

**WORK SESSION  
OCTOBER 6, 2020**

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 7:42 PM via Zoom.

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

Discussion was held regarding authorization to apply for the Community Development Block Grant 47 which helps to fund the Senior Citizens Social Services Program specifically, the Senior Coordinator and Van Drivers salaries. The proper resolution will be prepared for the meeting of October 20, 2020.  
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Discussion was held regarding a request from the Tax Collector to cancel taxes for Block 24.08 Lot 1. The taxes should be cancelled due to a correction of error resulting from a double entry of the property. The proper resolution will be prepared for the October 20, 2020 meeting.  
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Discussion was held regarding department refunds. Recreation Director Frank Masella recommends issuing refunds due to cancellations and Construction Official Jerry Eger request a refund for a renovation permit that wasn't utilized. The Council approved the refund requests. The proper resolutions will be prepared for the meeting of October 20, 2020.  
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Discussion was held regarding senior citizen programs. Senior Coordinator Kim Moriak mentioned the following programs being offered which include chair yoga, barre, bingo, zoom and meal deliveries. Council questioned how long the meal delivery program would last. The Mayor Mirabelli has received praises from the seniors who participate and he would like the program to continue for a while. There was concern about the meals being too rich and suggested advising the seniors about other meal programs such as SAGE.  
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Discussion was held regarding the Governor's best practices inventory questionnaire. The inventory is designed to provide standards by which local government officials can assess how we are conducting business as compared to other towns to find cost effective ways of providing services. Municipalities need to meet an established percentage of the checklist items to receive some or all of their state aid payment. The borough scored 22 yes answers, entitling Mountainside to 100% of the allotted aid.  
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Discussion was held regarding a request from the Tax Collector for the tax sale redemption of Block 7.05 Lot 1. It is requested that the Finance Officer be authorized to issue a check to the lien holder for the redemption of this tax lien. The proper resolution will be prepared for the October 20, 2020 meeting.  
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Discussion was held regarding the noise ordinance. There has been an issue with Sunday morning services at the Liquid Church. The ordinance allows sound amplification or reproduction equipment after 8:00 am and residents are complaining about the noise level. The Westfield Board of Health plans to measure the sound and if there's a violation handle the enforcement. Attorney Post will review the

ordinance and make recommendations for the Board of Health to amend specifically the weekend hours.

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

**RESOLUTION 117-2020**

WHEREAS on June 2, 2020 the Mayor and Council of the Borough of Mountainside adopted Ordinance 1285-2020 permitting Restaurants to utilize temporary outdoor dining areas in light of the COVID-19 Pandemic; and

WHEREAS by its terms such Ordinance shall automatically lapse and have no further legal force or effect on November 1, 2020, unless the Ordinance is further extended on or before such date by Resolution of the Borough Council; and

WHEREAS the State of Emergency and Public Health Emergency declared by Governor Murphy in response to the COVID-19 Pandemic continues in effect.

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Mountainside that the effective date of Ordinance 1285-2020 be and the same is hereby extended, such effective date to continue for so long as the State of Emergency and Public Health Emergency declared by Governor Murphy in response to the COVID-19 Pandemic continues in effect.

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

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Discussion was held regarding the street closings at Old Tote Road for Halloween. Due to the COVID 19 Pandemic, Old Tote Road will not be closed to accommodate Halloween Festivities. Residents should follow traditional door to door trick or treating. The Mountainside Newcomers Club will be selling signs to distinguish houses participating in trick-or-treating from those that do not wish to participate. Mayor Mirabelli announced recommended Halloween rules and guidance which will be posted on the borough's social media accounts.

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Councilman Messler invited residents to participate in Clean Communities Day and the Electronic Recycling Event on 10/17.

Councilwoman Pater informed the community about the opening of the 1995 time capsule and filling a 2020 capsule.

Residents were informed about the upcoming election process.

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**BILLS & CLAIMS:**

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

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 6<sup>th</sup> day of October 2020, 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 \$186,916.87. (Copy of bill list attached)

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

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**AUDIENCE PARTICIPATION:**

Sarah Post, 320 Tanager Way, commented on the need to improve the noise ordinance even if just the weekends.

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Upon a motion by Councilman Mortimer and a second by Councilman Messler, 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 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 8:48 P.M.

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The meeting was recalled to public session at 9:46 P.M.

Upon motion by Councilman Messler and a second by Councilman Turner, the meeting was unanimously adjourned.

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Martha Lopez, RMC  
Borough Clerk