

**WORK SESSION**  
**JUNE 4, 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 8:02 P.M.

PRESENT: Mayor Mirabelli, Councilwoman Andre, Councilman Lane, Councilman Mortimer, Council President Turner, Attorney John Post and Administrator Debbie. Also present were Public Works Manager Ronald Romak, Recreation Director Frank Masella, CFO Jill Goode, Borough Engineer Mike Disko, Construction Official Jerry Eger, and Fire Sub Code Official David Mass. Councilman Messler and Councilman Wass were absent.

Discussion was held regarding the annual renewal of liquor licenses. The Borough Clerk has received all of the renewal applications along with the proper fees. Raagini has not received a tax clearance certificate and if they are not cleared before the next meeting their pocket license will not be renewed. The resolution to approve the liquor license renewals will be prepared for the meeting of June 18, 2013.

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Discussion was held regarding the request from the Finance Officer for a Chapter 159 resolution to include two special items of revenue into the 2013 municipal budget for NJDOT Highway Safety Fund \$23,150.76 and Clean Communities \$13,593.44. The proper resolution will be prepared for the June 18, 2013 meeting.

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Discussion was held regarding proposed upgrade work from Elizabethtown Gas Company. They are proposing to undertake upgrades to a portion of their underground main system within the Borough of Mountainside. Borough Engineer Mike Disko provided Council with several paving options such as a request that Elizabethtown Gas provide funding for pavement resurfacing, perform full width milling and resurfacing, perform curb to trench milling and resurfacing, or repave all trenches with some funding for remedial work. It was suggested that we come up with a formula to present them with our cost request in order to provide the reasoning behind it. Mayor Mirabelli created a Committee to thoroughly evaluate all the roads individually to determine the necessary funding when negotiating with the Gas Company.

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Discussion was held regarding a request from Borough Engineer Mike Disko to revise the land use ordinance specifically pertaining to the maximum building height in residential zones. A resolution to change the current 30 ft. standard to 35 ft. has not formally been proposed and Mr. Disko suggests that during the interim we increase the height to 32 ft. until the formal FAR ordinance is introduced. The Council agreed to amend the ordinance to change the maximum height standard to 32 ft. The ordinance amendment will be introduced at the meeting of June 18, 2013.

Discussion was held regarding authorization to advertise for pothole repair bids. Council agreed to continue the pothole repair program not to exceed \$25,000. The proper resolution will be prepared for the meeting of June 18, 2013.

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Discussion was held regarding an escrow refund for a road opening permit. The homeowner at 1253 Wood Valley Road provided a \$250.00 escrow deposit to have work done on his street. The Borough Engineer recommends refunding his deposit at this time. The proper resolution will be prepared for the June 18, 2013 meeting.

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Discussion was held regarding the appointment of OEM Director, OEM Deputy and QPA. The Council agreed to appoint James Debbie Jr. as OEM Director at a stipend of \$5,000 and Ronald Romak as OEM Deputy at \$2,500. Martha Lopez is certified and qualified to take the position at a stipend of \$5,000 to be paid half now and half next year. The proper appointing resolutions will be prepared for the June 18, 2013 meeting.

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Discussion was held regarding a request from the Tax Collector to authorize a refund for a tax overpayment to Block 4.C Lot 25.A due to a duplicate payment. The proper resolution will be prepared for the June 18, 2013 meeting.

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Discussion was held regarding the recreation soccer program. Recreation Director Frank Masella presented a revenue analysis to the Council explaining the reasons for a decrease in revenue particularly with the soccer programs. Mayor Mirabelli suggested PAL forward an email from Recreation encouraging 3<sup>rd</sup> and 4<sup>th</sup> grade kids to join recreation soccer programs. Mayor Mirabelli explained that PAL recognized a need to provide other soccer alternatives, specifically a travel team to residents who complained about the soccer programs offered through Recreation. Council President Turner expressed the need to promote recreation's programs first and if needed, provide programs the kids are interested in. PAL will provide their distribution list to Recreation in order to reach as many soccer participants as possible and moving forward there is a need to promote better communication between Berkeley Heights, PAL and Recreation.

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Discussion was held regarding hiring new police officers. Council President Turner expressed the need to hire two new police officers that could possibly be funded through grant money and the savings from overtime pay. The Committee is currently discussing promotions and they hope to have the new officers in place before the Police Chief's retirement.

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Discussion was held regarding an escrow refund for a soil moving permit. The homeowners at 1325 Summit Lane provided a \$1,000.00 escrow deposit to move soil on their property. The Borough Engineer recommends refunding their deposit at this time. The proper resolution will be prepared for the June 18, 2013 meeting.

**BILLS & CLAIMS:**

The following resolution was introduced by Councilman Mortimer and seconded by Councilman Lane:

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 4<sup>th</sup> day of June 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 \$127,343.11 (Copy of bill list attached.)

Roll Call: Andre, Lane, Mortimer, Turner. Nays: 0  
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Upon motion by Councilman Mortimer and a second by Councilman Lane, 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 and public safety 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 8:55 P.M.  
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The meeting was recalled to public session at 9:45 P.M.

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

Respectfully submitted,

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Martha Lopez, Borough Clerk