252 batters in 166 innings pitched, recording 17 wins; and

WHEREAS, Mike Liloia also made his mark on the football field, playing quarterback and outside linebacker for the legendary Coach Lou Rettino's Union High School football team, and

helping lead his team to a Group 4 state championship victory over previously unbeaten Randolph, solidifying Union as the number one team in the state and the number four team in the nation; and

WHEREAS, in his senior year, Mike earned All-County honors and contributed 12 passing touchdowns and 6 rushing touchdowns to his team's successful season; and

WHEREAS, after graduating from Union High School, Mike continued his athletic career at Monmouth University, where he excelled as a Division 1 baseball player, earning All-Conference NEC First Team honors in his senior year, and receiving multiple Player of the Week accolades; and

WHEREAS, during his time at Monmouth University, Mike achieved an impressive 16 wins, 219 strikeouts, 258 innings pitched, and 17 complete games; and

WHEREAS, Mike Liloia signed a professional baseball contract with the Catskill Cougars of the North Atlantic League in 1996, continuing to pursue his passion for the game and demonstrating his dedication to the sport at the highest level.

NOW, THEREFORE, BE IT RESOLVED, that I, Mayor Paul Mirabelli, do hereby proclaim and extend my sincerest congratulations to Michael Liloia on his induction into the UCBA Hot Stove Hall of Fame. This recognition is a fitting tribute to his extraordinary contributions and enduring legacy in the world of baseball.

RESOLUTIONS:

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

RESOLUTION 39-2025

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

<u>Block</u>	<u>Lot</u>	<u>Qualifier</u>	<u>Amount</u>	<u>Address</u>
3	18.03	C0630	\$589.95	1494 ALPINE RIDGE WAY #30
16.11	1		\$2,436.97	1241 KNOLLWOOD RD

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

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

RESOLUTION 40-2025

WHEREAS, N.J.S.A. 40A:4-58 provides for transfers within certain appropriations within the Reserve Municipal Budget during the first three 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 2024 Municipal Budget exists; and

WHEREAS, it is recommended that these budget transfers be made.

NOW, THEREFORE, BE IT RESOLVED that the following budget transfers be made in the 2024 Municipal Budget Reserves;

Current Account	From	To
Snow Expenses	\$ 100,000.00	
Police, S/W	\$ 60,000.00	
Dispatch, S/W	\$ 30,000.00	
Construction, S/W	\$ 30,000.00	
Finance, S/W	\$ 20,000.00	
Recreation, S/W	\$ 15,000.00	
Group Insurance - Other Expenses	\$ 45,000.00	
Capital Improvement Fund		\$ 300,000.00
Total	\$ 300,000.00	\$ 300,000.00
Pool Account	From	To
Pool, O/E - Materials & Supplies	\$ 13,000.00	
Pool, O/E		\$ 13,000.00
Total	\$ 13,000.00	\$ 13,000.00

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

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

RESOLUTION 41-2025

WHEREAS, N.J.S.A. 40A:4-19 of the Local Budget Act provides that temporary appropriations shall be made for the purposes and amounts required in the manner and time therein provided.

NOW, THEREFORE, BE IT RESOLVED that the following additional temporary appropriations shall be made for the year 2025:

<u>APPROPRIATIONS</u>	<u>FROM</u>	<u>TO</u>
Rahway Valley Sewerage Auth	-0-	\$422,430.00
Contribution to PERS	-0-	\$339,522.00
Contribution to PFRS	-0-	\$996,568.30
Snow, O/E	\$100,000.00	\$200,000.00
Public Works, O/E	\$70,000.00	\$100,000.00
Administration & Executive, O/E	\$80,000.00	\$100,000.00
Maintenance of Free Public Library	\$220,000.00	\$300,000.00
Other Insurance	\$120,000.00	\$240,000.00
Board of Health, O/E	\$12,000.00	\$20,000.00

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

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

RESOLUTION 42-2025

BE IT RESOLVED, by the Mayor and Council of the Borough of Mountainside that the following are the 2025 Base Salaries of the office and positions indicated:

A & E

Borough Administrator	\$117,834.75
Borough Clerk/Registrar/QPA/Board of Health Secretary	\$132,772.58
Deputy Clerk/Registrar/Planning Board Secretary	\$ 62,876.25
Mayor	\$ 5,175.00
Council Member	\$ 3,105.00
OEM Coordinator	\$ 14,597.58

FINANCE

Chief Financial Officer	\$124,200.00
Tax Collector	\$ 25,875.00
Tax Clerk	\$ 35.83
Finance Assistant	\$ 65,205.00

POLICE

Police Chief/Deputy OEM	\$188,238.68
Deputy OEM	\$ 2,587.50
Administrative Assistant/Planning Board Recording Secretary	\$ 69,704.15
Records Clerk	\$ 25.19

COMMUNICATION OFFICERS

Michael Scuderi	\$ 71,679.62
Kara Rector	\$ 53,390.83
Matthew Alexander	\$ 53,390.83

CROSSING GUARDS

Janice Sileo	\$ 22.51
Mario Maglicano	\$ 23.01
Patricia Salvato	\$ 24.91
Alan Kennedy	\$ 22.51

BUILDING

Construction Code Official	\$ 35,225.19
Fire Subcode (P/T)	\$ 52.13
Zoning Enforcement Officer (P/T)	\$ 66.04
Electrical Inspector (P/T)	\$ 51.75
Plumbing Inspector (P/T)	\$ 51.75

PUBLIC WORKS

	\$ 64,914.20
Richard Neri	
Oscar Cardona	\$ 59,868.29
Horacio Colella	\$ 57,873.18
Wayne Jennings	\$ 71,050.47
Gabriel Baumgarten	\$ 45,677.03
Kyle Edgar	\$ 44,991.45
DPW Director/Deputy OEM	\$131,260.91

DPW Secretary/Tax Assessing Secretary	\$ 60,030.00
Engineer (P/T)	\$ 82,785.46
Tax Assessor (P/T)	\$ 24,638.18
Certified Wastewater & Treatment Operator (P/T)	\$ 4,200.78

COURT

Court Administrator	\$ 86,797.40
Deputy Court Administrator	\$ 55,347.20
Violations Clerk	\$ 23.81
Municipal Judge (P/T)	\$ 37,920.89
Municipal Prosecutor (P/T)	\$ 32,896.78
Public Defender (P/T)	\$ 4,010.67

MISCELLANEOUS

Senior Citizen Coordinator	\$ 67,147.73
Van Driver (P/T)	\$ 21.42
Handyman (P/T)	\$ 21.42

RECREATION

Director/Pool Manager	\$122,652.07
Recreation Assistant	\$ 58,995.00
Secretary/Pool Bookkeeper	\$ 60,030.00
Pool Manager	\$ 15,024.77
Assistant Pool Manager	\$ 9,763.63

THEREFORE, BE IT RESOLVED, that the salary paid each office or position for the calendar year 2025, as established by this Resolution of the Governing Body, shall be retroactive to January 1, 2025, except for employees who voluntarily left the Borough of Mountainside's employment prior to the effective date of this resolution unless such departure is by reason of retirement.

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

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

RESOLUTION 43-2025

BE IT RESOLVED by the Governing Body of the Borough of Mountainside that the following person recommended by the Borough Administrator, be and hereby is appointed as such:

Patricia Gilstrap PT Temporary Staffing - Construction \$32.00/hour
Effective: February 13, 2025

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

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

RESOLUTION 44-2025

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

<u>Applicant</u>	<u>For</u>	<u>Amount</u>
Tyson Tortora 4 Gold Star Way Mountainside, NJ 07092	Summer Soccer	\$330.00
Elina Durango 1647 Nottingham Way Mountainside, NJ 07092	Spring Soccer	\$175.00
Danielle Ward 337 Cherry Hill Road Mountainside, NJ 07092	Robotics Class	\$140.00

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

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

RESOLUTION 45-2025

A RESOLUTION REQUESTING PERMISSION FOR THE DEDICATION
BY RIDER FOR TREE REPLACEMENT CONTRIBUTION FUND REQUIRED BY N.J.S.A. 40A:5-29

WHEREAS, permission is required of the Director of the Division of Local Government Services for approval as a dedication by rider of revenues received by a municipality when the revenue is not subject to reasonably accurate estimates in advance; and

WHEREAS, N.J.S.A. 40A:5-29 provides for receipt of Tree Replacement Contribution Fund by the municipality to provide for the operating costs to administer this act; and

WHEREAS, N.J.S.A. 40A:4-39 provides the dedicated revenues anticipated from the Tree Replacement Contribution Fund are hereby anticipated as revenue and are hereby appropriated for the purpose to which said revenue is dedicated by statute or other legal requirement:

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

1. The Governing Body does hereby request permission of the Director of the Division of Local Government Services to pay expenditures of the Tree Replacement Contribution Fund (N.J.S.A. 40A:5-29)
2. The Clerk of the Borough of Mountainside, County of Union is hereby directed to forward two certified copies of this Resolution to the Director of the Division of Local Government Services.

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

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

RESOLUTION 46-2025

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

PROPERTY OWNER/ADDRESS:	Block	Lot	TAX YEAR	Tax Rate	Refund
Mountainside Holdings LLC, 1230 Route 22	16.01	43	2019	7.513	\$15,822.38
Mountainside Holdings LLC, 1230 Route 22	16.01	43	2020	7.474	\$17,608.74

AMOUNT OF REFUND: \$33,431.12

Make Check Payable to:

Blau & Blau Attorney for Mountainside Holdings LLC

Forward to:

Blau & Blau
 223 Mountain Avenue
 Springfield, NJ 07081

BE IT FURTHER RESOLVED, that this tax court judgment be processed between the 45th and 60th day from the date of judgment entered 02/07/2025.

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

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

RESOLUTION 47-2025

RESOLUTION TO SUPPORT PUBLISHING LEGAL NOTICES ON OFFICIAL GOVERNMENT WEBSITES

WHEREAS, the sunset provision of March 1, 2025 imposed under P.L. 2024 c.106 is fast approaching in what was a temporary solution that allowed local governments to comply with the public notice requirements under the law in time for annual reorganization meetings in January; and

WHEREAS, local government officials serve as the stewards of property taxpayer dollars and should no longer be required to subsidize the newspaper industry with revenues collected from publishing legal notices in the press; and

WHEREAS, long before NJ Advanced Media's announcement that it was terminating daily print publications in January of 2025, local government officials found it increasingly difficult to comply with the public notice requirements under the law as the media has become almost exclusively digitized and struggled to retain staff, resources, and publications; and

WHEREAS, legislation that will authorize local governments to publish legal notices on a local government's official website will streamline an antiquated and overly burdensome process and save valuable time, resources, and property taxpayer dollars; and

NOW, THEREFORE, BE IT RESOLVED that Borough of Mountainside does in fact, hereby urge state leaders to pass legislation that will authorize municipalities, counties, school districts, and all local governments to publish legal notices in a clear, transparent, and timely manner on a local government's official website.

BE IT FURTHER RESOLVED that a copy of this Resolution shall be sent to Governor Phil Murphy, Senate President Nicholas Scutari, Speaker of the General Assembly Craig Coughlin, Senator Jon Bramnick, Assembly Members Nancy Munoz and Michele Matsikoudis and the New Jersey State League of Municipalities.

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

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

RESOLUTION 48-2025

WHEREAS, pursuant to N.J.S.A 52:14-15f municipalities may provide for mandatory direct deposit of net pay for all employees; and

WHEREAS, this policy will require all employees of the municipality indicate, in writing the specific banking institution(s) and designated checking account(s), savings account(s) or share account(s) to which the deposit shall be made on behalf of the employee; and

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Mountainside effective April 1, 2025 pursuant to N.J.S.A 52:14-15f, mandatory direct deposit of net pay for all employees of the Borough of Mountainside shall be made to the specific banking institution(s) provided by each employee.

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

ORDINANCE: First Reading (Introduction)

ORDINANCE 1340-2025

AN ORDINANCE AMENDING ARTICLE 10, SECTION 1009(c)(5) MINIMUM LOT AREA OF THE LAND USE ORDINANCE OF THE BOROUGH OF MOUNTAINSIDE

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 a section of the Land Use ordinance to address certain circumstances for when a subdivision is proposed.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council as follows: Article 10, Section 1009(c)(5) of the Borough Code is hereby amended by adding a new paragraph as follows:

Any proposed subdivision of three or more lots shall have a minimum lot area of 20,000 sq ft and shall be further adjusted in accordance with critical area provisions set forth in section 1003(z) of this ordinance.

AND, BE IT FURTHER ORDAINED THAT all ordinances or parts of ordinances inconsistent with the provision of this ordinance are hereby repealed to the extent of such inconsistency. This ordinance shall take effect immediately upon final adoption and publication and in the manner provided by law.

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

It was moved by Councilman Rinaldo and seconded by Councilwoman Pacifico that this ordinance be passed on first reading and advertised in full for a public hearing on April 22, 2025.

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

MOTIONS:

The following motions were unanimously approved:

1. Authorization to appoint Anthony Labisi as a Volunteer Firefighter

2. Raffle applications from NJ Services Foundation for an on premise 50/50 and on premise draw raffle

BILLS & CLAIMS:

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

BE IT RESOLVED by the Mayor and Council of the Borough of Mountainside that the following bills of the persons named and for the amounts stated below, having been duly audited

and found to be correct this 18th day of March 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 \$330,397.18 (Copy of bill list attached).

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

COUNCIL COMMENTS:

Councilwoman Wass announced upcoming senior citizen events.

Councilwoman Pacifico reported upcoming historical preservation events.

Councilman Matejek congratulated DPW for receiving the Golden Safety Award and Public Works Director for being awarded the MSI Leadership Award.

Mayor Mirabelli spoke about the Healthy Town Designation and upcoming events.

AUDIENCE PARTICIPATION:

Joanne Hansen, 1259 Wood Valley Road, complained about cat colonies in her neighborhood. The Board of Health authorized another cat trapping scheduled for the spring.

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

Upon a motion by Councilwoman Pacifico and a second by Councilman Matejek, the meeting was unanimously adjourned at 8:11 P.M.

Martha Lopez, RMC
Borough Clerk