

WORK SESSION
JUNE 3, 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 7:32 P.M.

PRESENT: Mayor Mirabelli, Councilman Dierkes, Councilman Matejek, Council President Pacifico, Councilman Rinaldo, Councilwoman Wass, Attorney Post and Administrator Mortimer. Also present were CFO Justyna Zagorska, Senior Coordinator Kim Moriak, Police Chief Joseph Giannuzzi, Borough Engineer Mike Disko and Construction Official Jerry Eger. Councilman Van Deusen was absent.

Discussion was held regarding a request from the Borough Engineer to determine which road to apply for this year's NJDOT Municipal Aid Grant application. The Council approved the resurfacing of Charles Street. The proper resolution will be prepared for the next meeting.

Discussion was held regarding the annual renewal of liquor licenses. The establishments have been inspected, some received their tax clearances and paid all required fees. Awaiting tax clearances are Mosaico, Chrones and Elks. Licensees who do not obtain their tax clearance will need to apply for an ad interim permit. The resolution to approve liquor license renewals will be prepared for the next meeting.

Discussion was held regarding a request from the Tax Collector to authorize tax refunds due to duplicate payments. The proper resolution will be prepared for the next meeting.

Discussion was held regarding establishing a dedication by rider for the tree fund. The state rejected the initial dedication by rider because it did not reference NJDEP N.J.A.C. 7:8. A revised resolution with the proper verbiage will be resubmitted for the state's approval. The proper resolution will be prepared for the next meeting.

Discussion was held regarding filming permits. There are no mechanism in place to address filming permits. It was recommended to draft regulations and fees to account for this type of permit.

Discussion was held regarding authorization to appoint Tyler Stoeckle as a new volunteer firefighter. The background check for Tyler Stoeckle has cleared. The Deputy Fire Chief recommends the appointment. A motion to approve the new firefighter will take place at the next meeting.

Discussion was held regarding department refunds. The recreation department would like to refund participants due to cancellations. A payment for a vital record shall be refunded as no such record exist. The proper resolution will be prepared for the next meeting.

Discussion was held regarding an application for a sidewalk café license from Publick House. The Council discussed a memo prepared by Borough Engineer, Mike Disko, and further discussed maintaining a 6-foot clearance from the curb, potential safety measures such as barriers, and outdoor alcohol service regulations. Mike was asked to review the request on a case-by-case basis and confirm outdoor alcohol licensing with Publick House.

Discussion was held regarding another amendment to the Municipal Alliance Grant resolution. The verbiage (acronym) did not match the requirements set and therefore needs to be revised and resubmitted. The proper resolution will be prepared for the next meeting.

Discussion was held regarding new regulations for fire extinguishers. Building code required homes to have fire extinguishers. New legislation allows towns the option to mandate fire extinguishers. The pros and cons were highlighted. The Council determined not to require fire extinguishers.

Discussion was held regarding cancellation of an outstanding check. The CFO would like to cancel a check for \$8.25 issued in 2023 from the current account. The proper resolution will be prepared for the next meeting.

Discussion was held regarding a request from the Finance Officer for a Chapter 159 resolution to include special items of revenues into the 2025 municipal budget for the Clean Communities Grant (\$19,569.46) and Watts Foundation - Meals Program Volunteer Dinner (\$1,896.84). The proper resolution will be prepared for the next meeting.

Discussion was held regarding the paving project at the DPW garage. This topic was held for executive session.

Recreation staff appointments will be added to the next meeting.

A 100th birthday proclamation will be added to the next meeting.

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 3rd day of June 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 \$336,799.77 (Copy of bill list attached).

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

AUDIENCE PARTICIPATION: None

Upon a motion by Councilman Dierkes and a second by Councilman Rinaldo 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 personnel, contracts and 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 8:05 P.M.

The meeting was recalled to public session at 8:37 P.M.

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

RESOLUTION 74-2025

WHEREAS, the Governing Body of the Borough of Mountainside requires the services of a law firm to serve as Special Counsel for Investigations; and

WHEREAS, such services constitute professional services within the meaning of N.J.S.A. 40A-11-12; and

WHEREAS, the nature of such legal services will not reasonably permit the drawing of specifications or the receipt of competitive bids; and

WHEREAS, the Borough desires to appoint the firm of Cleary Giacobbe Alfieri Jacobs LLC, pursuant to a proposal for such services submitted by such law firm; and

WHEREAS, the appropriate Borough officials have determined that the value of these services will not exceed \$25,000 over the life of the contract; and

WHEREAS, the anticipated term of the contract will not exceed one year; and

WHEREAS, the appointee will submit such Disclosure Certifications as to ensure compliance with all applicable statues and regulations.

NOW THEREFORE, BE IT RESOLVED that the firm of Cleary Giacobbe Alfieri Jacobs, LLC be and hereby is appointed Special Counsel for Investigations; and

BE IT FURTHER RESOLVED that award of this contract will be published in the appropriate newspaper within ten days hereof.

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

Upon a motion by Councilman Dierkes and a second by Councilman Rinaldo, the meeting was unanimously adjourned at 8:39 P.M.

Martha Lopez, RMC
Borough Clerk