

**WORK SESSION**  
**JANUARY 9, 2024**

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, Councilwoman Andre, Councilman Dierkes, Councilman Matejek, Councilman Messler, Council President Pacifico (via phone), Councilman Rinaldo, Administrator Mortimer and Attorney Post. Also present were Senior Coordinator Kim Moriak, Police Chief Joseph Giannuzzi, Public Works Director Matthew DeAnna and Recreation Director Frank Masella.

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Discussion was held regarding the appointment of representatives to the UC Transportation Advisory Board. Council agreed to reappoint Councilman Robert Messler and Mike Disko as alternate, for a one-year term. The proper resolution will be prepared for the meeting of January 16, 2024.

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Discussion was held regarding the appointment of Fund Commissioner to the Suburban Municipal Joint Insurance Fund. The Borough Administrator will be appointed for a one-year term. The proper resolution will be prepared for the January 16, 2024 meeting.

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Discussion was held regarding the appointment of the Rahway Valley Sewerage Authority Commissioner. Council agreed to reappoint John Tomaine to represent Mountainside for a five-year term. The proper resolution will be prepared for the meeting of January 16, 2024.

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Discussion was held regarding entering into a professional services contract. The borough will renew a professional services contract with Apruzzese, McDermott, Mastro & Murphy PC for legal services involving labor disputes. The proper resolution will be prepared for the January 16, 2024 meeting.

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Discussion was held regarding the annual July 4<sup>th</sup> fireworks display. Garden State Fireworks, Inc. provided a quote of \$20,000. The proper resolution will be prepared for the meeting of January 16, 2024.

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Discussion was held regarding a request from the Finance Officer for end of year budget transfers within 2023 reserve municipal budget. In accordance with State Statute, transfers can be made within certain budget appropriations during the first three months of the fiscal year. It is requested that certain transfers be made within the 2023 municipal budget. The proper budget transfer resolution will be prepared for the meeting of January 16, 2024.

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Discussion was held regarding an extension of the janitorial services contract. The contract allows for a two-year extension and the DPW Director recommends we continue with their services. The proper resolution will be prepared for the January 16, 2024 meeting.

Discussion was held regarding amending the borough's rental requirements. Council would like to modify the borough ordinance to allow one unrelated person to rent rooms in a house rather than two as is currently allowed. This change will mimic the New Jersey State number allowed.

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Discussion was held regarding a bid recommendation from the Borough Engineer for Contract 2023-1 Resurfacing Constitution Plaza, Rolling Rock Road, Birch Hill Road. The Engineer recommends the base bid and alternate #3 be awarded to the lowest bidder DLS Contracting, Inc. in the amount of \$591,665.10, pending Borough Attorney review and approval from the NJDOT. The proper resolution will be prepared for the meeting of January 16, 2024.

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Discussion was held regarding a department refund. A request from the Borough Engineer for the return of a bond for road paving on Wild Hedge Lane. The proper resolution will be prepared for the January 16, 2024 meeting.

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Discussion was held regarding amending the shade tree ordinance. The borough currently allows for the removal of five trees within a twelve-month period.

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Discussion was held regarding a new Library Board Appointment. The Council recommends Coady Brown to be appointed to the Library Board.

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Discussion was held regarding the placement of a new generator for Borough Hall. The generator was approved to be placed at the sally port near the police department.

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**BILLS & CLAIMS:**

The following resolution was introduced by Councilman Dierkes 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 9<sup>th</sup> day of January 2024, 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 \$84,991.66 (Copy of bill list attached)

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

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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 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 7:57 P.M.  
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The meeting was recalled to public session at 8:27 P.M.

Upon motion by Councilman Dierkes and a second by Councilman Rinaldo, the meeting was unanimously adjourned.

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Martha Lopez, RMC  
Borough Clerk