

**WORK SESSION  
JANUARY 10, 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 7:33 P.M.

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

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Discussion was held regarding the appointment of representatives to the UC Transportation Advisory Board. Council agreed to reappoint Councilman Robert Messler and Mike Disko as alternate, for a one-year term. The proper resolution will be prepared for the meeting of January 17, 2023.

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Discussion was held regarding the appointment of Fund Commissioner to the Suburban Municipal Joint Insurance Fund. The Borough Administrator will be appointed for a one-year term. The proper resolution will be prepared for the January 17, 2023 meeting.

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Discussion was held regarding the appointment of a DPW Laborer. The Administrator and DPW Director recommend the appointment of Kyle Edgar whose background and reference checks were cleared. The proper resolution will be prepared for the meeting of January 17, 2023.

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Discussion was held regarding the annual July 4<sup>th</sup> fireworks display. Garden State Fireworks, Inc. has increased their rates from \$15,000 to \$18,500. In order to help share the cost an addition sponsor will be sought possibly the Rescue Squad. The proper resolution will be prepared for the January 17, 2023 meeting.

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Discussion was held regarding a request from the Finance Officer for end of year budget transfers within 2022 reserve municipal budget. In accordance with State Statute, transfers can be made within certain budget appropriations during the first three months of the fiscal year. It is requested that certain transfers be made within the 2022 municipal budget. The proper budget transfer resolution will be prepared for the meeting of January 17, 2023.

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Discussion was held regarding a proposed lead paint inspection ordinance. It is now required that rental houses are to be inspected for lead paint hazards upon a change of tenancy. This ordinance will allow the property owner to pay an approved vendor to provide the certification that there is not a lead paint hazard. The proper ordinance will be prepared for the January 17, 2023 meeting.

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Discussion regarding a mandatory flood damage prevention ordinance was tabled.

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Discussion was held regarding a department refund from recreation due to the closing of the senior fitness gym. The proper resolutions will be prepared for the January 17, 2023 meeting.

Discussion was held regarding rejection of bids for the new DPW Garage. Seventeen bids were submitted and should be rejected since they exceeded the budgeted amount for the project. The Architect will scale the project down in order to cut cost by eliminating a second floor and using a pre-engineered building. The Mayor reconstituted the Committee and suggested that future third party meetings be held on zoom to accommodate members schedules. The proper resolution will be prepared for the meeting of January 17, 2023.

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Discussion was held regarding a raffle application from Our Lady of Lourdes Church for an off premise 50/50 draw raffle. The application is in order and the proper fees have been paid. A motion to approve the application will take place at the January 17, 2023 meeting.

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Discussion was held regarding rule 10 of the Rules of Council. The rule was amended to read as follows "When a question is stated and, by the Council, agreed to be put, any member shall be at liberty to withhold his/her vote without the consent of the Council". The proper resolution will be prepared for the January 17, 2023 meeting.

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Discussion was held regarding petty cash changes. The CFO stated the changes are to implement the resolution passed at the reorganization meeting. The proper resolutions will be prepared for the meeting on January 17, 2023.

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Discussion was held regarding a shared services agreement with the Township of Clark for street sweeping services. The agreement would provide a street sweeper with a driver at a cost of \$4,000 per sweep not including debris disposal. The Council agreed to enter such agreement.

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Discussion was held regarding the formation of a Downtown Redevelopment Committee to assist in the development of the park on Mountain Avenue and New Providence Road. Members will consist of Council and the Beautiful Mountainside Committee. The Mayor suggested a meeting be scheduled soon to begin planning.

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**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 10<sup>th</sup> day of January 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 \$282,663.90 (Copy of bill list attached)

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

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Upon a motion by Councilman Messler and a second by Councilwoman Pacifico, 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 7:57 P.M.

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The meeting was recalled to public session at 8:04 P.M.

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

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Martha Lopez, RMC  
Borough Clerk