

**REGULAR MEETING
SEPTEMBER 20, 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 7:33 P.M.

**INVOCATION: Councilwoman Fech-Caccamo
SALUTE TO THE FLAG
ROLL CALL**

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

APPROVAL OF MINUTES:

Upon motion by Councilman Turner and a second by Councilman Mortimer, the minutes of the Regular and Executive Session Meetings held on August 16, 2016 were approved. Roll Call: Ayes: Dierkes, Fech-Caccamo, Messler, Mortimer, Turner. Abstained: Andre.

Upon motion by Councilman Turner a second by Councilman Mortimer, the minutes of the Work and Executive Session Meetings held on September 6, 2016 were approved. Roll Call: Ayes: Andre, Dierkes, Fech-Caccamo, Messler, Mortimer, Turner. Nays: 0.

RESOLUTION OF COMMENDATION:

WHEREAS, the Governor Livingston High School Varsity Baseball Team played Westfield in the Semi Final round of the Union County Tournament; and

WHEREAS, the GLHS Varsity Baseball Team defeated Westfield 4-3 in extra innings to move on to the Union County Championship game; and

WHEREAS, the GLHS Varsity Baseball Team defeated top seeded Scotch Plains-Fanwood 3-2 to become Union County Champs; and

WHEREAS, The GLHS Varsity Baseball Team became the first team in school history to win the county tournament.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Mountainside that the Governor Livingston High School Varsity Baseball Team and Coaching Staff are hereby commended for their outstanding athletic achievements during the 2016 baseball season.

Dan Baroff	Matt Bruno
Nick Cocchia	John Colendenski
Drew Compton	Brian Cranston
Vin Doren	DJ Gonnelli
Liam Hulbert	Will Jennings

Josh Katz	Brendan Lake
Tyler McCulloch	Sam Pile
Sean Savage	Cole Schneider
Dan Serretti	Jace Tweeten
Lucas Vitollo	

Head Coach: Chris Roof
Assistants: Ralph Yezza, Dan Mondelli, Bryan Young, Matt Rago

RESOLUTIONS:

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

RESOLUTION 86-2016

WHEREAS, the Borough of Mountainside would like to participate in the leaf disposal program at the Union County Conservation Center; and

WHEREAS, it is necessary to enter into an Indemnification Agreement and Memorandum of Understanding with the County of Union to participate in the leaf disposal program; and

WHEREAS, the current 2016 rate is \$2.00 per yard – loose, \$4.00 per yard – compacted.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Mountainside that the Mayor and Borough Clerk are hereby authorized to sign the Indemnification Agreement and Memorandum of Understanding to participate in the leaf disposal program at the Union County Conservation Center.

Roll Call: Andre, Dierkes, Fech-Caccamo, Messler, Mortimer, Turner. Nays: 0

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

RESOLUTION 87-2016

WHEREAS, the Recreation Director Frank Masella has requested refunds to the following participants due to program cancellations; and

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

<u>Recipient</u>	<u>Program</u>	<u>Amount</u>
William Ravaioli 303 Indian Trail	Tennis (2)	\$410.00
Elizabeth Post 1557 Coles Avenue	Pool Membership	\$73.50

Roll Call: Andre, Dierkes, Fech-Caccamo, Messler, Mortimer, Turner. Nays: 0

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

RESOLUTION 88-2016

WHEREAS, the Borough Engineer and Construction Official have requested refunds to the following individuals; and

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

<u>Applicant</u>	<u>Permit</u>	<u>Amount</u>
Peter DeSimone 293 Old Tote Road	Road Opening	\$500.00
John Kalil 364 Hedge Row	Road Opening (paper bond)	\$2,000.00

Roll Call: Andre, Dierkes, Fech-Caccamo, Messler, Mortimer, Turner. Nays: 0

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

RESOLUTION 89-2016

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 refunds, for the following reasons:

Duplicate payments Due to Banks

CoreLogic
1 CoreLogic Way
Refund Units: DFW 4-3
Westlake, TX 76262

<u>Block</u>	<u>Lot</u>	<u>Amount</u>
3.14	29	\$3,834.49
15.12	2	\$1,964.69
16	54	\$1,522.75
24.01	9	<u>\$5,568.48</u>
		\$12,890.41

Lereta, LLA
1123 Parkview Drive
Refunds Dept
Covina, CA 91724

<u>Block</u>	<u>Lot</u>	<u>Amount</u>
7.12	15	\$2,580.51

Wells Fargo Real Estate Tax Services
Financial Support- Region 1
1 Home Campus MAC x2302-04D
Des Moines, IA 50328-0001

<u>Block</u>	<u>Lot</u>	<u>Amount</u>
22.01	8.05	\$6,148.96
24.04	2.10	<u>\$4,960.10</u>
		\$11,109.06

Duplicate Sewer payment Due to Property Owner

Getty Realty Corp
2 Jericho Plaza, Suite 110
Jericho, NY 76161-0250

<u>Block</u>	<u>Lot</u>	<u>Account #</u>	<u>Amount</u>
7.04	17	1132-0	\$957.47

Duplicate Tax payment Due to Property Owner

Francis Kelly (overbill)
255 Old Tote Road
Mountainside, NJ 07092

Phillip & Rebecca Lichtenwalner
1607 Sky Top Drive
Mountainside, NJ 07092

<u>Block</u>	<u>Lot</u>	<u>Amount</u>	<u>Block</u>	<u>Lot</u>	<u>Amount</u>
15.09	41	\$111.19	3.13	1.04	\$2,537.72

Roll Call: Andre, Dierkes, Fech-Caccamo, Messler, Mortimer,Turner. Nays: 0

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

RESOLUTION 90-2016

WHEREAS, receivable balance exist in the records of the Borough; and

WHEREAS, the balance is as follows:

Municipal Alliance Grant \$ 1,627.32

NOW, THEREFORE, BE IT RESOLVED that the Chief Finance Officer cancel this balance from the records of the Borough.

Roll Call: Andre, Dierkes, Fech-Caccamo, Messler, Mortimer, Turner. Nays: 0

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

RESOLUTION 91-2016

WHEREAS, the Governing body of the Borough of Mountainside is aware that Friday, September 16, 2016 has been declared as "POW/MIA Remembrance Day"; and

WHEREAS, all Americans everywhere owe a special debt of gratitude and a responsibility for remembering and honoring those who have given so much to make all of us free and secure in this, our national homeland, and a recognition day is a fitting testament and remembrance for all of us, for the sacrifices of our POW/MIA Veterans.

NOW, THEREFORE, BE IT RESOLVED the Mayor and Council of the Borough of Mountainside that it hereby declares, Friday, September 16, 2016 as:

“POW/MIA REMEMBRANCE DAY”

in the Borough of Mountainside and urges all citizens of the Borough of Mountainside to make a special effort to give thanks to and remember the sacrifices rendered to us by all these noble sons and daughters of America.

Roll Call: Andre, Dierkes, Fech-Caccamo, Messler, Mortimer,Turner. Nays: 0

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

RESOLUTION 92-2016

WHEREAS, the A&E Committee has recommended compensation adjustments to the following employees:

Borough Administrator	\$10,000
Borough Clerk, Registrar, QPA	\$ 3,000
Board of Health Secretary	\$ 2,000
OEM Director	\$ 3,000
OEM Deputy	\$ 5,000
Chief Financial Officer	\$ 3,000
Tax Collector (P/T)	\$ 2,000
Public Works Manager	\$ 2,000
Recreation Director	\$ 3,000

NOW, THEREFORE, BE IT RESOLVED, that this compensation becomes effective as of January 1, 2016.

Roll Call: Andre, Dierkes, Fech-Caccamo, Messler, Mortimer,Turner. Nays: 0

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

RESOLUTION 93-2016

WHEREAS, The Union County Board of Chosen Freeholders has authorized the County Manager to enter into an agreement with the State of New Jersey, Office of Information Technology to provide Emergency Telecommunications Services for the County of Union as per the FCC’s narrow banding mandate, effective January 1, 2013; and

WHEREAS, the County Manager was further authorized to execute any and all agreements with municipalities with a necessity for emergency telecommunication services, upon approval of the Office of County Counsel; and

WHEREAS, the Borough of Mountainside is a municipality qualifying for radio interoperability services.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Mountainside that the agreement is hereby authorized to be executed by the Borough Administrator for the submission to the Union County Office of Emergency Services.

Roll Call: Andre, Dierkes, Fech-Caccamo, Messler, 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.

It was moved by Councilwoman Andre and seconded by Councilman Dierkes that this ordinance be passed on first reading and advertised in full for a public hearing on October 18, 2016.

Roll Call: Andre, Dierkes, Fech-Caccamo, Messler, 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.

It was moved by Councilwoman Fech-Caccamo and seconded by Councilman Mortimer that this ordinance be passed on first reading and advertised in full for a public hearing on October 18, 2016.

Roll Call: Andre, Dierkes, Fech-Caccamo, Messler, Mortimer, Turner. Nays: 0

MOTION:

The following motion was unanimously approved.

1. Approve raffle applications from NJ Association of Twins Mothers' Club for a 50/50 off premise draw raffle

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 20th day of September 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 \$266,720.19 (Copy of bill list attached).

Roll Call: Andre, Dierkes, Fech-Caccamo, Messler, Mortimer, Turner. Nays: 0

COUNCIL COMMENTS:

Councilwoman Andre announced the deadline to purchase a VFW Memorial Brick and the upcoming Rescue Squad Haunted Trail.

Mayor Mirabelli mentioned questions raised at a recent senior citizens meeting and explained that burglaries are not publicized due to an executive order by the state and encouraged residents to sign up for Union County First Alert System.

AUDIENCE PARTICIPATION:

George Stafford, Outreach Director for NJ Highlands Coalition, asked council to support the goals, policies, and objectives of the 2004 Highlands Water Protection and Planning Act and the Highlands Regional Master Plan.

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

Upon motion by Councilman Dierkes and a second by Councilman Turner, 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 and personnel 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 8:01 P.M.

The meeting was recalled to public session at 8:19 P.M.

Upon motion by Councilman Dierkes and a second by Councilman Mortimer, the meeting was unanimously adjourned at 8:19 P.M.

Martha Lopez, RMC
Borough Clerk