

**WORK SESSION  
FEBRUARY 7, 2023**

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 PM.

PRESENT: Mayor Mirabelli, Councilwoman Andre, Councilman Dierkes, Councilman Matejek, Council President Messler, Councilwoman Pacifico, Councilwoman Pater, Administrator Mortimer and Attorney Post. Also present were CFO Jill Goode, Police Chief Joseph Giannuzzi, Recreation Director Frank Masella, Senior Coordinator Kim Moriak, Public Works Director Matthew DeAnna, Fire Prevention Official Skip Paal and Engineer Mike Disko.

Discussion was held regarding a proposed ordinance to authorize the Fire Department to bill the insurance of victims involved in rescue services rendered during car accidents based on FEMA rates. An outside agency would administer the billing and receive 15% or 30% if not paid within six months. The revenue can go fund training and equipment. The Fire Prevention Official Skip Paal explained the process based on how it's administered in Scotch Plains.

Discussion was held regarding a proposed flood damage prevention ordinance. NJDEP has mandated municipalities to revise their ordinances in order to be compliant with the National Flood Insurance Program. The model ordinance will be modified accordingly without stricter guidelines and sent to NJDEP for their approval before introduction. The Engineer took the opportunity to train the Council about NJDEP de-icing storage material requirements and policy.

Discussion was held regarding increasing the pool membership fees for 2023. The proposed changes include a 7% increase for resident, non-resident memberships and guest passes. The Council agreed with the recommendation and a resolution will be prepared for the meeting of February 21, 2023.

Discussion was held regarding a pool party waiver request. The Mountainside PTO has requested the use of the facilities at the Mountainside Community Pool. They have requested that the fee of \$400 normally charged be waived. The proper resolution will be prepared for the February 21, 2023 meeting.

Discussion was held regarding an extension of the Animal Control Services contract. It is recommended that the borough extend the contract for a one-year term. Animal Control Solutions, LLC will hold the same annual cost of \$15,480 effective March 1, 2023 through February 29, 2024. The proper resolution will be prepared for the meeting of February 21, 2023.

Discussion was held regarding a building department refund of escrow funds held by the borough. The Borough Engineer Mike Disko has requested authorization to refund escrow funds for a road opening permit at 1456 Whipporwill Way in the amount of \$7,500. The proper resolution will be prepared for the February 21, 2023 meeting.

Discussion was held regarding the approval to appoint Dylan Koch as a new Volunteer Firefighter. The background check and physical were completed. Fire Chief Peter Esemplare recommends the appointment. A motion for approval will take place at the meeting of February 21, 2023.

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Discussion was held regarding the appointment of Debra Varnerin as a PT Tax Collector. The background check and references were completed and she comes with grant writing skills and Edmunds experience. The proper resolution will be prepared for the February 21, 2023 meeting.

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Discussion was held regarding the appointment of Darren Tietsworth as a PT Senior Citizen Handyman. The proper resolution will be prepared for the meeting of February 21, 2023.

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

**RESOLUTION 35-2023**

**SUPPORTING THE SUBMISSION OF APPLICATIONS TO THE COUNTY OF UNION FOR THE CARES ACT COMMUNITY DEVELOPMENT BLOCK GRANT CV (“CDBG”) PROGRAM**

HEREAS, the Borough of Mountainside advertised a public notice for and will conduct a public hearing on, February 7, 2023, to consider proposals for the Union County CARES Act CDBG-CV Program; and

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the Borough of Mountainside hereby expresses its support of the Union County CARES Act CDBG-CV Program submission presented to the Governing Body as set forth in the grant application received, for the following programs:

1. Public Services
2. Public Facilities & Public Improvements

BE IT FURTHER RESOLVED that a copy of this Resolution be furnished to the County of Union along with all applications required for CDBG program submission; and

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

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

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Discussion was held regarding authorization to enter into a grant agreement with the Department of Human Services Division of Planning for a Municipal Drug Alliance Grant in the amount of \$17,878.00. The grant period is effective through a fiscal year cycle for 2023-2024 and covers such programs as project graduation, 8<sup>th</sup> grade dance, peer leadership and DARE. The proper resolution authorizing the grant agreement will be prepared for the February 21, 2023 meeting.

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Discussion was held regarding a raffle application from Highlander Booster Club for an off premise 50/50 draw raffle. The application is in order and the proper fees have been paid. A motion to approve the application will take place at the meeting of February 21, 2023.

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

**RESOLUTION 36-2023**

**RESOLUTION AUTHORIZING THE APPLICATION TO THE FISCAL YEAR 2022 FEMA ASSISTANCE TO FIREFIGHTERS GRANT PROGRAM**

WHEREAS, the Governing Body of the Borough of Mountainside, County of Union, desires to further the public interest by obtaining a grant from the Federal Emergency Management Agency (FEMA) for the FY 2022 Assistance to Firefighters Grant (AFG) Program; and

WHEREAS, the objectives of the AFG Program are to provide critically needed resources that equip emergency personnel to recognized standards, enhance operational efficiencies, foster interoperability, and support community resilience; and

WHEREAS the Borough deems it appropriate to apply for up to \$350,101.73 from the AFG Grant Program for high-priority items including structural turnout gear, portable radios and SCBA packs and bottles, for the Mountainside Volunteer Fire Department; and

WHEREAS, there is a required Borough match of 5% for this grant program, which is equivalent to \$17,500; and

WHEREAS, attainment of these grant funds will help provide the Mountainside Volunteer Fire Department with the necessary safety and operations equipment to be in compliance with National Fire Prevention Association (NFPA) standards; and

NOW, THEREFORE, BE IT RESOLVED that the Council of the Borough of Mountainside formally approves the grant application for the above stated project; and

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to sign the grant agreement on behalf of the Borough of Mountainside and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

Roll call: Ayes: Andre, Dierkes, Matejek, Messler, Pacifico, Pater. Nays: 0.  
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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 7<sup>th</sup> day of February 2023, 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 \$61,800.33 (Copy of bill list attached)

Roll call: Ayes: Andre, Dierkes, Matejek, Messler, Pacifico, Pater. Nays: 0.  
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**AUDIENCE PARTICIPATION:**

Hearing no one wishing to speak, Mayor Mirabelli closed the meeting to the public.  
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Upon a motion by Councilman Dierkes and a second by Councilwoman Andre, 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 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 8:08 P.M.  
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The meeting was recalled to public session.

Upon a motion by Councilman Dierkes and a second by Councilman Matejek, the meeting was unanimously adjourned at 8:37 P.M.  
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Martha Lopez, RMC  
Borough Clerk