

**REGULAR MEETING
OCTOBER 18, 2016**

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 7:31 P.M.

**INVOCATION: Councilwoman Andre
SALUTE TO THE FLAG
ROLL CALL**

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

APPROVAL OF MINUTES:

Upon motion by Councilman Mortimer and a second by Councilman Turner, the minutes of the Regular and Executive Session Meetings held on September 20, 2016 were approved. Roll Call: Ayes: Andre, Dierkes, Mortimer, Turner.

Upon motion by Councilman Turner a second by Councilman Mortimer, the minutes of the Work and Executive Session Meetings held on October 4, 2016 were approved. Roll Call: Ayes: Andre, Mortimer, Turner. Nays: 0. Abstained: Dierkes.

PROCLAMATIONS:

RED RIBBON WEEK

WHEREAS, October 23 through October 31, 2016 has been designated Red Ribbon Week, and

WHEREAS, Red Ribbon Week started in 1985 with a group of parents wearing red satin badges as a memorial to Enrique Camarena, a Federal Drug Enforcement Administration Agent who was killed while on duty, and

WHEREAS, as a result, in 1989 the red ribbon became a united symbol of commitment to create a drug-free America, showing a nation's intolerance to alcohol and drug abuse, and

WHEREAS, the Municipal Alliance of the Borough of Mountainside, whose mandate includes spreading the message of drug and alcohol abuse prevention, has coordinated borough and county participation by sponsoring Red Ribbon Week; and

THEREFORE, I, Paul N. Mirabelli, Mayor of the Borough of Mountainside do hereby proclaim October 23 through October 31, 2016 as

RED RIBBON WEEK

in the Borough of Mountainside and ask all residents to join in a personal commitment to a drug-free America by wearing and displaying red ribbons during Red Ribbon Week.

BAND APPRECIATION WEEK

WHEREAS, on behalf of the Governor Livingston Band Parents Organization, we wish to acknowledge the musical accomplishments of the Governor Livingston Highlander Band; and

WHEREAS, these musical accomplishments have been a great asset to the students of Governor Livingston High School and all others who have supported the Highlander Band; and

WHEREAS, all citizens are urged to take interest in and give full support to the Governor Livingston Highlander Band in their annual programs.

NOW, THEREFORE, BE IT RESOLVED, that I, Paul N. Mirabelli, Mayor of the Borough of Mountainside, hereby proclaim the week of November 13, 2016 as Band Appreciation Week.

RESOLUTIONS:

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

RESOLUTION 94-2016

BE IT RESOLVED that the Chief Financial Officer Jill Goode is hereby authorized to accept bids for a \$5,265,400.00 Bond Anticipation Note.

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

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

RESOLUTION 95-2016

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:

**2006 CROWN VICTORIA
VIN# 2FAFP71WX6X138095
MILEAGE: 72,909**

2003 FORD F-250
VIN# 1FTNF21L13EA32052
MILEAGE: 75,975

2001 DODGE RAM WAGON
VIN# 2B5WB35Z11K538132
MILEAGE: 86,135

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, Mortimer, Turner. Nays: 0

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

RESOLUTION 96-2016

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 2016 for the below amount sums of which item is now available as a revenue from:

Public & Private Revenues off-set with Appropriations;
Drunk Driving Enforcement Fund (\$5,379.01)

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"
Drunk Driving Enforcement Fund (\$5,379.01)

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

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

RESOLUTION 97-2016

BE IT RESOLVED by the Mayor and Council of the Borough of Mountainside that authorization is granted for the Finance Officer to issue a check in the amount of \$500 to the Deerfield School PTA as a donation in support of the PTA Fall Festival to be held on October 15, 2016 at Deerfield School.

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

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

RESOLUTION 98-2016

WHEREAS, Construction Official Jerry Eger is experienced in performing the duties of Plumbing Inspector; and

WHEREAS, Administrator Debbie has recommended that the Borough Council take action to appoint Jerry Eger as Substitute Plumbing Inspector effective October 18, 2016;

NOW, THEREFORE, BE IT RESOLVED, by Mayor and Council of the Borough of Mountainside that Jerry Eger is hereby appointed as a Substitute Plumbing Inspector.

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

ORDINANCES:

**ORDINANCE 1251-2016
AN ORDINANCE ESTABLISHING THE POSITION OF ASSISTANT POOL TECHNICIAN**

BE IT ORDAINED by the Mayor and Council of the Borough of Mountainside, County of Union, State of New Jersey, that there is hereby created in the Borough Government the position of Assistant Pool Technician, which shall be a position under the direct supervision of the Recreation Director. The Assistant Pool Technician shall work on the opening and closing of the Community Pool.

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 Councilwoman Andre and seconded by Councilman Dierkes that this ordinance be passed on second and final reading and advertised by title only.

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

**ORDINANCE 1252-2016
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 include the following positions and/or fix the following salary ranges:

Board of Health Secretary	\$3,000 - \$6,000
Office of Emergency Management Deputy	\$5,000 - \$10,000
Chief of Police	\$100,000 - \$175,000
Assistant Pool Technician	\$2,000 - \$5,000

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 Mortimer and seconded by Councilwoman Andre that this ordinance be passed on second and final reading and advertised by title only.

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

MOTION:

The following motion was unanimously approved.

1. The appointment of Alexander Polce as a Volunteer Firefighter

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 18th day of October 2016, 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 \$143,685.26 (Copy of bill list attached).

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

COUNCIL COMMENTS:

Mayor Mirabelli thanked the community for supporting the recent community events and invited them to upcoming festivities.

AUDIENCE PARTICIPATION:

Linda Condrillo, Wood Valley Road, inquired about adding the police blogger to the alternate press, status on the paving project on Wood Valley Road, alcohol consumption on Halloween, and ideas to beautifying the downtown area.

Ms. Condrillo was invited to attend the next work session meeting to discuss the beautification efforts.

Frances Ehman Bellak, 1238 Poplar Avenue, thanked the Mayor, Council and Borough Engineer for their assistance addressing the soil erosion problem on her property.

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

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

Meeting adjourned at 7:58 PM.

Martha Lopez, RMC
Borough Clerk