

**REGULAR MEETING  
NOVEMBER 26, 2019**

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 7:30 P.M.

**INVOCATION:** Councilwoman Pater  
**SALUTE TO THE FLAG**  
**ROLL CALL**

**PRESENT:** Mayor Mirabelli, Councilwoman Andre, Councilman Dierkes, Councilman Messler, Councilman Mortimer, Councilwoman Pater, Council President Turner, Administrator Atkins and Attorney Post. Also present were Police Chief Joseph Giannuzzi, Recreation Director Frank Masella, Public Works Director Matthew DeAnna, Borough Engineer Mike Disko and Borough Planner John Chadwick.

**APPROVAL OF MINUTES:**

Upon motion by Councilman Turner a second by Councilman Mortimer, the minutes of the Regular & Executive Session Meetings held on October 15, 2019 were approved. Roll Call: Ayes: Andre, Dierkes, Messler, Mortimer, Pater, Turner. Nays: 0.

Upon motion by Councilman Turner a second by Councilman Messler, the minutes of the Work & Executive Session Meetings held on November 5, 2019 were approved. Roll Call: Ayes: Andre, Dierkes, Messler, Mortimer, Pater, Turner. Nays: 0.

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**RESOLUTIONS:**

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

**RESOLUTION 119-2019**

WHEREAS, N.J.A.C. 5:34-7.15 authorizes contracting units to establish a Commodity Resale System; and

WHEREAS, the County of Union, hereinafter referred to as the Lead Agency, has established a Cooperative Commodity Resale System, System ID# 99016-UCCRS, for the resale of rock salt; and

WHEREAS, the Borough of Mountainside desires to participate in the Union County Commodity Resale System.

NOW, THEREFORE BE IT RESOLVED a copy of this resolution along with copy of the agreement shall be forwarded to the Director of the Division of Local Government Services within the State Department of Community Affairs for approval.

Roll Call: Andre, Dierkes, Messler, Mortimer, Pater, Turner. Nays: 0.  
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The following resolution was introduced by Councilman Mortimer and seconded by Councilman Messler.

**RESOLUTION 120-2019**

WHEREAS, there is a need for a Full Time Finance Assistant; and

WHEREAS, the Governing Body of the Borough of Mountainside is desirous of hiring someone to assist in the Finance & Tax Department; and

WHEREAS, Katherine Vilarino is experienced in performing the duties of Full Time Finance Assistant; and

WHEREAS, the A&E Committee recommends that the Borough Council take action to hire Katherine Vilarino.

NOW, THEREFORE, BE IT RESOLVED, by Mayor and Council of the Borough of Mountainside that Katherine Vilarino is hereby hired as Full Time Finance Assistant in the Finance & Tax Department at an annual salary of \$43,000 effective November 14, 2019 with a 90 day probationary period.

Roll Call: Andre, Dierkes, Messler, Mortimer, Pater, Turner. Nays: 0.  
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The following resolution was introduced by Councilwoman Pater and seconded by Councilman Turner.

**RESOLUTION 121-2019**

WHEREAS, N.J.S.A. 40A:4-58 provides for transfers within certain appropriations within the Municipal Budget during the last two months of the fiscal year; and

WHEREAS, the Chief Financial Officer has advised the Mayor and Council of the Borough of Mountainside that the need for certain transfers within the 2019 Municipal Budget exists, and

WHEREAS, this resolution authorizes the Chief Financial Officer to make these transfers.

NOW, THEREFORE, BE IT RESOLVED that the following budget transfers be ratified.

<u>CURRENT ACCOUNT</u>	<u>TO</u>	<u>FROM</u>
Recreation S/W	12,000.00	
Senior Citizen S/W	2,000.00	
A&E S/W	2,000.00	
Municipal Clerk S/W	10,000.00	
Police O/E	10,000.00	
Police S/W		10,000.00
Planning Board O/E		10,000.00
Emergency Mgmt S/W		5,000.00
Fire Prevention S/W		11,000.00
Pool O/E	5,000.00	
Pool S/W		5,000.00

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

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

**RESOLUTION 122-2019**

WHEREAS, the Borough of Mountainside needs to refund monies to interested parties for overpayment of current year taxes,

NOW, THEREFORE, BE IT RESOLVED that the Treasurer be authorized to issue the following refund, for the following reason:

Duplicate Payments Due to Banks

CoreLogic  
Centralized Refunds  
P. O. Box 9202  
Coppell, TX 75019-9978

<u>Block</u>	<u>Lot</u>	<u>Amount</u>
3.11	41	\$2,959.83
5.11	13	\$3,062.93
15.09	48.10	\$5,508.53
15.11	10	\$1,836.37
15.13	24	\$2,215.66
24.06	24	\$2,251.91

Roll Call: Andre, Dierkes, Messler, Mortimer, Pater, Turner. Nays: 0.  
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The following resolution was introduced by Councilman Turner and seconded by Councilman Mortimer.

**RESOLUTION 123-2019**

BE IT RESOLVED by the Governing Body of the Borough of Mountainside (“Borough”) that Paul Mirabelli, Mayor of Mountainside, be and he hereby is authorized to sign a Contract between the Borough and the New Jersey Department of Transportation (“NJDOT”) whereby the NJDOT will sell salt to the Borough for the 2019-2020 Winter season on the terms and conditions set forth in such Contract.

Roll Call: Andre, Dierkes, Messler, Mortimer, Pater, Turner. Nays: 0.  
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The following resolution was introduced by Councilman Dierkes and seconded by Councilwoman Andre.

**RESOLUTION 124-2019**

WHEREAS, the Borough Engineer has requested a refund to the following individual; and

NOW, THEREFORE, BE IT RESOLVED that the Treasurer be authorized to issue the following refund:

<u>Applicant</u>	<u>Permit</u>	<u>Amount</u>
Jon Herttua/Patricia Spencer 23 Tanglewood Lane	Road Opening	\$2,500.00

Mountainside, NJ

Roll Call: Andre, Dierkes, Messler, Mortimer, Pater, Turner. Nays: 0.  
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The following resolution was introduced by Councilwoman Andre and seconded by Councilwoman Pater.

**RESOLUTION 125-2019**

Governor's Council on Alcoholism and Drug Abuse  
Fiscal Grant Cycle July 2020-June 2025  
FORM 1B

WHEREAS, the Governor's Council on Alcoholism and Drug Abuse established the Municipal Alliances for the Prevention of Alcoholism and Drug Abuse in 1989 to educate and engage residents, local government and law enforcement officials, schools, nonprofit organizations, the faith community, parents, youth and other allies in efforts to prevent alcoholism and drug abuse in communities throughout New Jersey.

WHEREAS, The Mountainside Council of the Borough of Mountainside, County of Union, State of New Jersey recognizes that the abuse of alcohol and drugs is a serious problem in our society amongst persons of all ages; and therefore has an established Municipal Alliance Committee; and,

WHEREAS, the Mountainside Borough Council further recognizes that it is incumbent upon not only public officials but upon the entire community to take action to prevent such abuses in our community; and,

WHEREAS, the Mountainside Borough Council has applied for funding to the Governor's Council on Alcoholism and Drug Abuse through the County of Union;

NOW, THEREFORE, BE IT RESOLVED by the Borough of Mountainside, County of Union, State of New Jersey hereby recognizes the following:

1. The Mountainside Borough Council does hereby authorize submission of a strategic plan for the Mountainside Municipal Alliance grant for fiscal year July 1, 2020 – June 30, 2021 in the amount of:

DEDR	\$ 14,078.00
Cash Match	\$ 3,519.50
In-Kind	\$ 10,558.50

2. The Mountainside Borough Council acknowledges the terms and conditions for administering the Municipal Alliance grant, including the administrative compliance and audit requirements.

Roll Call: Andre, Dierkes, Messler, Mortimer, Pater, Turner. Nays: 0.  
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The following resolution was introduced by Councilman Messler and seconded by Councilwoman Andre.

**RESOLUTION 126-2019**

WHEREAS, the properties on the Northeast Corner of the intersection of Mountain Avenue and New Providence Road, which properties are shown as Block 14, Lots 15.01 and 15.03 on the Tax Map of the Borough of Mountainside, have been vacant for several years; and

WHEREAS, the Borough of Mountainside has communicated with the owners of such properties with a view toward determining whether the Borough might purchase such properties for use as a public park; and

WHEREAS, it appears from such communications that the Borough of Mountainside and the owners of such properties have not yet been able to come to an agreement regarding the terms on which the Borough of Mountainside might purchase such properties; and

WHEREAS, the Borough of Mountainside continues to be interested in acquiring such properties.

NOW THEREFORE BE IT RESOLVED that the appropriate Borough Officials be and they hereby are instructed to take such actions as might be required by the Eminent Domain Act of 1971, N.J.S.A. 20:3-1 through N.J.S.A. 20:3-5, to position the Borough to acquire such properties through the exercise of the Power of Eminent Domain.

Roll Call: Andre, Dierkes, Messler, Mortimer, Pater, Turner. Nays: 0.  
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**ORDINANCE:** Second Reading (Public Hearing)

**ORDINANCE 1277-2019  
AN ORDINANCE TO AMEND ORDINANCE 1270-2018 FIXING SALARY RANGES  
FOR CERTAIN MUNICIPAL EMPLOYEES**

BE IT RESOLVED by the Mayor and Council of the Borough of Mountainside that Ordinance 1270-2018 is hereby amended to read as follows:

**A&E**

Borough Administrator	\$ 25,000 - \$125,000
Administrator Assistant	15,000 - 40,000
Borough Clerk/Registrar of Vital Statistics	40,000 - 110,000
Deputy Borough Clerk/Deputy Registrar	30,000 - 60,000
Mayor	2,500 - 8,000
Council Member	1,200 - 6,000

**Finance**

Chief Finance Officer	40,000 - 110,000
Finance Assistant	30,000 - 60,000
Tax Collector	10,000 - 40,000
Finance Assistant	10.00 - 30.00 Hourly

**Police**

Chief of Police	100,000 - 175,000
Administrative Assistant	30,000 - 60,000
Records Clerk	12.00 - 25.00
Communications Officers	29,000 - 65,000
Crossing Guard	15.00 - 30.00 Hourly
Class II Special Officer	25.00 - 50.00 Hourly

**Building**

Construction Official/Building Subcode Official/ Building Inspector	10,000 -	60,000
Construction/Fire Prevention Secretary	20,000 -	65,000
Secretary: Engineer/DPW/Shade Tree/Recycling	20,000 -	50,000
Administrative Secretary: Construction/Planning Board	10.00 -	30.00 Hourly
Inspectors: (Plumbing/Building/Electrical)	25.00 -	50.00 Hourly
Fire Prevention/Fire Subcode Official	25.00 -	50.00 Hourly
Zoning Officer	10,000-	65,000
Public Works Director	40,000 -	100,000
Public Works Employees	25,000 -	70,000
Public Works Foreman	25,000 -	60,000
Engineer	35,000 -	100,000
Tax Assessor	15,000 -	40,000
Assistant to Assessor	3,000 -	10,000
Certified Wastewater & Treatment Operator	2,000 -	5,000

**Court**

Court Administrator	40,000 -	80,000
Deputy Court Administrator	30,000 -	60,000
Violations Clerk	5,000 -	50,000
Municipal Judge	15,000 -	40,000
Municipal Prosecutor	15,000 -	40,000
Public Defender	3,600 -	5,000

**Miscellaneous**

Handyman	12.00 -	30.00 Hourly
Drug Alliance Coordinator	3,000 -	5,000
Cable TV Coordinator	13.00 -	30.00 Hourly
Cable TV	10.00 -	25.00 Hourly
Website Coordinator	1,000 -	5,000
Board of Health Secretary	3,000 -	6,000
Senior Citizen Coordinator	15,000 -	30,000
Senior Van Driver	15.00 -	40.00 Hourly
OEM Director	5,000 -	15,000
OEM Deputy Director	2,500 -	10,000
Temporary Staffing	15.00 -	75.00 Hourly

**Recreation**

Recreation Director/Pool Administrator	40,000 -	100,000
Recreation Dept Secretary/Pool Bookkeeper	20,000 -	50,000
Assistant Recreation Director	30,000 -	70,000
Pool Manager	6,000 -	15,000
Assistant Pool Manager	4,000 -	10,000
Pool Secretary (P/T)	10.00 -	20.00
Swim Instructors	10.00 -	20.00
Life Guards	10.00 -	20.00
Main Gate Control	10.00 -	20.00
Maintenance Foreman	10.00 -	20.00
Maintenance Personnel	10.00 -	20.00
Swim Coach	1,750 -	4,000
Assistant Swim Coach	200 -	1,800
Diving Coach	1,400 -	3,000
Pool Technician	2,000 -	12,000
Assistant Pool Tech	2,000 -	5,000
Fitness/Sports Instructor (per person, per class)	2.00 -	15.00
Tennis Lesson Instructor (per person, per session)	35.00 -	150.00
Art/Crafts Instructor (per person, per class)	2.00 -	20.00
Sports Supervisor (per session)	25.00 -	75.00

Youth Tennis Team Coach (per season)	350.00 -	1,500
Men's Softball Supervisor (per season)		250.00
Activity Supervisor (per session)	10.00 -	75.00
Sports Official (per session)	10.00 -	120.00
Assignor (per game)	2.00 -	6.00
Summer Playground Supervisor (per season)	1,750 -	4,200
Summer Playground Assistant Supervisor (per season)	1,200 -	3,150
Sports Coach	1,500 -	3,500
Middle School Team Coach (per season)	350 -	3,000

Mayor Mirabelli opened the meeting to the public for anyone wishing to speak on this ordinance and this ordinance only.

Hearing no one wishing to speak, Councilman Turner closed the meeting to the public.

It was moved by Councilwoman Pater and seconded by Councilman Mortimer that this ordinance be passed on second and final reading and advertised by title only.

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

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**MOTIONS:**

The following motions were unanimously approved:

1. Approve raffle applications from MEF for an on premise 50/50 draw raffle, casino night, on premise draw raffle
2. Approve Domenico Deluca and Marco Del Pizzo to join the Junior Firemen's Auxillary Program

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**BILLS & CLAIMS:**

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

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 26<sup>th</sup> day of November 2019, 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 \$429,182.25 (Copy of bill list attached).

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

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**COUNCIL COMMENTS:**

Councilwoman Pater announced upcoming events and the need for Snow Buddy volunteers.

Councilman Messler announced the Blue Angel Program.

Mayor Mirabelli invited residents to upcoming holiday events.

**AUDIENCE PARTICIPATION:**

Hearing no one wishing to speak, Mayor Mirabelli closed the meeting to the public.  
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The following resolution was introduced by Councilman Turner and seconded by Councilman Mortimer.

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 contracts, litigation and 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 7:50 P.M.  
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The meeting was recalled to public session.

Upon a motion by Councilman Dierkes and a second by Councilman Mortimer, the meeting was unanimously adjourned at 9:15 P.M.  
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Martha Lopez, RMC  
Borough Clerk