

**REGULAR MEETING
DECEMBER 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 7:32 P.M.

**INVOCATION: Council President Turner
SALUTE TO THE FLAG
ROLL CALL**

PRESENT: Mayor Mirabelli, Councilman Dierkes, Councilwoman Fech-Caccamo, Councilman Messler, Councilman Mortimer, Council President Turner, Administrator Debbie and Attorney Post. Also present were Police Chief Allan Attanasio and Public Works Manager Ronald Romak. Councilwoman Andre was absent.

APPROVAL OF MINUTES:

Upon motion by Councilman Mortimer and a second by Councilman Dierkes, the minutes of the Regular and Executive Session Meetings held on November 22, 2016 were approved. Roll Call: Ayes: Dierkes, Fech-Caccamo, Messler, Mortimer, Turner.

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

PROCLAMATIONS:

WHEREAS, scouting is a movement that challenges, inspires, and guides young people toward high achievements and high values as expressed in the Scout oath, law, motto, and slogan, and;

WHEREAS, Eagle is the highest rank in the Boy Scouting, and requires mastery of difficult challenges in diverse areas, and;

WHEREAS, to become an Eagle Scout requires demonstration of good character and community service, and;

WHEREAS, only a minority of scouts ever achieves this distinguished accomplishment, and;

WHEREAS, John Bittner has demonstrated a special commitment to the Boy Scouts, and has worked with great diligence to successfully complete the requirements for the rank of Eagle, and;

WHEREAS, for his Eagle community service project, John Bittner removed four trees from the front of Our Lady of Lourdes Church and replaced them with shrubbery that would grow modestly, and enhance the beauty of the church, and;

WHEREAS, the trees were planted when the church was built in 1950's. Many decades later, the trees became overgrown and interfered with the roof and gutter system; and

WHEREAS, once the trees were gone, the parishioners could clearly view the lovely church sign and crosses that adorned the front of the church, which added to the significance of the project.

NOW, THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Mountainside, that they do hereby congratulate John Bittner on attaining the rank of Eagle Scout.

WHEREAS, scouting is a movement that challenges, inspires, and guides young people toward high achievements and high values as expressed in the Scout oath, law, motto, and slogan, and;

WHEREAS, Eagle is the highest rank in the Boy Scouting, and requires mastery of difficult challenges in diverse areas, and;

WHEREAS, to become an Eagle Scout requires demonstration of good character and community service, and;

WHEREAS, only a minority of scouts ever achieves this distinguished accomplishment, and;

WHEREAS, Robert Patrick Greeley, III has demonstrated a special commitment to the Boy Scouts, and has worked with great diligence to successfully complete the requirements for the rank of Eagle, and;

WHEREAS, for his Eagle community service project, Robert Greeley, III created a memorial rose garden for two of the founding women of Our Lady of Lourdes Church. Many years ago, there was a plan to construct a garden to honor these women which never came to fruition, and;

WHEREAS, his project included shaping two garden beds, installing belgium block borders, creating a timed drip line system, and planted over 70 shrubs, annuals, perennials, and 21 rose bushes, and;

WHEREAS, over fifty people assisted with his service project including the Boy Scouts, Girl Scouts, parishioners, and friends.

NOW, THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Mountainside, that they do hereby congratulate Robert Greeley, III on attaining the rank of Eagle Scout.

RESOLUTIONS:

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

RESOLUTION 111-2016

WHEREAS, it is the desire of the Governing Body of the Borough of Mountainside to appoint a Probationary Police Officer to the Borough of Mountainside Police Department; and

WHEREAS, the Police Committee interviewed several qualified candidates for the position of Probationary Police Officer for the Borough of Mountainside Police Department; and

WHEREAS, the Police Committee has recommended the appointment of William Sforza as Police Officer; and

WHEREAS, William Sforza shall enroll in a police training course, and shall be entitled to a leave of absence with pay during the period of the police training course; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Mountainside that William Sforza be appointed as a Probationary Police Officer for the Borough of Mountainside Police Department; and

BE IT FURTHER RESOLVED, that said appointment shall be effective December 21, 2016 with the probationary period ending one-year following graduation from said academy at a probationary period salary of \$41,512.33.

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

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

RESOLUTION 112-2016

WHEREAS, the Recreation Director Frank Masella has requested refunds to the following individuals due to class 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>
Dana James 1412 Chapel Hill Road	Total Sports	\$125.00
Kathleen Healy 1253 Knollwood Road	Basketball	\$93.00
Dorota Burke 1337 Hidden Circle	Basketball	\$93.00
Suzanne Bakaletz 1521 Deer Path	Basketball (2)	\$186.00
Maria L. Oliveria 367 Darby Lane	Basketball	\$93.00
Nancy Smith 289 Cherry Hill Road	Radio City	\$160.00
Karen Horan 874 Hillside Avenue	Radio City	\$160.00

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

The following resolution was introduced by Councilwoman Fech-Caccamo and seconded by Councilman Turner.

RESOLUTION 113-2016

WHEREAS, the owners of real estate in the Borough of Mountainside paid their real estate and sewer taxes by way of a check in an incorrect amount; and

WHEREAS, in many of such instances the error involved amounts of \$5.00 and under.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Mountainside that the proper Borough Officials be and they hereby are authorized to cancel all such amounts on tax and sewer accounts, whether owed to the Borough or owed by the Borough, of \$5.00 and under for the year 2016.

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

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

RESOLUTION 114-2016

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 refund, for the following reason:

Overpayment due to Veteran Deduction Granted

Charles E. Dooley
1315 Outlook Drive
Mountainside, NJ 07092

<u>Block</u>	<u>Lot</u>	<u>Amount</u>
26	1	\$250.00

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

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

RESOLUTION 115-2016

WHEREAS, N.J.S.A. 40A:4-58 provides for transfers within certain appropriations within the Municipal Budget during the last two months of the fiscal year; and

WHEREAS, the Chief Financial Officer has advised the Mayor and Council of the Borough of Mountainside that the need for certain transfers within the 2016 Municipal Budget exists, and

WHEREAS, this resolution authorizes the Chief Financial Officer to make these transfers,

NOW, THEREFORE, BE IT RESOLVED that the following budget transfers be ratified.

BE IT FURTHER RESOLVED that the Chief Financial Officer be and is hereby authorized to make any necessary transfers prior to year end and that these be ratified at the first regularly scheduled Governing Body meeting of 2017.

<u>CURRENT ACCOUNT</u>	<u>TO</u>	<u>FROM</u>
Contribution to DCRP	500.00	
Emergency Management S/W	4,000.00	
Recreation S/W	1,000.00	
Senior Citizen O/E	200.00	
Recreation O/E	1,000.00	
Gasoline & Diesel Fuel		6,700.00

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

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

RESOLUTION 116-2016

WHEREAS, in accordance with applicable provisions of the Public Contracts Law, the Borough advertised for Bids for Contract 2016-8 for "Television Inspections of Various Sanitary Sewers"; and

WHEREAS, on November 29, 2016 the return date for the bids, seven bids were received as follows:

Bidders:	Base Bid
Oswald Enterprises, Inc.	\$41,024.00*
Trenchless Line Company	\$51,936.00
North American Pipeline Services	\$55,528.50
National Water Main Cleaning Co.	\$78,766.00
Russel Reid Waste	\$97,046.00
Pipe and Plant Solutions	\$99,970.00
EarthCare	143,900.00

*= corrected amount

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

WHEREAS, the lowest bidder is Oswald Enterprises, Inc. and the Borough Engineer has recommended that Contract 2016-8 be awarded to Oswald Enterprises, Inc., 161 East Road, Belford, New Jersey 07718.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Mountainside that the contract for Television Inspection of Various Sanitary Sewers is awarded to Oswald Enterprises, Inc., 161 East Road, Belford, New Jersey 07718 in the amount of \$41,024.00.

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

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

RESOLUTION 117-2016

WHEREAS, the Borough of Mountainside is vulnerable to damages from natural hazard events, which pose a threat to public health and safety and could result in property loss and economic hardship and;

WHEREAS, the County of Union has adopted, by Resolution No.2016-250 on March 31, 2016, an updated Multi-Jurisdictional Hazard Mitigation Plan (the “Plan”) pursuant to the process set forth by the State of New Jersey and the Federal Emergency Management Agency; and

WHEREAS, the New Jersey Office of Emergency Management provides Federal mitigation funds to support the development of the mitigation plan; and

WHEREAS, the Plan recommends hazard mitigation actions that will help protect people and property affected by natural hazards occurring within Union County that will reduce future public, private, community and personal vulnerability and costs of disaster response and recovery, and that will reinforce the County’s leadership in emergency preparedness; and

WHEREAS, the Disaster Mitigation Act of 2000 (PL 106-390) and associated Federal Regulations published under 44 CFR, Part 201, required participating communities within the County to formally adopt a Hazard Mitigation Plan subject to the approval of the Federal Emergency Agency to be eligible for Federal funds for hazard mitigation projects and activities as they become available; and

WHEREAS, the plan was reviewed by Borough officials and found to be in the best interest of the Borough and the public; and

WHEREAS, the Borough Council finds it in the best interest of the Borough and the public to officially adopt the Plan, a copy of which is available on the County’s website.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Mountainside, County of Union, State of New Jersey, that:

1. The Borough hereby adopts the Union County New Jersey Multi-jurisdictional Hazard Mitigation Plan (the “Plan”) as the Borough’s official hazard mitigation plan, and resolves to execute the mitigation actions in the Plan.
2. The Borough officials identified in the Plan are hereby directed to implement the recommended actions assigned to them. These officials will report quarterly on their activities, accomplishments and progress to the Union County Office of Emergency Management and to the Borough Council.
3. The Union County Office of Emergency Management will provide annual progress reports on the status of implementation of the Plan to the Borough Council. This report shall be submitted to the Borough Council by March 31st of each year.
4. The Borough Office of Emergency Management, or other designated officials, will undertake periodic updates of the Plan in concert with the Union County Office of Emergency Management as described in the Plan Maintenance Section, but no less frequently than five years.

BE IT FURTHER RESOLVED that the Borough Clerk is hereby directed to provide a certified copy of this Resolution to the Administrator, Clerk and Board of Freeholders of the County of Union.

BE IT FURTHER RESOLVED that this Resolution shall take effect pursuant to law.

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

MOTIONS:

The following motions were unanimously approved.

1. Authorization to appoint Matthew Pristasch and Anthony Werchas as Volunteer Firefighters
 2. Raffle applications from Our Lady of Lourdes for an off premise 50/50 draw raffle
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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 December 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 \$137,348.00 (Copy of bill list attached).

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

COUNCIL COMMENTS:

Mayor Mirabelli thanked those who attended the tree lighting and wished everyone a Happy Holiday.

AUDIENCE PARTICIPATION:

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 Turner, the meeting was unanimously adjourned.

Meeting adjourned at 7:51 PM.
