

**WORK SESSION
MARCH 5, 2013**

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 8:05 P.M.

PRESENT: Mayor Mirabelli, Councilwoman Andre, Councilman Lane, Councilman Mortimer, Council President Turner, Councilman Wass, Administrator Debbie and Attorney Post. Also present were Borough Engineer Michael Disko, Public Works Manager Ronald Romak and CFO Jill Goode. Councilman Messler was absent.

Discussion was held regarding the annual recycling tonnage grant resolution. This resolution recognizes the Borough as a recycling community and appoints the recycling coordinator. The resolution must be submitted with the Borough's annual report to the State. The proper resolution will be prepared for the meeting of March 19, 2013.

Discussion was held regarding the appointment of the pool management staff for the 2013 season. It was recommended by Recreation Director Frank Masella that John Tosato be appointed as Pool Manager at a recommended salary of \$10,718.86, Scott Laudati (\$6,965.48) and Pat Mamrak (\$6,630) be appointed as Assistant Pool Managers. Council agreed and the proper resolution will be prepared for the March 19, 2013 meeting.

Discussion was held regarding a request from the Tax Collector to authorize refunds for tax overpayments due to duplicate bank payments. The proper resolution will be prepared for the meeting of March 19, 2013.

Discussion was held regarding canceling out a receivable balance that exist in the records of the Borough. The balance comes from the Municipal Alliance Grant in the amount of \$1,838.94. The proper resolution will be prepared for the March 19, 2013

Discussion was held regarding the pool concession stand contract with B&K. Council President Turner recommended renewing for an additional year, imposing a 2% increase, modifying the contract to allow an additional operator to be in charge, and amending the performance security requirements. Council agreed with his recommendation. The proper resolution will be prepared for the March 19, 2013 meeting.

Discussion was held regarding recreation program refunds. Recreation Director Frank Masella recommends issuing several recipients refunds due to program cancellations. The proper resolution will be prepared for the meeting of March 19, 2013.

Discussion was held regarding an escrow refund for a road opening permit. The homeowner at 590 Woodland Avenue provided a \$250.00 escrow deposit for a driveway enlargement project. The Borough Engineer made a final inspection and recommends refunding the deposit at this time. The proper resolution will be prepared for the March 19, 2013 meeting.

Discussion was held regarding bid recommendations for Contract 2013-1 – Channel Cleaning & Erosion Control Improvements on Branch 1 Nomahegan Brook. Four bids were received on February 21, 2013. Borough Engineer Michael Disko recommends that the bid be awarded to the lowest bidder being Jo-Med Contracting Corp. with a base bid of \$83,919.02. The proper resolution will be prepared for the meeting of March 19, 2013.

Discussion was held regarding the acceptance of bids for the reconstruction of the pool pavilion. The bids exceeded the estimated cost of the project and it was agreed that the plans would be scaled down with several options and re-bid as soon as possible.

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

RESOLUTION 43-2013

WHEREAS, on March 1, 2013 the Borough of Mountainside received sealed bids for Reconstruction of Pavilion at the Mountainside Community Pool Contract 2013-2; and

WHEREAS, the Borough has determined to reject the bids because the lowest bid substantially exceeds the contracting unit's appropriation for the project; and

WHEREAS, the Borough reserved in the Notice of Bid the right to reject any and all bids;

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Mountainside that all of the bids received on March 1, 2013 for Reconstruction of the Pool Pavilion at the Mountainside Community Pool Contract 2013-2 be and the same hereby are rejected.

Roll Call: Andre, Lane, Mortimer, Turner, Wass. Nays: 0

Discussion was held regarding a commodity resale system agreement with the County of Union for the purchase of gasoline and/or diesel. This cooperative commodity system allows the Borough to enter three County facilities to purchase regular and diesel fuel at a discounted price. Public Works will begin fueling their vehicles at the Echo Lake station. The proper resolution will be prepared for the March 19, 2013 meeting.

Discussion was held regarding raffle applications from the Center for Hope Hospice for an on premise 50/50 raffle, off premise draw raffle and on premise draw raffle. The applications are all in order and the proper fees have been paid. Action to approve the raffle licenses will take place at the meeting of March 19, 2013.

Discussion was held regarding the 2013 municipal budget. Mayor Mirabelli highlighted the increases and decreases in the operating budget, shortage in anticipated revenue and compared the increase to last years. Some capital project costs for this year include the fire pumper, library HVAC, pool pavilion and some road improvements. Council would like to proceed with some improvements caused by Hurricane Sandy prior to the reimbursement of the insurance claim, therefore requiring a capital improvement ordinance. The 2013 increase per average home is \$115.22 equivalent to 7 tax points. The budget and capital ordinance will be introduced at the meeting of March 19, 2013.

Discussion was held regarding a recent Fire Committee meeting. Councilman Lane informed Council that they plan to meet with mutual aid fire chiefs to address communication issues and confirming daytime coverage. They are also exploring ways to entice volunteers to cover the daytime shift by proposing compensation to certain borough employees and/or increasing the uniform allowance.

BILLS & CLAIMS:

The following resolution was introduced by Councilman Mortimer and seconded by Councilwoman Andre:

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 5th day of March 2013, 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 \$154,004.80 (Copy of bill list attached).

Roll Call: Andre, Lane, Mortimer, Turner, Wass. Nays: 0

Upon a motion by Councilwoman Andre and a second by Councilman Wass, 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 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 9:27 P.M.

The meeting was recalled to public session at 10:25 P.M.

Upon motion by Councilman Wass and a second by Councilman Lane, the meeting was unanimously adjourned.

Respectfully submitted,

Martha Lopez, Borough Clerk