

**WORK SESSION
AUGUST 1, 2023**

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 7:36 PM.

PRESENT: Mayor Mirabelli, Councilwoman Andre, Councilman Dierkes, Councilman Matejek Councilwoman Pacifico, Councilwoman Pater, Attorney Post and Administrator Mortimer. Also present were CFO Jill Goode, Senior Coordinator Kim Moriak, Recreation Director Frank Masella, Police Chief Joseph Giannuzzi and Public Works Director Matthew DeAnna. Council President Messler was absent.

Discussion was held regarding the purchase of two 2023 Dodge Durango's for the police department under state contract at a total cost of \$79,201.50. The vehicles will replace high mileage vehicles in the fleet and some of them will later be auctioned. The proper resolution will be prepared for the meeting of August 15, 2023.

Discussion was held regarding the need for a resolution covenanting to comply with the Internal Revenue Code of 1986, as amended (the "Code"), and designating the \$6,168,000.00 Bond Anticipation Note as a "qualified tax-exempt obligation". The proper resolution will be prepared for the August 15, 2023 meeting.

Discussion was held regarding authorization to apply for the 2023 Kids Recreation Trust Grant Program. The borough will apply for lighting at the Deerfield Tennis Courts. The MSBL will apply for various field enhancements. The grant application is for \$105,250 with the borough and MSBL matching funds. The proper resolution authorizing borough officials to make application for the grant will be prepared for the meeting of August 15, 2023.

Discussion was held regarding a request from the Finance Officer for a Chapter 159 resolution to include special items of revenue into the 2023 municipal budget for the Stormwater Assistance Grant \$15,000, Watts Mountainside Senior Buddy Meal Program \$440 and Watts Mountainside Community Grant \$2,000. The proper resolution will be prepared for the August 15, 2023 meeting.

Discussion regarding the new DPW Garage bids was moved to executive session.

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

RESOLUTION 99-2023

WHEREAS, the following applicant for a Plenary Retail Consumption License has complied with the provisions of R.S. Title 33, Intoxicating Liquors, c.1 Alcoholic Beverage Law; and

WHEREAS, this establishment has been inspected and approved by the Board of Health and Fire Prevention Official.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Mountainside, County of Union, State of New Jersey, that pursuant to the statute in such case made and provided that the following Plenary Retail Consumption License for the period of July 1, 2023 to June 30, 2024 be and the same is hereby granted:

2010-33-010-006	Ciro 56 Inc. t/a Publick House 899 Mountain Ave	\$2,500
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Roll call: Ayes: Andre, Dierkes, Matejek, Pacifico, Pater. Nays: 0.

Discussion was held regarding a disabled veteran exemption and tax refund. The disabled veteran was approved for the exemption by the state and the tax collector was waiting for a tax rate in order to process the exemption and provide him with a tax overpayment refund. The proper resolution will be prepared for the meeting of August 15, 2023.

Discussion was held regarding the need to hire an electrical engineer to design the borough hall generator. PS&S was the only engineer to respond and submit a proposal for \$28,600 from those who were solicited. The proper resolution will be prepared for the August 15, 2023 meeting.

Discussion was held regarding a proclamation for Prostate Cancer Awareness Month.

Discussion was held regarding the proposed park on Mountain Avenue. The Mayor would like to present the project design at the next two public meetings.

BILLS & CLAIMS:

The following resolution was introduced by Councilman Dierkes and seconded by Councilwoman Pater:

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 1st day of August 2023, 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 \$147,212.54 (Copy of bill list attached).

Roll call: Ayes: Andre, Dierkes, Matejek, Pacifico, Pater. Nays: 0.

AUDIENCE PARTICIPATION: None

Upon motion by Councilwoman Pacifico and a second by Councilman Dierkes, 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 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 7:49 P.M.

The meeting was recalled to public session at 7:58 P.M.

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

RESOLUTION 98-2023

WHEREAS, on January 17, 2023, Resolution 30-2023 was passed rejecting all bids received for the New DPW Garage due to the bids exceeding the projected costs; and

WHEREAS, the bid specifications were downscaled and the project was re-bid; and

WHEREAS, on July 27, 2023 the Borough of Mountainside received five (5) sealed bids for a new DPW Garage; and

WHEREAS, upon review of the bids it was determined that the bids once again exceeded the budgeted amount 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 July 27, 2023 for the new DPW Garage be and the same are hereby rejected.

Roll call: Ayes: Andre, Dierkes, Matejek, Pacifico, Pater. Nays: 0.

Upon motion by Councilwoman Andre and a second by Councilwoman Pacifico, the meeting was unanimously adjourned at 7:59 P.M.

Martha Lopez, RMC
Borough Clerk