

**REORGANIZATION MEETING
JANUARY 5, 2021**

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 Mirabelli called the meeting to order at 7:06 P.M. via Zoom.

INVOCATION: Mayor Paul N. Mirabelli
SALUTE TO THE FLAG

CALL TO ORDER OF THE 2020 GOVERNING BODY:

PRESENT: Mayor Paul N. Mirabelli, Councilwoman Deanna Andre, Councilman Rene Dierkes, Councilman Robert W. Messler, Councilwoman Donna Pacifico, Councilwoman Rachel Pater, Council President Keith C. Turner, Attorney John N. Post, Administrator Glenn Mortimer and Borough Clerk Martha Lopez.

APPROVAL OF MINUTES:

Upon motion by Councilman Turner and a second by Councilwoman Pacifico, the minutes of the Regular Session Meeting held on December 15, 2020 were approved.

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

PRESENTATIONS:

The following Resolutions of Commendation were unanimously approved.

WHEREAS, Clark Landale served as the Mountainside Commissioner on the Rahway Valley Sewerage Authority from 2004 to 2009; and

WHEREAS, Clark's period of service on the Rahway Valley Sewerage Authority was a particularly difficult and challenging period in the history of the Authority; and

WHEREAS, Clark's presence as a Commissioner was of great value to the Authority, to the people who lived in the Authority service area, and to the industries that conducted operations in the Authority service area during this challenging period in its history; and

WHEREAS, after concluding his service on the Rahway Valley Sewerage Authority Clark was appointed to the Board of Trustees of the Mountainside Free Public Library in 2009, where he served until 2020; and

WHEREAS, Clark's fellow Trustees on the Library Board recognized his talent for leadership by repeatedly electing him as their President, and

WHEREAS, as a member of the Board of Trustees of the Mountainside Free Public Library Clark was instrumental in the Library's transition into the digital age; and

WHEREAS, one need only visit the Library Website at [www.
http://www.mountainsidelibrary.org/](http://www.mountainsidelibrary.org/) to appreciate the accomplishments of the Board of Trustees of the Library during the time Clark served as a Trustee and as President; and

WHEREAS, the residents of the Borough of Mountainside have benefitted enormously from Clark's service as a Trustee.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Mountainside that we do hereby express on behalf of ourselves, the persons in the service area of the Rahway Valley Sewer Authority, and the residents of Mountainside, our gratitude and appreciation for the years of outstanding public service given by Clark Landale.

WHEREAS, Nancy Caffrey was first appointed to the Board of Trustees of the Mountainside Free Public Library in 1996; and

WHEREAS, over the 26 years since she was first appointed Nancy served as Secretary, Vice-President, and President of the Board, and worked tirelessly to ensure that the Library accomplished its mission; and

WHEREAS, one need only visit the Library Website at <http://www.mountainsidelibrary.org/> to experience the length and breadth of the informational and educational opportunities offered by our Library; and

WHEREAS, one need only visit the Library building to realize that it has become the Centerpiece of Constitution Plaza, the place in the Borough where our community gathers to honor our veterans and our history, and to cultivate our culture and our commitment to democracy; and

WHEREAS, this enormous growth and significance in the role of our Library in the life of our community has occurred on Nancy's watch and at Nancy's initiative; and

WHEREAS, by her contribution to the role of our Library in our community Nancy has joined the company of Emma Weber, who founded the Library, and Emily Hoffarth, who for 25 years operated the Library from the basement of what was then Echobrook School and is now our Borough Hall.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Mountainside that we do hereby express on behalf of ourselves and the residents of the Borough our gratitude and appreciation for Nancy Caffrey's years of service to the Mountainside Free Public Library

WHEREAS, Elsa Jackson was first appointed to the Board of Health of the Borough of Mountainside in 1991; and

WHEREAS, for most of her many years of service on our Board of Health the role of Public Health agencies at all levels of Government was little understood or appreciated by many of our citizens; and

WHEREAS, our local Board of Health has oversight and supervision over the Public Health professionals who form the first line of defense in the Borough when combatting threats to public health; and

WHEREAS, the onset of the Coronavirus 19 Pandemic in 2020 has brought to the forefront of our awareness just how essential it is to our lives that there are dedicated people, both volunteers and professionals, who make it their business to promote and maintain public health.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Mountainside that we do hereby express on behalf of ourselves and the residents of the Borough our gratitude and appreciation for Elsa Jackson's three decades of service as a member of the Mountainside Board of Health.

WHEREAS, in recent years it has been the practice of Mayor and Council to acknowledge and honor achievements and accomplishments of our residents by Resolution; and

WHEREAS, on such occasions Councilman Keith Turner would often explain to the Honorees that such action by the Mayor and Council meant that that a record of their achievements and accomplishments would be preserved in the annals of the Borough for so long as Mountainside should exist; and

WHEREAS, the time has come for us to preserve in those annals Keith Turner's achievements and accomplishments which have moved this Mayor and Council to acknowledge and honor him today; and

WHEREAS, the first, most singular and abiding quality of Keith's achievements and accomplishments, a quality that became apparent when Keith began his public service as a member of the Recreation Commission in 1988, continued when he began his service on the Borough Council on January 1, 1991, and lasted right down to tonight, when Keith concludes his service on the Borough Council, is that for all that time Keith has acted for the benefit of our residents, not for himself; and

WHEREAS, the duration of Keith's service on the Borough Council covers a quarter of the Borough's entire history, a term of service on Council that is without precedent in Mountainside; and

WHEREAS, for much of that quarter of the Borough's history Keith led the Council as its elected President, and for the entire quarter of that history Keith spent more time and demonstrated more acumen, and brought more humor as we attended to the Borough's business than virtually any other Council person; and

WHEREAS, for that entire quarter of our history Keith was the Council person most responsible for discernible and highly beneficial changes in the Borough, that included renovating and/or establishing new homes for the First Aid Squad and Police Department, becoming a member of the Rahway Valley Sewer Authority, thereby ending a construction moratorium that was stifling the prosperity of the Borough, leading the Borough's drive to dissolve one of the most wasteful Regional School Districts in the State, thereby opening the way for our students to attend one of the best High Schools in the State, moving the Borough Government to a new Borough Hall, lighting our ballfields, and most recently, precipitating our purchase at a bargain price of property that will house our Public Works Department and provide the opportunity for acquiring, gratis, additional much-needed property from the State DOT; and

WHEREAS, for that entire quarter of the Borough's history Keith had equally consequential if less visible accomplishments such as leading, as the Borough's OEM Director, the Borough's responses to the terrorist attacks on the World Trade Center, the most damaging hurricane ever to strike New Jersey, and the worst pandemic to afflict our Country in more than 100 years, as well as negotiating our most difficult collective bargaining agreements, and by serving as a member of the Council's Affordable Housing Committee, protecting our single family residential character.

NOW, THEREFORE, we, the Mayor and Council of the Borough of Mountainside, after all these years, do hereby express to you, Keith Turner, on behalf of ourselves and a grateful community, our thanks, admiration and respect for your caring so much for our town that you spared so little to foster the welfare of the community we all love.

Assemblyman Bramnick and Assemblywoman Munoz congratulated Keith Turner for 30 years of service to the Borough of Mountainside.

On behalf of the Glenn Mortimer and his wife Joanne, Keith Turner was presented with a flag that was flown at the United States Capital.

COUNCIL COMMENTS:

Councilman Messler thanked Keith Turner for his years of service.

Councilwoman Andre thanked Keith Turner for his passion and dedication and welcomed Councilman Steven Matejek.

Councilman Turner thanked those who worked with him throughout his tenure and was grateful for the opportunity to serve the community for so many years.

Attorney Post swore in Councilwoman Deanna Andre and Councilman Steven Matejek.

CALL TO ORDER OF THE 2021 GOVERNING BODY:

PRESENT: Mayor Paul N. Mirabelli, Councilwoman Deanna Andre, Councilman Rene Dierkes, Councilman Steven Matejek, Councilman Robert W. Messler, Councilwoman Donna Pacifico, Councilwoman Rachel Pater, Attorney John N. Post, Administrator Glenn Mortimer and Borough Clerk Martha Lopez.

Mayor Paul N. Mirabelli presented his annual address to the public. The Mayor highlighted borough events, the Covid-19 pandemic, programs, improvement projects, grants, retirements, new hires, and Keith Turner.

ELECTION OF COUNCIL PRESIDENT:

Upon motion by Councilwoman Pater and a second by Councilwoman Pacifico, Councilwoman Deanna Andre was unanimously elected Council President for the year 2021.

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

RESOLUTIONS:

The following resolutions were introduced by Councilwoman Pater and seconded by Councilwoman Pacifico.

RESOLUTION 1-2021

BE IT RESOLVED by the Mayor and Council of the Borough of Mountainside that the Rules of Council of the Borough of Mountainside are adopted for the year 2021.

BE IT FURTHER RESOLVED that the said Rules of Council of the Borough of Mountainside are incorporated herein by reference.

RESOLUTION 2-2021

BE IT RESOLVED by the Governing Body that the Members of the Council be assigned to the following Committees for the year 2021:

<u>COMMITTEE</u>	<u>CHAIRPERSON</u>	<u>MEMBERS</u>
Fire	Councilman Rene Dierkes	Councilwoman Rachel Pater Councilman Steven Matejek
Administrative and Executive	Councilman Robert W. Messler	Councilwoman Rachel Pater Councilman Rene Dierkes
Public Works and Facilities	Councilman Robert W. Messler	Councilman Steven Matejek Councilwoman Donna Pacifico
Police	Councilman Robert W. Messler	Councilwoman Donna Pacifico Mayor Paul N. Mirabelli
Solid Waste and Recycling	Councilman Robert W. Messler	Councilwoman Deanna Andre Councilman Steven Matejek
Recreation	Councilwoman Deanna Andre	Councilwoman Donna Pacifico Councilman Rene Dierkes
Media and Information	Councilwoman Deanna Andre	Councilwoman Rachel Pater Councilman Robert W. Messler

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

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

RESOLUTION 3-2021

BE IT RESOLVED by the Governing Body that the following appointments of Council Representatives to Civic Boards and Agencies, or as Liaisons, made by Mayor Paul N. Mirabelli of the Borough of Mountainside be and they hereby are confirmed for the year 2021:

Planning Board	Steven Matejek
Board of Health	Donna Pacifico
Board of Education	Steven Matejek
Library	Donna Pacifico

Rescue Squad	Deanna Andre
Board of Tax Appeals	Deanna Andre
Emergency Management	Paul N. Mirabelli
Senior Citizen Services	Rachel Pater
Board of Tax Assessors	Rene Dierkes
Shade Tree	Rene Dierkes
Historic Preservation Committee	Rachel Pater
Children's Specialized Hospital	Steven Matejek

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

RESOLUTION 4-2021

BE IT RESOLVED by the Governing Body of the Borough of Mountainside, pursuant to the provisions of Article 3, Section 301, et seq of the Land Use Ordinance of the Borough of Mountainside, that the Planning Board of the Borough of Mountainside shall consist of nine members and, if desired, up to, but not more than four Alternate Members, of four classes, as follows:

Class I	Paul N. Mirabelli	
Class II	Michael Disko Jr., Borough Engineer	
Class III	Steven Matejek, Councilman	
Class IV	John Tomaine	2022
	Todd Garran	2024
	Thomas Parker	2023
	Ted Zawislak	2024
	Thomas Jakositz	2023
	Steve Matlin	2023
	Karen Dillon, Alternate #1	2021
	Victor Kostin, Jr., Alternate #2	2021

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

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

RESOLUTION 5-2021

BE IT RESOLVED by the Governing Body of the Borough of Mountainside that the following appointments to Local Boards and Committees for the terms of office set forth herein, made by Paul N. Mirabelli, Mayor of the Borough of Mountainside, be and they hereby are confirmed:

BOARD OF HEALTH:

Kevin McCauley	2023
Norma Huber	2021
Dr. Joseph Calderone	2021
Dr. James Dunne	2023
Lisa Bruno	2023
Kim Choma	2022
Odalys Sawycky	2021

SHADE TREE COMMISSION:

Matthew DeAnna	2022
Gary Cantagallo	2022
Kim Moriak	2022
Gina Tomas	2022
Lynn Samsky	2024
Thomas Root	2023
John Grossi	2022

EMERGENCY MANAGEMENT:

Keith C. Turner, Coordinator 2023
Paul N. Mirabelli, Deputy 2021
Matthew DeAnna, Deputy 2021
Joseph Giannuzzi, Deputy 2021
Anthony Pecorelli, Deputy 2021

LIBRARY BOARD OF TRUSTEES

Steven Witt 2022
Maya Frungillo 2021
Wendy Fech Caccamo 2025
Allison Murphy 2025
Vacancy 2022
Kristen Ciccimarra 2024
Marnie Cambria Dardanella 2023

Donna Pacifico, Mayor's Designee
Janet Walling, Chief School Administrator
Jordan Hyman, Designee for Chief School Administrator

MOUNTAINSIDE HISTORICAL PRESERVATION & RESTORATION COMMITTEE:

Scott Daniels	2021	Ruth Goense	2021
Carol Clark	2021	Jason Pastore	2021
Carol Goggi	2021	Diane Kontra	2021
John Sharkey	2021	James Toner	2021
Alice Cowell	2021	Ethel Ward - Alt.	2021
		Bob Gardella – Alt.	2021

AMERICANS WITH DISABILITY ACT:

Keith Turner Glenn Mortimer
Linda Clark Frank Masella

MUNICIPAL ALLIANCE COMMITTEE

Paul N. Mirabelli	Glenn Mortimer
Jill Goode	Kim Richards
Samantha Gringlinger	Janet Walling
Kim Moriak	Matt Flynn
Shaun Bendik	Cynthia West
Ken Ilgavizis	Gina Tomas
Dana Guidici Pietro	Kelley Ryan

LOCAL ETHICS BOARD:

John Moorman	2023
Todd Evans	2025
William R. Lane	2025
John Grossi	2022
Keith Turner	2021
Mauro Wolfe	2023

FINANCE COMMITTEE:

Glenn Mortimer Jill Goode
Paul N. Mirabelli Martha Lopez

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

The following resolution was introduced by Councilwoman Pacifico and seconded by Councilwoman Andre.

RESOLUTION 6-2021

BE IT RESOLVED by the Governing Body of the Borough of Mountainside that the following persons are appointed to the Borough offices indicated below:

P/T Administrator	Glenn Mortimer
Borough Clerk/Registrar of Vital Statistics	Martha Lopez
Qualified Purchasing Agent/Board of Health Secretary	
Deputy Borough Clerk/Deputy Registrar	Susan DiFrancesco
Chief Financial Officer/Tax Collector	Jill Goode
Finance Assistant	Linda Kacifa
Finance Assistant	Katherine Vilarino
Director of Recreation/Pool Administrator & Tech	Frank Masella
Assistant Recreation Director	Samantha Grindlinger
Recreation Secretary/Pool Bookkeeper	Karen Bandics
Municipal Judge	Frank Sahaj, Esq.

Prosecutor
Public Defender
Court Administrator
Deputy Court Administrator
P/T Violations Clerk
Tax Assessor
Police Physician
Engineer/Certified Wastewater & Treatment Operator
Secretary to Construction/Fire Prevention
Secretary to Engineering/DPW/Tax Assessor
Planning Board Attorney
Planning Board Secretary
Public Works Director/Deputy OEM
Public Works Crew Members:

James Foerst, Esq.
JoAnn Neylan, Esq.
Cynthia West
Zanny Lopez
Rayanne Burns
Michael Frangella
Dr. G. Schaller
Michael Disko, Jr.
Gina Tomas
Patricia Gilstrap
Vincent Loughlin
Theresa Snyder
Matthew DeAnna
Oscar Cardona
Horacio Colella
Richard Neri
Edward Parin
Thomas Root
Matt Flynn
Kim Moriak
Jerry Eger

Cable TV
Senior Citizen Coordinator
Construction Official/Bldg. Inspector/
Building Sub Code Official
Plumbing Sub Code Official
Electrical Sub Code Official
Fire Sub Code/Fire Prevention Official
Zoning Officer
Communications Officers:

Ben B. Scotti
Joseph B. Marretta
Joseph Popolo
Keith Disko
Walter Kutsop
Lewis Giordino
Michael Scuderi
Anthony DeLuca, Jr.
Corinne Moore
Amy Colineri

Police Administrative Assistant
P/T Police Records Clerk

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

The following resolution was introduced by Councilwoman Pater and seconded by Councilwoman Andre.

RESOLUTION 7-2021

BE IT RESOLVED by the Governing Body of the Borough of Mountainside that the election of the following positions designated opposite their names be and it hereby is confirmed and approved for the year 2021:

Fire Department

Chief	Anthony Pecorelli
Assistant Chief	Gary Cantagallo
Deputy Chief	Thomas Triolo
Deputy Chief	Andrew Meeks
Captain	Candace Cantagallo
Captain	Casey Olohan
Lieutenant	Christopher Sileo
Lieutenant	Saverio Zipeto

Rescue Squad

President/Delegate	Norma Huber
Vice President	Jamie Pereira
Treasurer	Michelle Ciepiela
Secretary	Karen Villatoro
Chief	Eric D. Pastore
Deputy Chief	Chris Sileo
1 st Lieutenant	Domenico Deluca
2 nd Lieutenant	Lucy Fromtling

Delegate to First Aid Council: Steve Susman

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

The following resolutions were introduced by Councilwoman Pacifico and seconded by Councilman Messler.

RESOLUTION 8-2021

WHEREAS, the Borough of Mountainside is making applications for Community Development Funds; and

WHEREAS, the allocation of such funds among Union County Communities will be determined in part through the efforts of a group composed of members from the Municipalities that have applied for such funds.

NOW, THEREFORE, BE IT RESOLVED that Kenny Ilgavizis, Kim Moriak, Glenn Mortimer, Alternate, and Jill Goode, Alternate be and they hereby appointed as members of the Union County Community Development Revenue Sharing Committee; and

BE IT FURTHER RESOLVED that the Mayor, Paul N. Mirabelli be and hereby is authorized to make further appointments without the need for notification by Council Resolution.

RESOLUTION 9-2021

BE IT RESOLVED by the Governing Body of the Borough of Mountainside that the following persons recommended by the Police Committee to be School Crossing Guards for the term of one year ending the 31st day of December 2021, be and hereby are appointed such:

Mario Magliacano
Patricia Salvato
Janice Sileo
Robert C. Vargo

Such Guards shall be under the supervision and direction of the Chief of Police.

Roll Call: Ayes: Andre, Dierkes, Matejek, Messler, Mortimer, Pater. Nays: 0.

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

RESOLUTION 10-2021

WHEREAS, the Borough Attorney is required to perform services for the Borough beyond the scope of the services upon which his salary is based; and

WHEREAS, such services constitute professional services within the meaning of N.J.S.A.40A:11-2; and

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

WHEREAS, the Borough of Mountainside desires to appoint the Borough Attorney as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.4 and 20.5; and

WHEREAS, the appropriate Borough official has determined that the value of these services will exceed \$17,500, but not to exceed \$275,000 over the life of the contract. This maximum dollar value is based on a reasonable estimate of the services required over the contract term, and the Borough of Mountainside is not obligated to spend that amount; and

WHEREAS, the anticipated term of the contract is one year; and

WHEREAS, John N. Post, Esq. (a member of the firm of Post Polak) will complete and submit a Business Entity Disclosure Certification which certifies that it has not made any reportable contributions to a political candidate or candidate committee in the Borough of Mountainside in the previous year, and acknowledging that the contract will prohibit it from making any reportable contributions through the term of the contract; and

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Mountainside that John N. Post, Esq., the Borough Attorney, be and he hereby is appointed to perform such legal services as may be required by the Governing Body and which are beyond the scope of the services upon which the Borough Attorney's salary is based; and

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

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

The following resolutions were introduced by Councilwoman Pater and seconded by Councilwoman Pacifico.

RESOLUTION 11-2021

WHEREAS, the Borough of Mountainside is required by the terms of N.J.S.A.40A:5-1 et seq to engage a Registered Municipal Accountant to be the Official Borough Auditor and Financial Advisor; and

WHEREAS, such services constitute professional services of such a qualitative nature as will not reasonably permit the drawing of specifications or the receipt of competitive bids;

WHEREAS, the Borough of Mountainside desires to appoint the Borough Auditor and Financial Advisor as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.4 and 20.5; and

WHEREAS, the appropriate Borough official has determined that the value of these services will exceed \$17,500, but not to exceed \$70,000 over the life of the contract. This maximum dollar value is based on a reasonable estimate of the services required over the contract term, and the Borough of Mountainside is not obligated to spend that amount; and

WHEREAS, the anticipated term of the contract is one year; and

WHEREAS, Robert B. Cagnassola (a member of the firm of Suplee, Clooney & Co.) has completed and submitted a Business Entity Disclosure Certification which certifies that it has not made any reportable contributions to a political candidate or candidate committee in the Borough of Mountainside in the previous year, and acknowledging that the contract will prohibit it from making any reportable contributions through the term of the contract; and

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Mountainside that the accounting firm Robert B. Cagnassola of the firm Suplee, Clooney and Company be and he hereby is appointed to be the official Borough Auditor and Financial Advisor for the term of one year commencing January 1, 2021.

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

RESOLUTION 12-2021

WHEREAS, the Borough of Mountainside has resolved to join the Suburban Municipal Joint Insurance Fund, following a detailed analysis; and

WHEREAS, the bylaws of said Funds require that each Municipality appoint a RISK MANAGEMENT CONSULTANT to perform various professional services as detailed in the bylaws; and

WHEREAS, the Board of Fund Commissioners established a fee equal to six percent (6%) of the Municipal assessment which expenditure represents reasonable compensation for the services required and was included in the cost considered by the Mayor and Council; and

WHEREAS, the judgmental nature of the Risk Management Consultant's duties renders comparative bidding impractical;

NOW THEREFORE, be it resolved that the Borough of Mountainside does hereby appoint PINNACLE RISK SOLUTIONS as its Risk Management Consultant in accordance with the Fund's bylaws; and

BE IT FURTHER resolved that the Mayor and Borough Clerk are hereby authorized and directed to execute the Risk Management Consultant's Agreement annexed hereto and to cause a notice of this decision to be published according to N.J.S.A. 40A:11-5 (1) (a) (i).

THIS AGREEMENT entered into the 1st day of January 2021, between the Borough of Mountainside and Pinnacle Risk Solutions.

WHEREAS, Pinnacle Risk Solutions has offered to the Borough of Mountainside professional risk management consulting services as required in the bylaws of the Suburban Municipal Joint Insurance Fund and the Municipal Excess Liability Joint Insurance Funds, and;

WHEREAS, the Borough of Mountainside desires these professional services pursuant to the resolution adopted by the governing body of the Borough of Mountainside at a meeting held on January 5, 2021; and

NOW, THEREFORE, the parties in consideration of the mutual promises and covenants set forth herein, agree as follows:

1. For and in consideration of the amount stated hereinafter, Pinnacle Risk Solutions shall:
 - a) Assist the Borough of Mountainside in identifying its insurable Property & Casualty exposures and to recommend professional methods to reduce, assume or transfer the risk of loss.
 - b) Assist the Borough of Mountainside in understanding the various coverages available from the Suburban Municipal Joint Insurance Fund and the Municipal Excess Liability Joint Insurance Fund.
 - c) Review with the Borough of Mountainside any additional coverages that Pinnacle Risk Solutions feels should be carried but are not available from the Fund and subject to the Borough of Mountainside's authorization, place such coverages outside the Fund.
 - d) Assist the Borough of Mountainside in the preparation of applications, statements of values, and similar documents requested by the Fund, it being understood that this Agreement does not include any appraisal work by Pinnacle Risk Solutions.
 - e) Review Certificates of Insurance from contractors, vendors and professionals when requested by the Borough of Mountainside.
 - f) Review the Borough of Mountainside's assessment as prepared by the Fund and assist the Borough of Mountainside in the preparation of its annual insurance budget.
 - g) Review the loss and engineering reports and generally assist the safety committee in its loss containment objectives. Also, attend no less than one (1) municipal safety committee meeting per annum to promote the safety objectives and goals of the Borough of Mountainside and the Fund.
 - h) Assist where needed in the settlement of claims, with the understating that the scope of Pinnacle Risk Solutions involvement does not include the work normally done by a public adjuster.
 - i) Perform any other risk management related services required by the Fund's bylaws.
2. In exchange for the above services, Pinnacle Risk Solutions shall be compensated in the following matter:
 - a) Pinnacle Risk Solutions shall be paid by the Borough of Mountainside a fee as compensation for services rendered, an amount equal to six percent (6%) of the Borough of Mountainside's annual assessment as promulgated by the Funds. Said fee shall be aid to Pinnacle Risk Solutions within thirty (30) days of payment of the Borough of Mountainside's assessment.

- b) For any insurance coverages authorized by the Borough of Mountainside to be placed outside the Fund, Pinnacle Risk Solutions shall receive as compensation the normal brokerage commissions paid by the insurance company. The premiums for said policies shall not be added to the Fund's assessment in computing the fee outlined in 2(a).
 - c) If the Borough of Mountainside shall require of Pinnacle Risk Solutions extra services other than those outlined above, Pinnacle Risk Solutions shall be paid by the Borough of Mountainside a fee at the rate of \$0 per hour, in addition to actual expenses incurred.
3. The term of this Agreement shall be one (1) year. However, this Agreement may be terminated by either party at any time by mailing to the other written notice, certified mail return receipt, calling for termination at not less than thirty (30) days thereafter. In the event of termination of this Agreement, Pinnacle Risk Solutions fees outlined in 2 (a) above shall be prorated to date of termination.

RESOLUTION 13-2021

WHEREAS, the Borough Engineer is required to perform services for the Borough beyond the scope of the services upon which his salary is based; and

WHEREAS, such services constitute professional services within the meaning of N.J.S.A.40A:11-2; and

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

WHEREAS, the Borough of Mountainside desires to appoint the Borough Engineer as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.4 and 20.5; and

WHEREAS, the appropriate Borough official has determined that the value of these services will exceed \$17,500, but not to exceed \$250,000 over the life of the contract. This maximum dollar value is based on a reasonable estimate of the services required over the contract term, and the Borough of Mountainside is not obligated to spend that amount; and

WHEREAS, the anticipated term of the contract is one year; and

WHEREAS, Michael Disko, Jr. (a member of the firm of M. Disko Associates) has completed and submitted a Business Entity Disclosure Certification which certifies that it has not made any reportable contributions to a political candidate or candidate committee in the Borough of Mountainside in the previous year, and acknowledging that the contract will prohibit it from making any reportable contributions through the term of the contract; and

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Mountainside that Michael Disko Jr., Borough Engineer, be and he hereby is appointed to perform such engineering services as may be required by the Governing Body and which are beyond the scope of the services upon which the Borough Engineer's salary is based; and

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

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

The following resolution was introduced by Councilwoman Pacifico and seconded by Councilwoman Andre.

RESOLUTION 14-2021

BE IT RESOLVED by the Governing Body of the Borough of Mountainside that in accordance with the Code of the Borough of Mountainside, the officers and employees of the Borough of Mountainside authorized to make certification of goods received or services rendered in 2021 are as follows:

Administrative & Executive:

Jill Goode
Martha Lopez
Glenn Mortimer

Medical & Surgical:

Jill Goode
Glenn Mortimer

Financial Administration:

Jill Goode
Glenn Mortimer

Fire:

Chief Anthony Pecorelli
Asst. Chief Gary Cantagallo

Planning Board:

Theresa Synder

Police:

Chief Joseph Giannuzzi
Lt. Michael Jackson

Assessment of Taxes:

Michael Frangella
Patricia Gilstrap

First Aid:

Martha Lopez
Glenn Mortimer

Collector of Taxes:

Jill Goode

Municipal Court:

Frank Sahaj
Cynthia West

Public Works Facilities:

Matthew DeAnna
Patricia Gilstrap

Inspector of Buildings:

Jerry Eger

Legal:

Martha Lopez
Glenn Mortimer

Inspector of Plumbing:

Ben B. Scotti

Streets & Roads

Matthew DeAnna
Patricia Gilstrap

Emergency Management:

Chief Joseph Giannuzzi
Matthew DeAnna

Workmen's Compensation:

Jill Goode
Glenn Mortimer

Engineering:

Michael Disko, Jr.
Patricia Gilstrap

Health Insurance:

Jill Goode
Glenn Mortimer

Sanitation:

Matthew DeAnna
Patricia Gilstrap

Street Lighting:

Matthew DeAnna
Patricia Gilstrap

Library:

Kathryn Brown

Board of Health:
Martha Lopez
Susan DiFrancesco

Shade Tree:
Matthew DeAnna

Recreation/Community Pool:
Frank Masella
Samantha Grindlinger

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

The following resolutions were introduced by Councilwoman Pater and seconded by Councilwoman Pacifico.

RESOLUTION 15-2021

BE IT RESOLVED by the Governing Body of the Borough of Mountainside that the following named banks and savings and loan associations be and they hereby are designated as official depositories for the Borough of Mountainside for the year 2021:

New Jersey Cash Management
Citi Fund Services
P.O. Box 182218
Columbus, OH 43218-2218

Valley National Bank
882 Mountain Avenue
Mountainside, NJ 07092

Wells Fargo Bank
550 Broad Street, 4th Floor
Newark NJ 07102

Spencer Savings
329 North Avenue
Garwood, NJ 07027

Investors Bank
300 South Avenue
Garwood, NJ 07027

TD Bank, NA
425 Main Street, Suite 2nd Floor
Chatham, NJ 07928

RESOLUTION 16-2021

BE IT RESOLVED by the Governing Body of the Borough of Mountainside that the following are designated and appointed the official newspapers of the Borough of Mountainside for the year 2021: Local Source, Westfield Leader, Star Ledger and Courier News.

The following resolutions were introduced by Councilman Messler and seconded by Councilwoman Andre.

RESOLUTION 17-2021

BE IT RESOLVED by the Governing Body of the Borough of Mountainside that the rate of interest of delinquent taxes and assessments owed to the said Borough of Mountainside be and it hereby is set at eight percent (8%) on the first one thousand five hundred dollars (\$1,500.00) of taxes due and eighteen percent (18%) of any amount in excess of one thousand five hundred dollars (\$1,500.00). Such interest shall not be charged, however, on payments made within ten (10) days from the due date.

BE IT FURTHER RESOLVED there will be a six percent (6%) penalty on delinquency of ten thousand dollars (\$10,000.00) or more at the end of the calendar year.

RESOLUTION 18-2021

BE IT RESOLVED by the Governing Body of the Borough of Mountainside that the following Borough Employees be bonded in amounts set forth opposite their names herein:

Jill Goode, CFO/Tax Collector	\$ 1,000,000.00
Blanket Bond/Employees Handling Funds	\$ 1,000,000.00
Municipal Judge/Court Administrator	\$ 1,000,000.00

RESOLUTION 19-2021

BE IT RESOLVED, that any two of the following Borough Officials are hereby authorized to sign checks and drafts of the Borough of Mountainside:

Paul N. Mirabelli, Mayor
Deanna Andre, Council President
Jill Goode, CFO/Treasurer
Glenn Mortimer, Administrator

RESOLUTION 20-2021

In compliance with Chapter 231 of the OPEN PUBLIC MEETINGS ACT of the State of New Jersey, the Governing Body of the Borough of Mountainside hereby provides Annual Notice of its Schedule of Meetings for 2021.

Public Notice is hereby given that due to the COVID-19 Health Pandemic and the Governor's Executive Order 173, the following meetings will be held virtually, in lieu of meeting at Borough Hall.

Please Note, Council Meetings will be open to the public by electronic means, and as such, members of the public may view the meeting by livestream on the Borough's Facebook Page. Anyone listening to the meeting via telephone can call (646)558-8656, Meeting ID 6704413608#, to join the public comment portion of the meeting press *9 on your keypad to "Raise Hand" and press *6 when prompted to speak. The meeting format is subject to change if COVID-19 emergency persists or worsens—please check Borough website for updated meeting information—mountainside-nj.com.

Held at 7:30 PM on the first and third Tuesdays of the month, unless otherwise noted

	WORK SESSION	REGULAR MEETING
January	*12	19
February	2	16
March	2	16
April	6	20
May	4	18
June	1	15
July	6	20
August	3	17
September	7	21
October	5	19

November	*9	*23
December	7	21

Reorganization Meeting: Tuesday, January 4, 2022 7:00 P.M.

*Note: date change

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

The following resolutions were introduced by Councilwoman Andre and seconded by Councilwoman Pacifico.

RESOLUTION 21-2021

WHEREAS, NJSA 40A:4-19 of the Local Budget Act provides that temporary appropriations shall be made for the purposes and amounts required in the manner and time therein provided;

NOW, THEREFORE, BE IT RESOLVED that the following temporary appropriations shall be made for the year 2021:

<u>APPROPRIATIONS</u>	<u>SALARIES & WAGES</u>	<u>OTHER EXPENSES</u>
Administrative & Executive	\$45,000.	\$50,000.
Finance Administration	50,000.	400.
Mayor & Council	4,000.	0.
Clerk	40,000.	1,500.
Assessment of Taxes	7,000.	8,000.
Legal Services & Costs	8,000.	150,000.
Planning Board	7,500.	14,000.
Insurance:		
Group		250,000.
Other		90,000.
Waiver O/E		12,000.
Fire Department		20,000.
Police Department	800,000.	100,000.
OEM	5,000.	2,650.
Fire Prevention	8,500.	2,000.
Police Communications Officers	70,000.	32,000.
Roads Repairs & Maintenance	135,000.	60,000.
Snow Removal	0.	100,000.
Buildings & Grounds	0.	35,000.
Shade Tree Commission	0.	3,000.
Board of Health	2,100.	12,000.
Dog Regulation	0.	4,000.
Recreation Department	42,000.	24,500.
Construction Official	40,000.	1,500.
Fire Hydrant Service	0.	52,000.
Street Lighting	0.	13,500.
Telephone	0.	10,500.
Electricity	0.	26,000.
Water	0.	2,700.
Natural Gas	0.	15,000.
Gasoline	0.	22,500.
Social Security	0.	45,000.

Defined Contribution Plan	0.	1,000.
Municipal Court	44,000.	2,000.
Zoning		10.
Public Defender	1,000.	
Sr. Citizen Services	20,000.	1,500.
<u>APPROPRIATIONS</u>	<u>SALARY & WAGES</u>	<u>OTHER EXPENSES</u>
Maintenance Public Library	0.	165,000.
Kids Recreation Trust Grant		30,000.
Watts Foundation Grant		3,000.
TOTAL	\$1,329,100.	\$1,362,260.

<u>POOL:</u>		
Operating	\$25,000.	\$20,000.
Capital Outlay	0.	12,000.
TOTAL	\$25,000.	\$32,000.

RESOLUTION 22-2021

WHEREAS, the approval of the Petty Cash Funds listed below has been given by the Division of Local Government Services; and

WHEREAS, these funds for 2020 have been returned to the Chief Finance Officer according to R.S. 40A:5-21;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Mountainside that the Chief Finance Officer be and is hereby authorized to draw and deliver said warrants to the following Petty Cash Custodians for the year 2021:

<u>FINANCE</u>	
Jill Goode	\$100.00
Chief Finance Officer/Treasurer	
<u>RECREATION</u>	
Frank Masella	\$100.00
Recreation Director	
<u>POLICE</u>	
Joseph Giannuzzi	\$100.00
Police Chief	
<u>DPW</u>	
Matthew DeAnna	\$50.00
DPW Director	

RESOLUTION 23-2021

WHEREAS, the Governing Body of the Borough of Mountainside wishes to appoint John Cuccolo to the position of Class II Special Law Enforcement Officer.

NOW, THEREFORE, BE IT RESOLVED, by Mayor and Council of the Borough of Mountainside that John Cuccolo be and he hereby is appointed to the position of Class II Special Law Enforcement Officer at an hourly rate of \$30.00 effective January 1, 2021 for a one- year term.

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

AUDIENCE PARTICIPATION:

Ted Zawislak, 372 New Providence Road, thanked the Mayor, Council, and Board of Education for making Mountainside a special place to live.

JD Bryden, 1036 Summit Lane, thanked the Mayor, Council & Staff, congratulated Councilwoman Andre and Councilman Matejek. A special thanks to Keith Turner for his years of service.

Noel Crawford, thanked everyone and wished all a Happy New Year.

COUNCIL COMMENTS:

Mayor Mirabelli wished everyone a Happy and Healthy New Year.

Upon a motion by Councilwoman Pacifico and a second by Councilman Messler, the meeting was unanimously adjourned. Meeting adjourned at 8:11 P.M.

Martha Lopez, RMC
Borough Clerk