

**REGULAR MEETING
JULY 15, 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 7:31 P.M.

INVOCATION: Councilman Dierkes
SALUTE TO THE FLAG
ROLL CALL

PRESENT: Mayor Mirabelli, Councilman Dierkes, Councilman Matejek, Council President Pacifico, Councilman Rinaldo, Councilwoman Wass, Administrator Mortimer and Attorney Post. Also present were Captain Michael Jackson, Senior Coordinator Kim Moriak, and Public Works Director Matthew Deanna. Councilman Van Deusen was absent.

APPROVAL OF MINUTES:

Upon motion by Councilwoman Pacifico a second by Councilman Rinaldo, the minutes of the Regular Session Meeting held on June 17, 2025 were approved. Roll Call: Ayes: Dierkes, Matejek, Pacifico, Rinaldo, Wass. Nays: 0.

Upon motion by Councilman Matejek a second by Councilwoman Pacifico, the minutes of the Work & Executive Session Meetings held on July 1, 2025 were approved. Roll Call: Ayes: Matejek, Pacifico, Rinaldo, Wass. Abstained: Dierkes. Nays: 0.

PROCLAMATION:

WHEREAS, the Varsity Baseball Team of Governor Livingston High School, located in Berkeley Heights, New Jersey, has exhibited excellence, determination, and teamwork, culminating in an exceptional season that brought home multiple championships; and

WHEREAS, the members of the 2025 Varsity Baseball Team include Addison Adornato, Alexander Adornato, Michael Basile, Reid Bazydlo, Anthony Claudino, Brad Cordo, Jackson Crimaldi, Anthony DeNora, Matthew Diskin, Aidan Feldman, Jaiden Fernandez, Zach Geerstma, Vincent Graham, Jason Habedank, Owen Keough, Dominic Labisi, Michael Liloia, Keith Mann, Michael Novotny, Ryan Pappas, Matthew Wood, and Harrison Woodard; and

WHEREAS, under the leadership of Head Coach Christopher Roof, and Assistant Coaches James Cariello, Chris Flynn, Sean Flynn, Matt Rago, and Bryan Young, with the support of Managers Caroline Donahue, Michelle Espinoza, Sierra Isbirian, Hudson McLaughlin, Tim Murphy, and Emily Schmidt, the team has achieved unparalleled success this season; and

WHEREAS, the Varsity Baseball Team proudly claimed the title of 2025 Union County Tournament Champions by defeating Union Catholic High School 5-0 in the final round at Kean University; highlights of their championship run include dominant victories over Linden High School (33-0), Arthur L. Johnson High School, and Elizabeth High School in the semifinals (1-0), cementing their place as Union County champions for the 5th time in school history, and for the third time in the last five years; and

WHEREAS, the team also triumphed in the 2025 NJSIAA Group II Central Sectional Championship, defeating Robbinsville High School 12-2 at Governor Livingston High School on June 5, 2025, following victories over Point Pleasant Boro (7-6), South River High School (12-6), and Raritan High School (3-2) in earlier rounds; this marked the 11th Sectional Championship in school history, and the second time the team has achieved both Union County and State Sectional championships in the same season; and

WHEREAS, the Varsity Baseball Team further solidified its place in history by winning the 2025 NJSIAA Group II State Championship, defeating West Morris Central High School 6-1 at Wood-Ridge Athletic Complex, claiming the 5th State Championship in school history; and

WHEREAS, the Governor Livingston High School Varsity Baseball Team completed an undefeated season of 25-0, becoming the first public school in New Jersey to accomplish this extraordinary feat, setting a new standard for excellence; and

WHEREAS, each member of the team contributed significantly to the success of the season, showcasing individual talent and collective spirit, and further strengthening the sense of community pride within the Berkeley Heights Public Schools district.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Mountainside, on behalf of the entire community, extends its heartfelt congratulations to the 2025 Varsity Baseball Team for their outstanding performance, remarkable achievements, and the honor of representing Governor Livingston High School at the highest level of competition.

RESOLUTIONS:

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

RESOLUTION 86-2025

WHEREAS, there is a need for a PT Technical Assistant to the Construction Code Official (TACO); and

WHEREAS, Mireille Diamond is experienced and licensed in performing the duties of a PT TACO; and

WHEREAS, the Borough Administrator has recommended that the Borough take action to hire Mireille Diamond as PT TACO for the Borough of Mountainside.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Mountainside that Mireille Diamond be appointed as PT TACO at an hourly rate of \$36.00, with a standard work week of up to 20 hours, effective June 18, 2025 with a six-month probationary period.

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

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

RESOLUTION 87-2025

WHEREAS, the Borough of Mountainside wishes to purchase Body Worn Cameras equipment for use by the Police Department from an authorized vendor under contract by the Division of Purchase and Property, Department of Treasury, State of New Jersey; and

WHEREAS, Axon Enterprise, 17800 N 85th Street, Scottsdale, AZ 85255 has been awarded New Jersey State Contract #17-FLEET-00738 for Police Body Worn Camera hardware, TAP, and licensing; and

WHEREAS, the Police Chief has recommended the use of this contract, price and other factors considered; and

WHEREAS, the cost of this purchase shall not exceed \$116,054.00; and

WHEREAS, a 5-year maintenance agreement for Body Worn Cameras will be sufficient to meet the needs of the Police Department; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Mountainside that a contract for the maintenance of Police Body Worn Cameras is hereby awarded to Axon Enterprise under New Jersey State Contract #17-FLEET-00738 at an annual cost of \$21,366.93 for year 1 and \$23,671.68 for the next 4 years.

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

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

RESOLUTION 88-2025

WHEREAS, in accordance with applicable provisions of the Public Contracts Law, the Borough advertised for Bids for Contract 2025-1 for "Resurfacing of Friar Lane, Justin Place, Kings Court & Queens Lane"; and

WHEREAS, on July 3, 2025 the return date for the bids, six bids were received as follows:

Bidders:	Base Bid	Alt. #1	Alt. #2
Cifelli & Son General	\$495,524.40	\$36,240.00	\$ 9,600.00
Denbar Construction	\$512,958.90	\$36,240.00	\$10,200.00
Midwest Construction	\$525,868.00*	\$67,950.00	\$10,200.00
Topline Construction	\$558,821.25	\$33,295.50	\$ 6,059.76
J A Alexander	\$568,500.06	\$75,877.50	\$10,800.00
DLS Contracting	\$579,146.40	\$43,035.00	\$26,400.00

Corrected = *

WHEREAS, the Borough Engineer recommends awarding the Base Bid and Alternate #2; and

WHEREAS, the lowest bidder is Cifelli & Son General Contracting, Inc., and the Borough Engineer has recommended that Contract 2025-1 be awarded to Cifelli & Son General Contracting, Inc., 81 Franklin Avenue, Nutley, NJ 07110.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Mountainside that Contract 2025-1 be awarded to Cifelli & Son General Contracting, Inc., in the amount of \$505,124.40 subject to Borough Attorney review and approval from the New Jersey Department of Transportation.

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

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

RESOLUTION 89-2025

WHEREAS, in accordance with applicable provisions of the Public Contracts Law, the Borough advertised for Bids for Contract 2025-3 for "Television Inspection of Various Sanitary Sewers"; and

WHEREAS, on July 3, 2025 the return date for the bids, five bids were received as follows:

Bidders:	Base Bid	Alt. #1	Alt. #2	Alt. #3
Vortex Services, LLC	\$109,022.80	\$16,846.20	\$25,677.20	\$18,202.20
National Water Main	\$120,972.30	\$16,128.20	\$26,829.20	\$16,302.20
Oswald Enterprises, Inc.	\$121,269.10	\$17,358.40	\$27,432.10	\$17,522.20
Montana Construction	\$129,866.30	\$15,127.20*	\$27,119.70	\$15,322.20
Messercola, Inc.	\$131,613.10	\$17,292.00*	\$28,989.30	\$17,482.20

Corrected bid = *

WHEREAS, the Borough Engineer recommends awarding the Base Bid; and

WHEREAS, the lowest bidder is Vortex Services, LLC, and the Borough Engineer has recommended that Contract 2025-3 be awarded to Vortex Services, LLC, 210 Bennett Road, Freehold, NJ 07728.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Mountainside that Contract 2025-3 be awarded to Vortex Services, LLC, in the amount of \$109,022.80, pending review by the Borough Attorney.

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

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

RESOLUTION 90-2025

WHEREAS, in accordance with applicable provisions of the Public Contracts Law, the Borough advertised for Bids for Contract 2025-4 for "Granite Block Installation on Various Streets"; and

WHEREAS, on July 10, 2025 the return date for the bids, five bids were received as follows:

Bidders:	Base Bid	Alt. #1	Alt #2
Midwest Construction	\$108,239.90	\$72,980.93*	\$30,000.00
Portofino Builders, LLC	\$111,450.10	\$75,241.40	\$32,500.00
Cifelli & Son General	\$181,697.04	\$95,394.40	\$37,500.00
A Takton Concrete	\$193,357.04	\$135,984.40	\$55,000.00
Crossroads Paving	\$198,267.04	\$133,354.40	\$62,500.00

Corrected bid = *

WHEREAS, the Borough Engineer recommends awarding the Base Bid and Alternate #1; and

WHEREAS, the lowest bidder is Midwest Construction, Inc., and the Borough Engineer has recommended that Contract 2025-4 be awarded to Midwest Construction, Inc., 19 Dead River Road, Warren, NJ, 07059.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Mountainside that Contract 2025-4 be awarded to Midwest Construction, Inc. in the amount of \$181,220.83 pending review by the Borough Attorney.

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

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

RESOLUTION 91-2025

AUTHORIZING THE MAYOR AND MUNICIPAL CLERK OF THE MUNICIPALITY OF MOUNTAINSIDE TO EXECUTE AN AGREEMENT WITH THE COUNTY OF UNION TO MODIFY THE COOPERATIVE AGREEMENT DATED JUNE 2014, AS AMENDED JULY 2017

WHEREAS, certain Federal funds are potentially available to the County of Union under Title I of the Housing and Community Development Block Grant Act of 1974, as amended, commonly known as the Community Development Block Grant Program; and

WHEREAS, certain Federal funds are potentially available to the County of Union under Title II of the National Affordable Housing Act of 1990, commonly known as the HOME Investment Partnership program; and

WHEREAS, substantial Federal funds provided through subtitle B of Title IV of the McKinney-Vento Homeless Assistance Act commonly known as the Emergency Solutions Grants program (ESG) are allocated to prevent homelessness and to enable homeless individuals and families to move toward independent living; and

WHEREAS, it is necessary to amend an existing Cooperative Agreement for the County of Union and its people to benefit from this program; and

WHEREAS, it is in the best interest of the Municipality of Mountainside and the County of Union in cooperation with each other to enter into a modification of the existing Cooperative Agreement pursuant to N.J.S.A. 40A:65-1 et seq.

NOW THEREFORE, BE IT RESOLVED by the Mayor and Governing Body of the Borough of Mountainside that the agreement entitled "COOPERATIVE AGREEMENT BETWEEN THE COUNTY OF UNION AND CERTAIN MUNICIPALITIES FOR CONDUCTING CERTAIN COMMUNITY DEVELOPMENT ACTIVITIES," dated June 2014, as amended July 2017 for the Purpose of Inserting a Description of Activities for Fiscal Year 2025-2026 of the Union County Community Development Block Grant program, the HOME Investment Partnership program, and the Emergency Shelter Grant program (ESG), a copy of which is attached hereto; be executed by the Mayor and Municipal Clerk in accordance with the provisions of law;

BE IT FURTHER RESOLVED that this resolution shall take effect immediately upon its adoption.

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

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

RESOLUTION 92-2025

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 2025 for the below amount sums of which item is now available as a revenue from:

Public & Private Revenues off-set with Appropriations:
Watts Foundation – Senior Prom (\$2,800.00)

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"
Watts Foundation – Senior Prom (\$2,800.00)

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

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

RESOLUTION 93-2025

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

<u>Applicant</u>	<u>For</u>	<u>Amount</u>
Hilary Papio 1079 Willow Road Mountainside, NJ 07092	Tennis Clinic	\$80.00
Angelica Goncalves 369 Creek Bed Road Mountainside, NJ 07092	Micro Soccer	\$95.00

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

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

RESOLUTION 94-2025

WHEREAS, pursuant to N.J.S.A. 52:34-6.2(b)(3), the Governing Body of the Borough of Mountainside has authorized the use of Morris County Cooperative Pricing Council, to contract with various vendors for goods and services; and

WHEREAS, N.J.S.A. 52:34-6.2(b)(3) permits the award of contract without the necessity of competitive bidding; and

WHEREAS, the Borough of Mountainside intends to enter into a purchase contract with Ciocca Ford of Flemington, NJ pursuant to Morris County Cooperative Pricing contract #15-C, item #12 for the acquisition of this vehicle; and

WHEREAS, the cost for a 2026 Ford F350 Regular Cab 4x4 Pick Up with options is \$64,403.00.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Mountainside, County of Union State of New Jersey that the purchase of a 2026 Ford F350 Regular Cab 4x4 Pick Up with options in the amount of \$64,403 under terms and provisions of MCCPC contract #15-C, item #12 be and hereby is approved.

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

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

RESOLUTION 95-2025

WHEREAS, there exist a need for Pool and Summer Staff in the Recreation Department that will operate from April 1st to September 30th; and

WHEREAS, Recreation Director Frank Masella and the Recreation Committee has recommended that the following individuals be appointed to said positions:

Pool	Effective April 1st		
Name	Position	Wage	
Matthew DiRado	Head Guard	\$17.00	Per Hour
Sloan Lynn	Lifeguard	\$16.00	Per Hour
Sydney Man	Lifeguard	\$16.00	Per Hour
Maeve Murray	Lifeguard	\$16.00	Per Hour
Christopher Naguib	Lifeguard	\$16.00	Per Hour
Melisizwe Ndlovu	Lifeguard	\$16.00	Per Hour
Madelyn Valera	Lifeguard	\$16.00	Per Hour

WHEREAS, each of the above individuals shall be appointed as temporary employees for the 2025 pool and summer season; and

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Mountainside that the recommendation of Recreation Director Frank Masella and the Recreation Committee be and hereby are accepted and approved pending background checks.

BE IT FURTHER RESOLVED, that the salaries for the above positions shall be set forth in the borough's salary ordinance.

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

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

RESOLUTION 96-2025

WHEREAS, M&M Construction Company, Inc. ("M&M") is the General Contractor for a project undertaken at the Watchung Stables, a Union County property located in the Borough of Mountainside, by the Union County Improvement Authority ("UCIA"); and

WHEREAS, at the outset of the project M&M applied for permits and paid construction code fees to the Borough of Mountainside in the amount of \$32,479; and

WHEREAS, pursuant to Regulations promulgated by the Department of Community Affairs ("DCA") the Borough remitted \$3,104 of such fees to the DCA; and

WHEREAS, M&M has now applied for a refund of such construction code fees pursuant to N.J.S.A. 52:27D-126c; and

WHEREAS, the Borough is satisfied that by reason of the fact that Union County is the owner of the Watchung Stables property it was not necessary under N.J.S.A. 52:27D-126c that M&M make the aforesaid payment of construction code fees; and

WHEREAS, by email sent by its attorney on July 14, 2025 the UCIA has specifically requested that the construction code fees be refunded to M&M.

NOW, THEREFORE, BE IT RESOLVED, that the appropriate Borough Officials be and they hereby are authorized to issue a check payable to M&M Construction Company, Inc. in the amount of \$29,375, representing the part of the payment made by M&M that was not remitted to the DCA.

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

MOTION:

The following motion was unanimously approved:

- 1. Approve raffle application from Mountainside Restoration Committee for an off premise draw raffle

BILLS & CLAIMS:

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

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 15th day of July 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 \$602,739.18 (Copy of bill list attached).

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

COUNCIL COMMENTS:

The Mayor thanked all those who attended the Fireworks and also provided a report on the July 14th storm.

AUDIENCE PARTICIPATION: None

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

Upon a motion by Councilman Dierkes and a second by Councilman Matejek, the meeting was unanimously adjourned at 8:03 P.M.

Martha Lopez, RMC
Borough Clerk